
7 August 2019

Dear Councillor,

A meeting of **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER** at these offices on **THURSDAY, 15TH AUGUST, 2019 at 7.00 pm** when your attendance is requested.

Yours sincerely,
KATHRYN HALL
Chief Executive

A G E N D A

Pages

- | | | |
|----|--|--------------|
| 1. | To receive apologies for absence. | |
| 2. | To receive Declarations of Interest from Members in respect of any matter on the Agenda. | |
| 3. | To confirm the Minutes of the meeting of the Committee held on 25 July 2019. | 3 - 4 |
| 4. | To consider any items that the Chairman agrees to take as urgent business. | |

Items Recommended for Approval.

- | | | |
|----|---|----------------|
| 5. | DM/19/1288 - 1st Hassocks Scout Group, Scout Headquarters, Parklands Road, Hassocks, BN6 8LF. | 5 - 12 |
| 6. | DM/19/1922 - Court Bushes Sports Ground, Willow Way, Hurstpierpoint, BN6 9TH. | 13 - 20 |
| 7. | DM/19/2297 - 15 Folders Close, Burgess Hill, RH15 0TA. | 21 - 26 |

Items Recommended for Refusal.

None.

Other Matters.

None.

8. Questions pursuant to Council Procedure Rule 10 due notice of which has been given.

Human Rights Act

The reports and recommendations set out in this agenda have been prepared having regard to the requirements of the Human Rights Act 1998.

Risk Assessment

In formulating the recommendations on the agenda, due consideration has been given to relevant planning policies, government guidance, relative merits of the individual proposal, views of consultees and the representations received in support, and against, the proposal.

The assessment of the proposal follows the requirements of the 1990 Town and Country Planning Act and is based solely on planning policy and all other material planning considerations.

Members should carefully consider and give reasons if making decisions contrary to the recommendations, including in respect of planning conditions.

Where specifically relevant, for example, on some applications relating to trees, and on major proposals which are likely to have a significant impact on the wider community, potential risks associated with the proposed decision will be referred to in the individual report.

NOTE: All representations, both for and against, the proposals contained in the agenda have been summarised. Any further representations received after the preparation of the agenda will be reported verbally to Members at the meeting. Any other verbal or additional information will be presented at the meeting.

The appropriate files, which are open to Member and Public Inspection, include copies of all representations received.

Members are also reminded the representations, plans and application file will also be available for inspection at these offices from 6.00 p.m. on the day of the meeting.

To: **Members of Planning Committee:** Councillors G Marsh, P Coote, G Allen, R Cartwright, E Coe-Gunnell White, J Dabell, R Eggleston, A MacNaughton, C Phillips, M Pulfer, D Sweatman and N Walker

**Minutes of a meeting of Planning Committee
held on Thursday, 25th July, 2019
from 7.00 - 7.18 pm**

Present: G Marsh (Chair)
P Coote (Vice-Chair)

G Allen	J Dabell	D Sweatman
R Cartwright	C Phillips	
E Coe-Gunnell White	M Pulfer	

Absent: Councillors R Eggleston, A MacNaughton and N Walker.

Also Present: Councillor Hussain.

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Walker, Eggleston and MacNaughton.

2 TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

The Chairman declared a non-determination interest in DM/19/1807 - Unit B, 208-216, London Road, Burgess Hill, West Sussex, RH15 9RD as he was a Cabinet Member when the lease to Pure Gym Ltd was approved at Cabinet The Chairman confirmed that he is no longer a Cabinet Member and he comes to the committee and consideration of the application with an open mind.

3 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 4 JULY 2019

The Minutes of the meetings of the Planning Committee held on 4 July 2019 were agreed as a correct record and signed by the Chairman.

4 TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

The Chairman confirmed that he had no urgent business.

5 DM/19/1807 - UNIT B, 208-216, LONDON ROAD, BURGESS HILL, WEST SUSSEX, RH15 9RD

The Chairman introduced the report and confirmed with Members that they did not require a presentation from officers. He took Members to the recommendation to approve, which was moved by Councillor Coote and seconded by Councillor Coe-Gunnell White. This was agreed unanimously.

RESOLVED

That permission be granted subject to the conditions listed at Appendix A.

6 DM/19/2069 - 15-17 AND 19 THE MARTLETS, BURGESS HILL, WEST SUSSEX, RH15 9NN

Steve Ashdown, Team Leader for Major Development & Investigations, introduced the application which sought for the change of the use of the units from A1 retail to D1 library, effectively making an existing temporary change of use, permanent. He drew Members' attention to the Agenda Update Sheet which added further requirements for glazing arrangements to be in place prior to use to Condition 3.

Councillor Hussain, Ward Member, addressed the committee. He highlighted the need for the frosting of the staff room windows and welcomed the addition to Condition 3 making it a requirement. He however felt that the location of the Changing Places toilet was unsuitable as those with mobility disabilities would be required to travel upstairs via an elevator to access it.

The Chairman noted the Ward Member's concerns. He stated that the developer cannot be forced to change the location of the toilets however a letter could be written to the developer and West Sussex County Council requesting a change in the location of the toilets. He sought the committees' approval on whether officers could write a letter on the committees' behalf. This was agreed.

The Chairman took Members to the recommendation to approve, with the additional Condition 3 in the Agenda Update Sheet, which was moved by Councillor Coote and seconded by Councillor Phillips. This was agreed unanimously.

RESOLVED

That permission be approved subject to the conditions outlined at Appendix A and the additional Condition 3 as recommended through the Agenda Update Sheet.

7 DM/19/1361 - THE OLD SAND PIT, LONDON ROAD, ALBOURNE, HASSOCKS, WEST SUSSEX, BN6 9BQ

The Chairman drew Members to the Agenda Update Sheet and confirmed that this Item had been removed from the committee agenda following withdrawal of the Application by the applicants.

8 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 7.18 pm

Chairman

MID SUSSEX DISTRICT COUNCIL

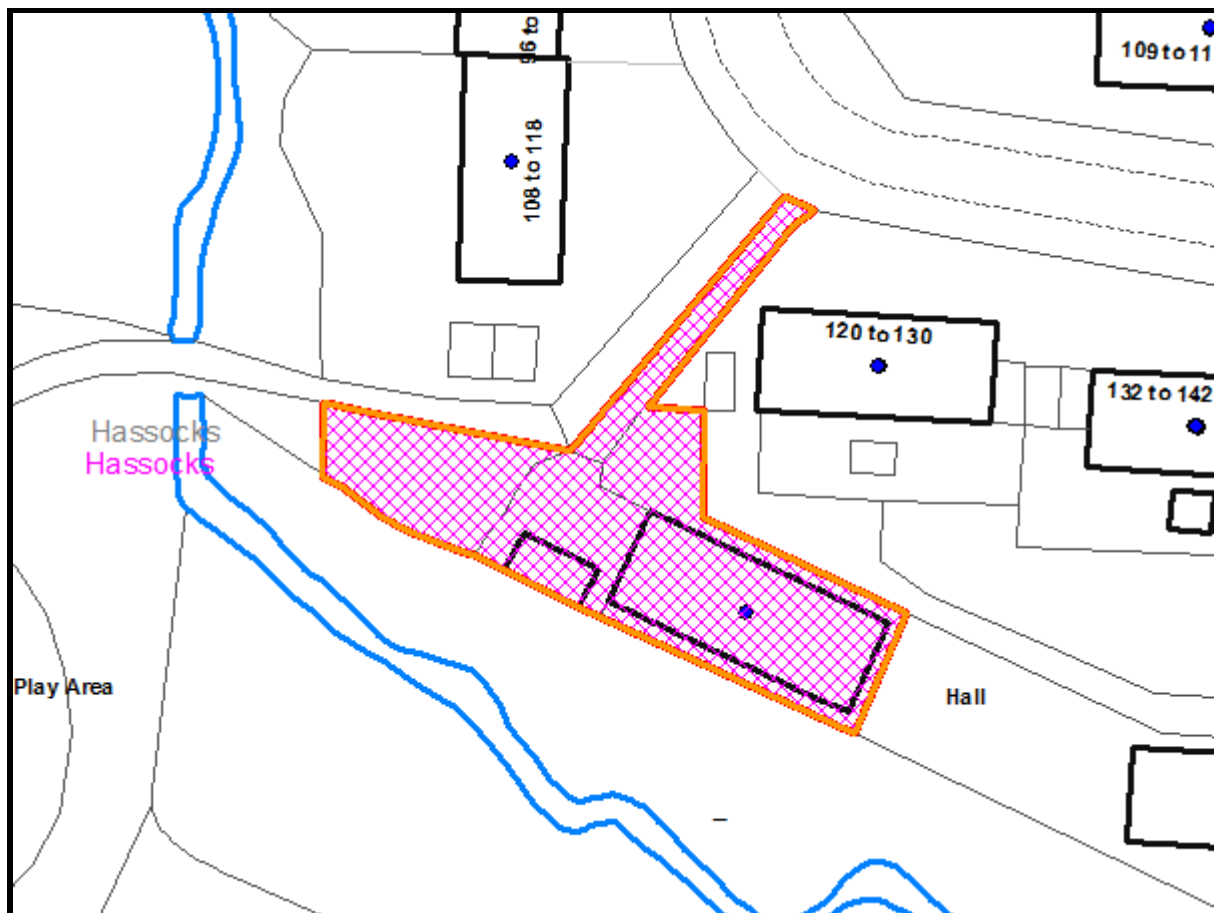
Planning Committee

15 AUG 2019

RECOMMENDED FOR PERMISSION

Hassocks

DM/19/1288



© Crown Copyright and database rights 2019 Ordnance Survey 100021794

1ST HASSOCKS SCOUT GROUP SCOUT HEADQUARTERS PARKLANDS ROAD HASSOCKS

REPLACING EXISTING CLADDING WITH BROWN COATED STEEL SHEET CLADDING AND INSTALL INSULATION. REMOVAL OF 3 WINDOWS ON NORTHERN ELEVATION. (REVISED PLANS RECEIVED AND CHANGED DESCRIPTION 26/06).

MR WILLIAM WHITEHEAD

POLICY: Ancient Woodland / Areas of Special Control for Adverts / Built Up Areas / Aerodrome Safeguarding (CAA) /

ODPM CODE: Minor Other

8 WEEK DATE: 30th May 2019

WARD MEMBERS: Cllr Sue Hatton / Cllr Benedict Dempsey / Cllr Alexander Sparasci /

CASE OFFICER: Andrew Horrell

PURPOSE OF REPORT

To consider the recommendation of the Divisional Lead Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning Permission is sought for replacement cladding to the flat roofed side extensions on the southern and northern elevations and removal of three windows on the northern elevation.

The application is being reported to committee as the District Council is the landowner.

This is a modest development which complies with policies DP25 and DP26 of the Mid Sussex District Plan and policies 9 and 12 of the draft Hassocks Neighbourhood Plan. The application is therefore recommended for approval subject to the conditions listed in Appendix A.

RECOMMENDATION

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTATIONS

None

PARISH COUNCIL OBSERVATIONS

With the original plans, Hassocks Parish Council recommended approval to the application.

In view of the revised plans Hassocks Parish Council recommended approval but queried as to whether there is a need for a Mechanical Ventilation Heat Recovery system to ensure adequate air quality, in what will now be a highly insulated and nearly airtight building.

INTRODUCTION

The application seeks planning permission for the replacement of existing cladding with brown coated steel sheet cladding on the southern and northern side extensions and the removal of three windows on the northern elevation.

RELEVANT PLANNING HISTORY

CN/003/93 - INTERNAL ALTERATIONS AND ADDITIONAL DORMER EXTENSIONS AT GROUND FLOOR LEVEL.

09/00808/FUL - Replacement of the existing roof from corrugated asbestos with a coated trapezoidal sheet steel skin, with bonded insulation.

12/02012/FUL - The removal of a cloakroom and 2 toilets and installing one unisex toilet and one wheelchair accessible toilet. This will require changes to access details (doors within the building) and the external door and 2 windows, plus the installation of ramps to access the building.

SITE AND SURROUNDINGS

The existing is a single storey detached pitched roofed building with a single storey flat roofed side extensions on land to the rear of 120-130 Parklands Road. The pitched roof is green metal sheeted roof and the walls are characterised by face brickwork and timber cladding and the doors and windows are upvc. It is in use as a scout hut.

To the north of the site is access path with mesh to 120-130 Parklands Road beyond, to the south of the site is woodland, to the east of the site is the A House Nursery Pre-School and to the west of the site is woodland to the access track to the Parklands Playground beyond.

The site is within the built up area of Hassocks.

APPLICATION DETAILS

The application seeks planning permission for replacement cladding to the flat roofed side extensions on the southern and northern elevations with brown coated steel sheet cladding and removal of three windows on the northern elevation.

The existing flat roofed side extensions as approved in 1993 under reference CN/003/93 with the northern side extension measuring 1.4m in depth, 18.3m in width and 2.8m in height and the southern side extension measuring 1.4m in depth, 17.9m in width and 2.7m in height. The existing timber shiplap cladding is to be replaced by proposed Van Dyke Brown horizontal steel sheet cladding.

On the northern side extension, three windows are to be removed which measure 1.2m in width and 1.2m in height.

The application is being reported to committee as the application site is on Mid Sussex owned land.

LIST OF POLICIES

District Plan

DP25 (Community Facilities and Local Services)

DP26 (Character and Design)

Hassocks Neighbourhood Plan

A Regulation 16 (submission) consultation started on Monday 22nd July for 8 weeks. The Plan is a material planning consideration but carries little weight.

Relevant Policies:

Policy 9 (Character and Design)

Policy 12 (Community Facilities)

National Policy

The National Planning Policy Framework (NPPF) from February 2019 is also a material consideration and paragraphs 8, 11, 15, 16, 124 and 127 are considered to be of particular relevance to this application.

ASSESSMENT

The main issues are considered to be the design and scale of the scheme and resulting impact on the character and appearance of the area and neighbouring amenities.

Scale, design and character impact

DP26 of the District Plan states:

"All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*

- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution"*

Policy 9 of the draft Hassocks Neighbourhood Plan has a similar ethos and states:

'Development proposals will be supported where, they are in line with the Townscape Appraisal, and where the character and design:

- 1. Is of high quality design and layout;*
- 2. Contributes positively to the private and public realm to create a sense of place;*
- 3. Respects the character and scale of the surrounding buildings and landscape;*
- 4. Protects open spaces and gardens that contribute to the character of the area;*
- 5. Protects valued townscapes and the separate identity and character of Hassocks, Keymer and Clayton;*
- 6. Does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight, sunlight and security;*
- 7. Creates safe, accessible and well connected environments;*
- 8. Protects existing landscape features and contributes to the village's Green Infrastructure network;*
- 9. Incorporates the use of local materials which are appropriate to the defined Local Townscape Character Area; and*
- 10. Positively responds to the local vernacular character of the defined Local Townscape Character Area.*

The existing structure is relatively well screened from Parklands Road by established trees and vegetation as well as the properties to the north. Whilst the proposed cladding will modernise its appearance, it is not considered that the building will appear visually obtrusive from the adjoining road by virtue of the existing tree screening. The dark brown colour of the cladding should also help the building to blend in with surrounding vegetation and the appearance will have a similar visual appearance to the existing in terms of colour. This ensures it relates sympathetically to the building. It is therefore considered to comply with policy DP26 of the District Plan and Policy 9 of the draft Hassocks Neighbourhood Plan.

The comments of parish council regarding the provision of a mechanical ventilation heat recovery system are noted, but that is a matter for building control and thus is not material to the consideration of this application for minor external works.

Policy DP25 of the Mid Sussex District Plan is deemed relevant when considering extensions to existing community facilities. It states:

The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported. Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- *that the use is no longer viable; or*
- *that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or*
- *that a replacement facility will be provided in the locality.*

The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document.

Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.

A similar ethos is found in policy 12 of the draft Hassocks Neighbourhood Plan which states:

'Development proposals which result in the loss of community facilities will not be supported.

Development proposals for the alteration and/or replacement of community facilities will be supported where:

- 1. Equivalent (in qualitative and quantitative terms) or enhanced facilities are provided to serve local needs; and*
- 2. Proposals for the replacement of a community facility ensure the replacement facility is made available before the closure of the existing facility'.*

Given the nature of the proposed to modernise the existing scout headquarters, it is considered that the proposal complies with DP25 of the Mid Sussex District Plan and policy 12 of the draft Hassocks Neighbourhood Plan.

In terms of impact on neighbouring amenities Policy DP26 of the District Plan states that it must be demonstrated that any development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

Given the relationship between the proposed and the neighbouring properties, it is not considered that any significant detrimental impact will be caused to neighbouring amenity as a result of this planning application. The application therefore complies with Policy DP26 of the Mid Sussex District Plan.

CONCLUSION

The proposed development complies with policies DP25 and DP26 of the Mid Sussex District Plan as well as policies 9 and 12 of the draft Hassocks Neighbourhood Plan.

The application is therefore recommended for approval subject to the conditions listed in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No external materials shall be used other than those specified on the approved plans without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Sections	HS19-005	1	26.06.2019
Proposed Elevations	HS19-007	A	26.06.2019
Proposed Elevations	HS19-009		26.06.2019
Existing Elevations	HS19-006		04.04.2019
Proposed Elevations	HS19-007		04.04.2019
Sections	HS19-005		02.04.2019
Location Plan	HS19-002		04.04.2019
Flood Risk Assessment	HS19-004		02.04.2019
Site Plan	HS19-001		02.04.2019
Existing Floor and Elevations Plan	HS19-003		02.04.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

RECOMMEND APPROVAL. Hassocks Parish Council would like to query as to whether there is a need for a Mechanical Ventilation Heat Recovery system to ensure adequate air quality, in what will now be a highly insulated and nearly airtight building.

MID SUSSEX DISTRICT COUNCIL

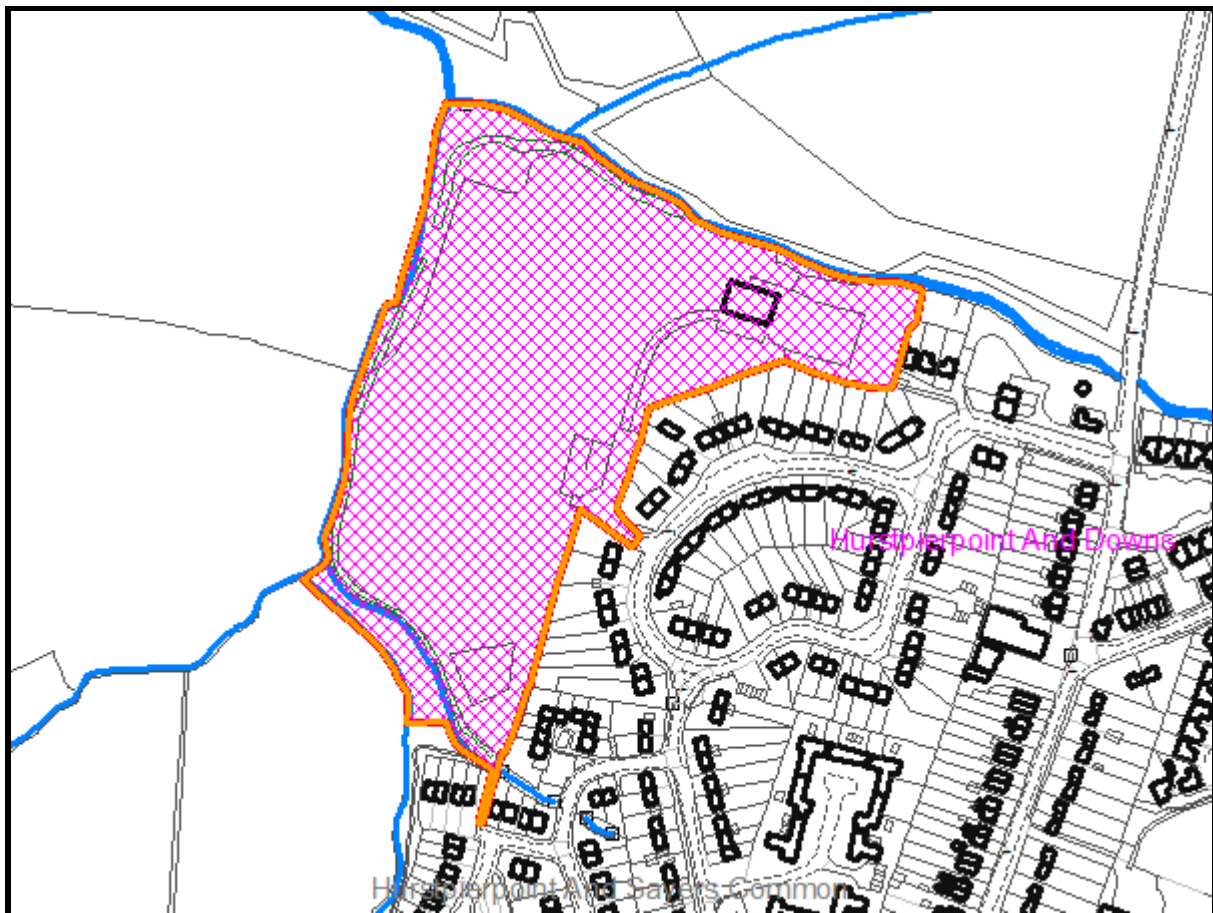
Planning Committee

15 AUG 2019

RECOMMENDED FOR PERMISSION

Hurstpierpoint And Sayers Common

DM/19/1922



© Crown Copyright and database rights 2019 Ordnance Survey 100021794

**COURT BUSHES SPORTS GROUND WILLOW WAY HURSTPIERPOINT
HASSOCKS
PROPOSED RELOCATION OF THE EXISTING SHIPPING CONTAINER
(AMENDED DESCRIPTION 17.07.2019).
MR PAUL WILLIAMS**

POLICY: Areas of Special Control for Adverts / Built Up Areas / Countryside
Area of Dev. Restraint / Countryside Gap / Planning Agreement /

Planning Obligation / Aerodrome Safeguarding (CAA) / Sewer Line
(Southern Water) / SWT Bat Survey /

ODPM CODE: Minor Other

8 WEEK DATE: 19th August 2019

WARD MEMBERS: Cllr Colin Trumble / Cllr Alison Bennett / Cllr Rodney Jackson /

CASE OFFICER: Katherine Williams

PURPOSE OF REPORT

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is sought for the relocation of the existing shipping container within the site. The container is used for the storage of equipment for the local football club and is currently positioned within the carpark of the Court Bushes Community Hub, however this is no longer accessible. Therefore the application has come forward for the relocation of the contained to the north of the football pitches adjacent to the hedge line of the Court Bushes Sports Ground, which is within the countryside outside the built up area of Hurstpierpoint.

This application is before committee as the application site is on land owned by Mid Sussex District Council.

The proposed development is considered to comply with the requirements of Mid Sussex District Plan policies DP12, DP24 and DP26, Hurstpierpoint and Sayers Common Neighbourhood Plan policy HurstC1, and the relevant provisions of the NPPF.

It is therefore recommended that planning permission is granted.

RECOMMENDATIONS

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTATIONS

HURSTPIERPOINT PARISH COUNCIL OBSERVATIONS

Recommend permission is granted.

Introduction

The application seeks permission for the relocation of the existing shipping container to the north of the football pitches adjacent to the boundary hedge line. This is within Court Bushes Sports Ground and is accessed from the western side of Willow Way, outside the built up area of Hurstpierpoint.

The application has been referred to Committee because the site is on land owned by the Council.

Relevant Planning History

DM/18/2623 - (Amended description 30.07.2018) Change of use of part of the Ex Serviceman and Social Club (sui generis) to a community hall and nursery (D1). Remodel of the internal layout and alterations to the fenestration. Granted

DM/19/0777 - Variation of Condition 8 of planning application DM/18/2623 to solely relate to the opening hours of the nursery. (Amended description 08/03/2019).
Granted

Site and Surroundings

The Court Bushes Sports Ground is located to the rear of the properties on Willow Way, outside the built up area boundary of Hurstpierpoint, with open countryside to the north and west. The Community Hub and carpark is located to the eastern side and is divided from the rest of the Sports Grounds by a 2 metre high fence. The Sports Grounds and Community Hub are accessed from the western side of Willow Way.

The shipping container is green in colour with a width and depth of 2.6 metres and 6.2 metres and an overall height of 3 metres. The container is used for the storage of equipment for the local football club and is currently positioned within the carpark of the Court Bushes Community Hub; however this is no longer accessible. Therefore the application has come forward for the relocation of the contained to the north of the football pitches along the hedge line of the Court Bushes Sports Ground.

List of Policies

Mid Sussex District Plan (adopted March 2018)

DP12 - Protection and Enhancement of Countryside

DP24 - Leisure and Cultural Facilities and Activities

DP26 - Character and Design

HURSTPIERPOINT AND SAYERS COMMON NEIGHBOURHOOD PLAN (made March 2015)

Policy Countryside HurstC1 - Conserving and enhancing character

National Policy

The National Planning Policy Framework (NPPF) 2019 is also a material consideration and paragraphs 8, 11, 15, 38, 80, 84, 103, 124, 127 and 180 are considered to be relevant to this application.

Assessment

Principal of Development

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70(2) of the Town and Country Planning Act 1990 states:

"In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) Any local finance considerations, so far as material to the application, and*
- c) Any other material considerations."*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Under Section 38(5) of the Planning and Compulsory Purchase Act 2004, if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

Using this as the starting point, the development plan in this part of Mid Sussex consists of the Mid Sussex District Plan (2018), together with the Hurstpierpoint and Sayers Common Neighbourhood Plan.

Mid Sussex District Plan policy DP12 seeks to protect the intrinsic character and beauty of the countryside, with development permitted provided that it maintains or where possible, enhances the quality of the rural and landscape character of the district. Development would have to be necessary for the purposes of agriculture or supported by a specific policy in the District Plan or Neighbourhood Plan.

Policy DP24 of the Mid Sussex District Plan supports new and enhanced leisure and cultural activities and facilities. Given that the container is used for the storage of

equipment for the local football club, and that the relocation of this container would allow the continued storage of sports equipment on the site, the application is considered to support the continued leisure use of the land. Therefore the proposal is considered to be in accordance with DP12 and DP25 of the Mid Sussex District Plan and acceptable in principle.

Design and impact on the character of the area

Policy DP26 of the Mid Sussex District Plan states:

"All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development."*

The existing container is positioned within the site, although within a more sheltered position adjacent to the Community Hub which screens the container from wider views. The proposed location of the container would be more visible. However given the modest form of the structure, and that it is green in colour, it is considered that it would not be a prominent feature within the locality and would be in keeping and appropriate to the character of the area. The character of the area would be maintained.

The shipping contain would be moved further away from residential properties on Willow Way, with a separation distance of at least 120 metres, and is therefore considered not to cause harm to the amenities of neighbouring properties.

Planning Balance and Conclusions

Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.

The proposal is acceptable both in terms of the principle and in terms of impact on the character and appearance of the area, and would not cause harm to the amenities of neighbouring properties.

Therefore the proposal complies with Mid Sussex District Plan policies DP12, DP24 and DP26, Hurstpierpoint and Sayers Common Neighbourhood Plan policy HurstC1, and the relevant provisions of the NPPF.

It is therefore recommended that planning permission be granted subject to the conditions in appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan	PL 001		21.05.2019
Site Plan	PL 002		21.05.2019
Proposed Floor and Elevations Plan	PL 003		21.05.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

Permission is granted

This page is intentionally left blank

MID SUSSEX DISTRICT COUNCIL

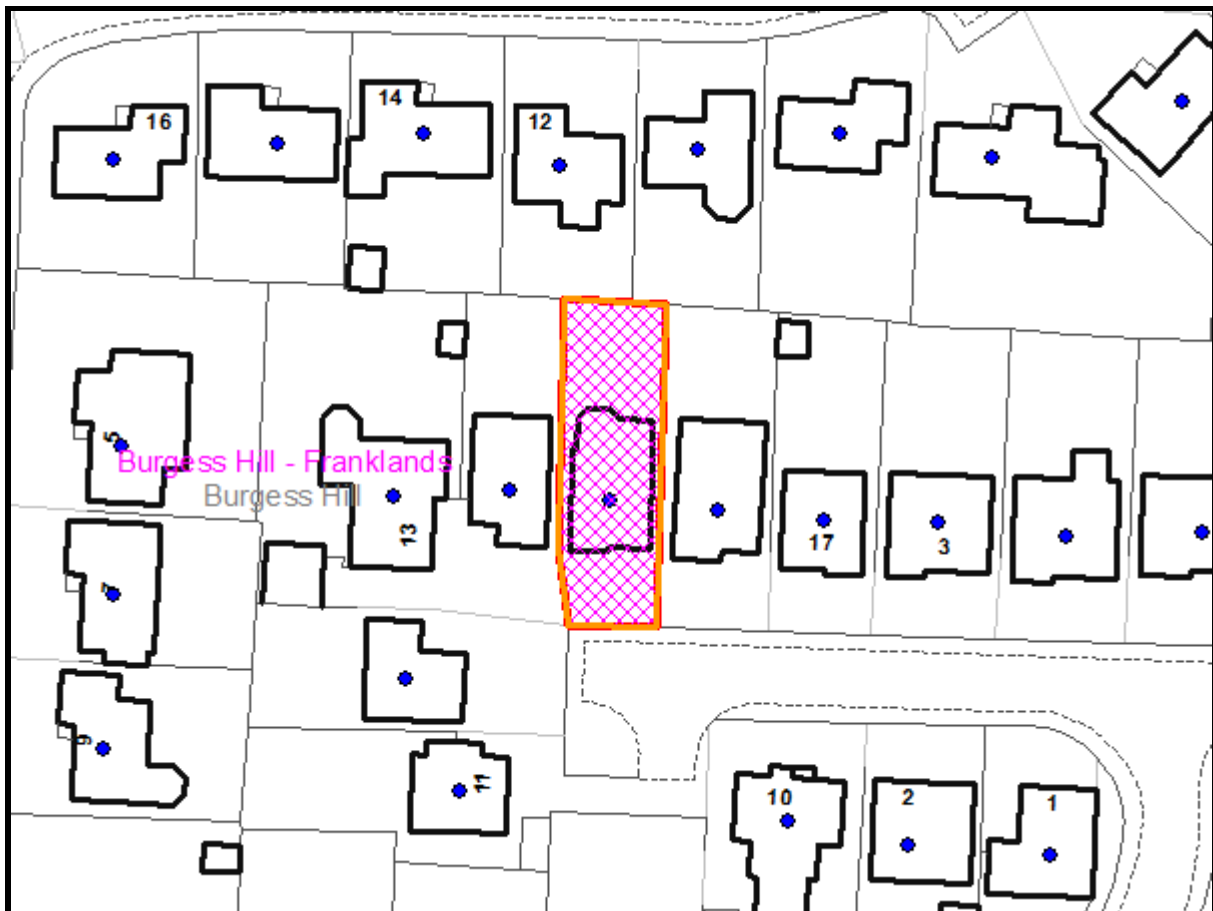
Planning Committee

15 AUG 2019

RECOMMENDED FOR PERMISSION

Burgess Hill

DM/19/2297



© Crown Copyright and database rights 2019 Ordnance Survey 100021794

**15 FOLDERS CLOSE BURGESS HILL WEST SUSSEX RH15 0TA
CONVERSION OF EXISTING CONSERVATORY TO A GARDEN ROOM BY
THE REPLACEMENT OF THE GLASS ROOF WITH A 'SUPALITE' TILED
ROOF SYSTEM.
MR JON LAVIS**

POLICY: Built Up Areas / Planning Agreement / Planning Obligation /
Aerodrome Safeguarding (CAA) /

ODPM CODE: Householder

8 WEEK DATE: 13th August 2019

WARD MEMBERS: Cllr Janice Henwood / Cllr Graham Allen /

CASE OFFICER: Andrew Horrell

PURPOSE OF THE REPORT

To consider the recommendation of the Divisional Lead, Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is sought for the conversion of the existing conservatory to a garden room by replacing the existing glass roof with a supalite tiled roof system.

The application is being reported to committee as the applicant is an employee of the Council who is involved in the planning process.

This is a very modest proposal which would not have any adverse impact on the amenities of neighbours and is acceptable in design terms and accords with the policies of the development plan.

RECOMMENDATION

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

None

SUMMARY OF CONSULTATIONS

None

TOWN COUNCIL OBSERVATIONS

Burgess Hill Town Council recommended approval in regards to the application.

INTRODUCTION

Planning permission is sought for the conversion of the existing conservatory to a garden room by replacing the existing glass roof with a supalite tiled roof system.

RELEVANT PLANNING HISTORY

BH/032/87 - OUTLINE APPLICATION - DEVELOPMENT OF EIGHT RESIDENTIAL UNITS TO FORM PHASE III FOLDERS CLOSE.

BH/030/89 - APPLICATION FOR APPROVAL OF RESERVED MATTERS - ERECTION OF EIGHT DWELLING-HOUSES AND GARAGES.

BH/030/89/AP1 - AMENDED PLANS : APPLICATION FOR APPROVAL OF RESERVED MATTERS - ERECTION OF EIGHT DWELLING-HOUSES AND GARAGES. AMENDED PLANS SHOWING : REPOSITIONING OF DWELLING ON PLOT ADDITIONAL DORMER WINDOW IN NORTHERN ELEVATION TO REPLACE ROOF LIGHT IN BEDROOM, AND ALTERATIONS TO FENESTRATION

BH/030/89/AP2 - AMENDED PLANS : APPLICATION FOR APPROVAL OF RESERVED MATTERS - ERECTION OF EIGHT DWELLING-HOUSES AND GARAGES. AMENDED PLANS SHOWING : REVISED FLOOR AREA AND CHANGES TO DOORS AND WINDOWS ON SIDE ELEVATIONS.

SITE AND SURROUNDINGS

The existing dwelling is a two storey detached hipped roofed dwelling with a front gable within a cul-de-sac off Folders Lane. The walls are characterised by a mix of face brickwork and hanging tiles and timber doors and windows.

To the north of the site is the rear garden with close boarded fencing with woodland to the neighbour beyond, to the south of the site is the existing dwelling with the driveway leading to the highway, to the east of the site is close boarded fencing and shrubbery to adjacent neighbour beyond, and to the west of then site is close boarded fencing to the adjacent neighbour beyond.

The site is within the built up area of Burgess Hill

APPLICATION DETAILS

The application is for the conversion of the existing conservatory to a garden room by replacing the existing glass roof with a supalite tiled roof system. Planning permission is required because condition 16 of BH/032/87 stated *"Notwithstanding the provisions of Article 3 and Class I of the Schedule to the Town and Country Planning General Development Order's 1977-1985, no external alterations or enlargements shall be made to the dwellings without the prior written consent of the Local Planning Authority on an application in that behalf."* The application is being to committee as the applicant is an employee of the Council involved in the planning process.

The existing conservatory measures 4m in maximum depth, 7.2m in width with a height to eaves of 2.45m and an overall height of 3.4m. The new roof will be tiled matching as close as possible to the existing house roof tiles.

LIST OF POLICIES

Mid Sussex District Plan

DP26 - (Character and Design)

Burgess Hill Neighbourhood Plan

The Burgess Hill Neighbourhood Plan was formally 'made' as of 28th January 2016. Relevant policies include:

None relevant

National Policy

The National Planning Policy Framework (NPPF) from February 2019 is also a material consideration and paragraphs 8, 11, 15, 16, 124 and 127 are considered to be of particular relevance to this application.

ASSESSMENT

The main issues are considered to be the design of the scheme and resulting impact on the character and appearance of the area as well the impact upon neighbouring amenities.

Design and character impact

District Plan policy DP26 states:

All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*

- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development*

The external alteration proposed for the conversion is relatively minor. In terms of character and design, the neighbours at No.13 and 17 have existing rear extensions using a mix of roofing materials. The proposal is of a design which is in-keeping with the existing dwelling and as to the rear of the property is not visible from the streetscene. It is therefore deemed to be acceptable in terms of character and design and complies with the requirements of Policy DP26 of the Mid Sussex District Plan.

Impact on neighbouring amenity

DP26 of District Plan relates to neighbouring amenities and requires that development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

Given the nature of the proposed, it is not deemed that the proposed would cause significant harm to neighbouring amenities.

CONCLUSION

The proposed development complies with policy DP26 of the Mid Sussex District Plan. The application is therefore recommended for approval subject to the conditions listed in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No external materials shall be used other than those specified on the approved plans without the prior approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan			18.06.2019
Block Plan			18.06.2019
Photographs			18.06.2019

APPENDIX B – CONSULTATIONS

Parish Consultation

RECOMMEND APPROVAL