

**Minutes of a meeting of Planning Committee
held on Thursday, 24th September, 2020
from 4.00 - 5.00 pm**

Present: G Marsh (Chairman)

R Cartwright
J Dabell

A MacNaughton
C Phillips

M Pulfer
D Sweatman

Absent: Councillors P Coote, G Allen, E Coe-Gunnell White,
R Eggleston and N Walker

1 ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

The Chairman introduced the meeting and took a roll call of Members in attendance. The Legal Representative explained the virtual meeting procedure.

2 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Coote, Councillor Eggleston, Councillor Allen, Councillor Coe-Gunnell White, and Councillor Walker.

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

No declarations were received.

4 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 13 AUGUST 2020.

The Minutes of the meeting of the Planning Committee held on 13 August 2020 were agreed as a correct record and signed electronically by the Chairman.

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

The Chairman had no urgent business.

6 DM/20/0883 - TENNIS COURTS CLUB HOUSE, VICTORIA PARK, SOUTH ROAD, HAYWARDS HEATH, RH16 4HT.

The Chairman outlined the public speaking procedure and invited the public speakers to the meeting.

Andrew Horrell, Planning Officer introduced the application which sought planning permission for the demolition of the existing timber framed tennis clubhouse and the reconstruction in brickwork with a pitched roof. He noted that the new building complies with the relevant planning policies and seeks to enhance the facilities available on site. It will keep the same orientation with doors and main windows

facing the tennis courts and the mesh fencing surrounding the site will be removed. The Chairman drew Members' attention to the Agenda Update Sheet which includes an additional 2 letters of objection and noted that it was before the Committee as the land is owned by Mid Sussex District Council.

Michael Preston-Shoot, local resident spoke against the application on the grounds of encroachment to the open space as a result of the size of the building, loss of privacy and concerns about increased use.

Councillor Richard Bates, Ward Member spoke against the application. With no objection to the playing of tennis, he raised concern about conduct off-court if more people are using the facility in the future. He observed that the increased size of the building did not allow for a dedicated changing facility or shower and asked if a compromise could be sought on the height of the new building. He also sought clarification on any encroachment that the building may have on the adjacent footpath.

In response to the Ward Member and a question from the Chairman, the Planning Officer confirmed that the new height of the building will be 4.4m and that the layout inside includes a toilet but not a shower room as this was not a requirement of the club. Regarding the footpath, the building will be slightly closer to the path in the north eastern section but will not detrimentally impinge on it.

The Chairman noted that a clubhouse had been on the site for 40 years and was in need of an upgrade. There is condition on the application that the building cannot be used after 6pm and if there are further noise implications, the environmental health team can be consulted. Other Members agreed that the 6pm finish time was reasonable for community use and that a brick building would help dampen noise to a greater extent than the existing wooden building.

A Member asked if the Planning Officer could speak with the club regarding the provision of some screening to one side of the site, and some signs to be erected reminding players to respect the local resident's privacy and remain quiet when leaving in the evenings.

A Member asked if a condition could be applied to request obscure glass for any window that may overlook adjacent properties. Following discussion, it was noted that the building is an acceptable distance from nearby residents, (being the same distance that is acceptable with back-to-back houses), and that there are no windows on the side facing the nearest residents.

In response to a concern raised by the public speaker, it was noted that there is no proposal for floodlights in this application. Any subsequent request for floodlighting would be separately assessed.

Steve King, Planning Applications Team Leader noted that the proposed building was in keeping with a typical building in a public park and reiterated that there are no windows on the south facing elevation. With regards to potential noise concerns he confirmed that the Council has control over what activities can take place from a land owners' perspective, as well as the conditions contained in the application.

The Chairman moved to the officer recommendation to approve the application in which was proposed by Councillor Pulfer and seconded by Councillor MacNaughton. A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

Councillor	For	Against	Abstain
R Cartwright	y		
J. Dabell	y		
A. MacNaughton	y		
G. Marsh	y		
C. Phillips	y		
M. Pulfer	y		
D. Sweatman	y		

RESOLVED:

That planning permission is approved subject to the conditions outlined at Appendix A.

7 DM/18/0421 - LINDEN HOUSE, SOUTH DOWNS PARK, HAYWARDS HEATH, WEST SUSSEX, RH16 4SL.

Joseph Swift, Senior Planning Officer, introduced the application to demolish the existing vacant building and erect a 14-unit apartment block. He drew Members attention to the Agenda Update Sheet detailing a letter received from the applicant which questions why it has been referred back to the Committee. The Senior Planning Officer confirmed that the application had been approved by the Committee on 19 December 2020 but following this it came to light that the infrastructure contributions reported to the committee were incorrect and the applicant's solicitor had subsequently questioned what would be required in the viability review. The application has been referred back to the committee to provide further clarity.

The applicants had queried the previous resolution to grant permission subject to conditions and the completion of Section 106 Viability Review which they believed should only apply to affordable housing. The Council has confirmed that the S106 agreement is to secure a viability review on the sale of 75% of the units for infrastructure contributions and affordable housing. If this is not secured by 24 December 2020, then permission could be refused at the discretion of the Divisional Lead for Planning and Economy as detailed in Recommendation B.

There were no public speakers.

The Chairman reiterated that Members had already resolved to grant planning permission and therefore as nothing had changed since that previous resolution the debate is solely regarding the Section 106 contributions. As there were no further comments from Members he moved to the officer recommendation to approve, which was proposed by Councillor Sweatman and seconded by Councillor Phillips. A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

Councillor	For	Against	Abstain
R. Cartwright	y		
J. Dabell	y		
A. MacNaughton	y		
G. Marsh	y		
C. Phillips	y		
M. Pulfer	y		
D. Sweatman	y		

Resolved:

A

That planning permission is granted subject to the conditions set out in Appendix A and to the completion of the S106 agreement to secure a viability review on the sale of 75% of the units for infrastructure contributions and affordable housing.

and

B

It is recommended that if the applicants have not submitted a satisfactory signed S106 Legal Agreement/or legal undertaking securing the viability review for the infrastructure payments and affordable housing provision by the 24th December 2020, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

1. 'The application fails to comply with policies DP20 and DP31 of the Mid Sussex District Plan in respect of the infrastructure required to serve the development and the required affordable housing.'

8 DM/20/0840 - PARKERS GARAGE, THE COURTYARD, WESTERN ROAD, HAYWARDS HEATH, WEST SUSSEX, RH16 3LR.

Steve King, Planning Applications Team Leader introduced the application for a residential development. He drew Members attention to the Agenda Update Sheet as the description of dwellings has been corrected to comprise of 4 x 3 bed semi-detached dwellings and 4 one bed flats and 1 two bedroom flat, with amended plans received on 18 May rather than 18 June.

He noted that it is a back-land site accessed by a single width access road which will be amended as part of the application. The central hedge will be removed making a two-way access road. There are significant changes in level on site and it is currently clear of all buildings and used for external storage on hard standing.

The semi-detached houses are proposed for the rear of the site, with 2 parking spaces per dwelling, with the apartments at the front of the site. The windows have been amended during review of the application, with the dormer windows reduced in size and the secondary side windows in the block of flats would be obscure glazed to protect neighbouring amenities. He noted that the site is allocated for residential development in the Haywards Heath Neighbourhood Plan. The design is acceptable and fits with other properties that the applicant has built around the site. There will be no impact on neighbouring preserved trees, no objections from the Highways Department and no significant adverse impact to properties that surround the site.

There were no public speakers.

The Chairman noted that it was a good use of a brownfield site and the proposed removal of the hedge on the access road will make it much safer.

A Member requested that the owner carry out a dilapidation report in order to clarify who is responsible for any damage to resident's hedges and fences during construction, as the entrance to the site is tight. He also sought clarification on who is responsible to maintain the access road.

Members discussed the access to the site during construction as there is limited parking on adjacent roads and a footpath opposite the site that leads to a school. A banksman was requested as the hours of operation covers school hours, and there was a request for trades vehicles to be parked on site.

The Planning Applications Team Leader confirmed that there will be a construction management plan to control elements such as the hours of work, times of deliveries, and boundary fencing to protect neighbouring properties. A requirement can be included in the construction management plan to ensure the access road hedge is removed first, allowing trade vehicles better access to turn on site.

Regarding the maintenance of the access road, it is a shared surface that will not be adopted by the Highways Authority, so responsibility will reside with the land owner. The planning conditions require details of the shared surface to ensure it is appropriate. He confirmed that an informative can be added to request a banksman. The Planning Applications Team Leader advised that issues regarding potential damage to neighbouring properties during construction works would be a private matter between the developer and the owners of the neighbouring properties.

In response to a Member's query the Planning Applications Team Leader confirmed there are 13 parking spaces designated for the new properties on site and that it is the applicant's intention is to provide electric charging points for the houses and the ground floor flat. With the Committee's agreement a condition can be added to ensure they are provided as specified. Members approved of this decision.

The Chairman moved to the officer recommendation to approve the application in which was proposed by Councillor Pulfer and seconded by Councillor Sweatman. A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

Councillor	For	Against	Abstain
R. Cartwright	y		
J. Dabell	y		
A. MacNaughton	y		
G. Marsh	y		
C. Phillips	y		
M. Pulfer	y		
D. Sweatman	y		

Resolved:

A

That planning permission is granted subject to the conditions listed in the appendix and a condition relating to the electric charging points, and the completion of a satisfactory legal agreement to secure the necessary affordable housing and infrastructure provision.

and

B

It is recommended that if the applicants have not submitted a satisfactory signed S106 Legal Agreement/or legal undertaking securing the necessary infrastructure payments by the 17th December 2020, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

1. The application fails to comply with policy DP20 of the Mid Sussex District Plan in respect of the infrastructure required to serve the development.

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

No questions were received.

The meeting finished at 5.00 pm

Chairman