

**Minutes of a meeting of District Planning Committee
held on Thursday, 20th February, 2020
from 2.00 pm - 3.50 pm**

Present: R Salisbury (Chair)
D Sweatman (Vice-Chair)

R Bates	R Jackson	R Webb
P Chapman	C Laband	R Whittaker
E Coe-	A Peacock	
Gunnell White	N Walker	
S Hatton		

Absent: Councillors

Also Present: Councillors B Dempsey, J Llewellyn-Burke, A MacNaughton and N Webster

1. TO RECEIVE APOLOGIES FOR ABSENCE.

None.

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

Councillor Peter Chapman declared a personal interest in item 6 as he is a Member of Burgess Hill Town Council and the land is owned by Burgess Hill Town Council.

3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING OF THE DISTRICT PLANNING COMMITTEE HELD ON 23 JANUARY 2020.

The Minutes of the Committee meeting held on 23 January 2020 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.

None.

5. DM/18/4979 - LAND NORTH OF CLAYTON MILLS ,OCKLEY LANE, HASSOCKS, WEST SUSSEX, BN6 8EX

Steve Ashdown, Team Leader for Major Developments introduced the report. He drew Members attention to the points of clarification and amendments within the Agenda Update Sheet.

He reminded Members that a decision on the application had been deferred by the Committee at the meeting held on 17 December 2019 regarding safety concerns with

the access to the development. The Committee were advised that the access remains the same with a single priority junction proposed. He highlighted the provision for a gateway feature to north to help support a potential speed reduction. The Committee were advised that condition three requires that the reserved matters application should be broadly in accordance with the details in the parameter plans, which were for approval as part of this application. He confirmed that the officers considered the application is acceptable.

Mrs Hayhurst, local resident spoke in objection to the application, she had concerns with safe access to her property.

Mr Peter Raynor, local resident spoke in objection to the application. He had concerns with the impact on the heritage buildings and the access to his property.

Ms Isabelle Raynor, local resident spoke in objection to the application, she had concerns with traffic flows.

Dom Smith, agent spoke in support of the application. He confirmed that additional modelling had been undertaken and the revised traffic analysis assumed that 25% of the pupils would be from Burgess Hill.

Mark Gimingham, agent spoke in support of the application. He noted that the proposed realignment of the highway and gateway feature should reduce vehicle speeds. He confirmed Section 106 funding for two vehicle activated signs and the traffic regulations order to reduce the speed limit.

Will Cobley, agent spoke in support of the application. He advised that the current access design offers the safest highway design and noted Section 106 contributions to benefit the local community.

Cllr Dempsey spoke as Ward Member for Hassocks and advised that the Committee should make their decision using the best possible information including the new traffic analysis. He expressed concern with the access to Hawthorn Cottage which could conflict with West Sussex County guidelines. He highlighted the data used for the base line in the traffic survey as recent independent surveys indicate higher traffic flows; and commented that the junction was already approaching peak capacity. He advised that the existing schools in Hassocks meet current need and only 50% of the places in the new school are taken up by the local need.

The Chairman confirmed that the application had previously been deferred on traffic grounds and West Sussex County Council had assessed the updated information.

Ian Gledhill, West Sussex County Council (WSCC) commented that the Highway Authority had considered the concerns regarding the access. The inclusion of a right turn lane had been reviewed and the evidence did not justify one. In addition, constraints meant that it may not be deliverable in any event. The design of the access is based on the Design Manual for Roads and Bridges, which is intended for the trunk roads and Ockley Lane is a network "c class" road not a trunk road. He noted that the scheme will improve forward visibility as the road will be realigned and the WSCC crossover document is guidance and not mandatory and not supported by any policy. Two independent road safety audits have been completed. There is no pass or fail for a Road Safety Audit, it is for the designer to mitigate any issues identified. He noted that no problem had been raised over vehicle conflict between the Hawthorn Cottage and proposed development access, other than an issue over inter-visibility between vehicles using the two accesses. The road traffic data used

was from the busiest day in the June 2017 survey and a revised assessment of school traffic of 25% arriving from Burgess Hill, up from 5% in the first assessment, had been completed. He advised that the proposed access would not be at capacity as a result of vehicles turning into the development and any queues will be within the site. It had been factored into the assessment undertaken by the applicants that that cars would need to park within the site before pupils go to school gate and the time spread of arrivals appeared reasonable.

The Chairman reminded the Committee that the principle of development had already been established through the District Plan examination where the Inspector agreed with the allocation of the site. The parameter plans are for determination as part of this application and the surface of the pedestrian access to the railway crossing can be secured through a condition. He reminded the Committee in relation to the impact on heritage assets of the "less than severe harm" in planning terms, which guides the Committee in how much weight is given to the matter. He highlighted the representation of Hassocks Parish Council which carries some weight and the additional matters raised.

Cllr Hatton, Ward Member for Hassocks noted the data from the traffic survey and comments of Kirsty Lord WSCC Member. She highlighted that new schools are now either academies or free schools and do not have a set catchment areas. The Member expressed concern with the access to Hawthorn Cottage and noted that Hassocks Parish Councils supports the residents' request for a new side access. She commented that she would not support the application.

Discussions were held on the access to the development including access to Hawthorn Cottage, traffic speeds, reduction to speed limits on Ockley Lane and street lighting,

Ian Gledhill confirmed that street lighting was present on Ockley Lane and the speed limits, and any change to speed limits would be subject to a separate statutory process associated with a Traffic Regulation Order that is subject to further consultation, that will include the Police. He noted that the design of the access is based on the 85% percentile speeds for Ockley Lane and given that current data shows this to be approximately 40mph, a 40mph limit would likely be supported in his opinion. Section 106 contributions will provide the necessary funding to enable the TRO process and the existing parish street lighting would need to be upgraded.

The Chairman reminded the Committee of other applications that were refused and granted on Appeal. The Committee must refer to the advice provided by the experts, WSCC for highway matters. WSCC have reviewed all the information provided by the applicants and consider that the junction is safe. The Committee must have empiric evidence to go against the advice of the Highway Authority.

A Member highlighted that the development of the site was considered by the Inspector who approved the District Plan, reminding Members that this strategic site contributes to the 5-year land supply. There must be sound planning reasons to refuse the application.

Councillor Walker proposed a motion that the Committee move to the recommendations and approve the application.

The Chairman advised that the Highways Officer would note the Committee's request for a reduction in the speed limit. Before seeking a seconder to the motion he asked whether the Members had any comments on the other sections of the report.

The Chairman advised that regarding heritage assets, the Urban Designer has considered the sense of place and the Conservation Officer believes there is adequate field of view from Ockley Manor. He added that moving the block near the school would change the dynamic of the development.

The Team Leader noted that the parameter plans will guide the reserved matters application and condition three allows some flexibility. The Committee must consider the impact on heritage assets. Historic England advise that the harm is less than substantial, and while any amendment to the scheme would reduce the harm, it would still constitute less than substantial harm and this harm should be given 'great weight' in the determination of the application.

The Chairman noted the case law referred to in the officer's report, Barnwell, regarding the assessment of harm to heritage assets. The District Plan Inspector concluded there was less than substantial harm and that significant public benefits outweigh this harm.

Tom Clark, Solicitor to the Council, commented that less than substantial harm is a significant matter and must be given great weight in the balancing act. Members discussed a condition for the access to Hawthorn Cottage but were advised, notwithstanding any land ownership issues, such a condition would not meet the necessary tests (associated with the imposition of planning conditions) and would not be reasonable. The Team Leader advised an informative could be added to ask the developer to review the access to Hawthorn Cottage, but it would not provide any guarantee that alternative access would be achieved.

Councillor Coe-Gunnell White shared the Members' concerns but seconded the motion by Councillor Walker.

The Chairman went through the remaining sections of the report and the Committee had no further comments. The Chairman took the Committee to the motion to move to the recommendations, 10 Councillors voted in favour of the motion, with 1 vote against and 1 abstention.

RESOLVED

That permission be granted subject to the conditions set out in the recommendations, the Agenda Update Sheet and additional informative regarding access to Hawthorn Cottage.

Recommendation A

It is recommended that planning permission be approved subject to the completion of a satisfactory S106 Legal Agreement to secure affordable housing, primary school land, community building land, open space, financial contributions and highway works and the suggested conditions in Appendix A.

In the event that minor amendments are required to the proposed conditions these can be delegated to officers. In all other cases, any amendments will be undertaken in consultation with the Chair and Vice Chair of the District Planning Committee.

Recommendation B

Recommend that if the applicants have not entered into a satisfactory section 106 agreement to secure the primary school land, necessary infrastructure payments and

affordable housing by 20th May 2020 then the application should be refused at the discretion of Divisional Leader for Planning and Economy for the following reason:

The proposal fails to provide the required infrastructure contributions and primary school land necessary to serve the development and the required affordable housing. The proposal therefore conflicts with policies DP20 and DP31 of the District Plan.

6. DM/18/4980 - LAND AT GRID REFERENCE 531337 117617 KEYMER ROAD, BURGESS HILL, WEST SUSSEX, RH15 0UJ

Members discussed the cost of the provision of a proposed bridleway and the surfacing materials. They also expressed concern over the long-term quality of the bridleway for users.

The Team Leader confirmed that the proposed that bridleway would be suitable for horse, pedestrians and cyclists, and that West Sussex Public Rights of Way (PRoW) had been consulted. He noted that a solid surface is not suitable for horses and noted that condition four covers the surfacing of the bridleway.

The Chairman noted that the bridleway would have combined users and PRoW do maintain rural bridleways. He highlighted that three quarters of the link is within application DM/18/4979.

As there were no further questions the Chairman took the Committee to the recommendations and the Committee agreed unanimously.

RESOLVED

That permission be granted subject to the conditions set out in Appendix A.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 3.50 pm

Chairman