

**Minutes of a meeting of Planning Committee
held on Thursday, 10th December, 2020
from 4.00 - 4.40 pm**

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

G Allen
R Cartwright
E Coe-
Gunnell White

R Eggleston
A MacNaughton
C Phillips

M Pulfer
D Sweatman

Absent: Councillors J Dabell and N Walker

Also Present: Councillors

1 TO RECEIVE APOLOGIES FOR ABSENCE.

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

2 ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

Apologies were received from Councillor Walker and Cllr Dabell.

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

Cllrs Allen, Coe-Gunnell White, Cartwright and Eggleston declared a personal interest in Agenda Item 6 DM/19/4077 as Members of Burgess Hill Town Hill Council as the application potentially provides funding for a Burgess Hill Town Council facility. Cllr Eggleston also informed the Chairman that he was a Trustee of The Beehive.

4 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 12 NOVEMBER 2020.

The Minutes of the meeting of the Planning Committee held on 12 November 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/19/4077 - 60-64 CHURCH WALK, BURGESS HILL, RH15 9AS.

Steve Ashdown, Team Leader for Major Development & Investigations introduced the application which sought approval for the development of 15 residential units above the existing Iceland retail store in Church Walk, Burgess Hill. The scheme would consist of a change of use of the existing first-floor space and an additional two new storeys of accommodation above.

The Team Leader expressed the view that the design would add value to the local area. He noted that due to lack of available space, there would be no provision for car parking. He noted that while there is a conflict with policy S4 in the Neighbourhood Plan, which is related to car parking, there is no objection by the Local Highway Authority and there will be opportunities for alternative modes of transport due to the site's sustainable location. The principle of development is supported, and it will make a positive contribution to the Council's housing supply. He noted that the application has been subject to an independent viability assessment and it cannot provide a policy compliant amount of affordable housing, however it is proposed that an affordable housing contribution equating to 2 affordable units be secured via a S106 Agreement, with a review at a future date. Overall, he believed the Design complied with the Council's Development Plan and recommended it for approval.

Robert Robeson spoke in support of the application.

A Member reflected on the current state of the high street in Burgess Hill and other towns across the country, and the pace of change, which had increased significantly because of the pandemic. He referred to studies that express the view that a town centre should be a combination of retail, commercial and residential. He believed that including residential developments in a town would lead to increased economic activity.

A Member congratulated the Mid Sussex Design Team for their design for this development, which he believed would improve the area. The overall design is good for the character of the town but also for future residents.

A Member enquired about access to the building and if there was a lift on the premises. The Team Leader replied that there was an entrance at the front and rear of the building and there was no planning requirement for a lift however it maybe a building regulations issue. The Member expressed concern about the absence of a lift for residents and it was suggested that the applicant check with building regulations first to ensure they meet requirements.

With regard to parking, it was noted that there was an informal agreement for the applicant to provide 6 parking spaces on a short-term lease in The Martlets, until that land is required. A Member did express concern as to the parking arrangements after this point, but it was noted that the site is adjacent to a public car park.

A Member asked if the people on the second floor would be inconvenienced by the retail outfit. Another Member added that there could be noise pollution resulting from the fridges in the supermarket, which operate all day and night, and about the cladding arrangements for the building.

The Team Leader replied that noise pollution was considered by Environmental Protection Officers and their comments are set out on page 40 of the report. He added that the Environmental Protection Officers had not raised any objections. Regarding the building's cladding requirements, it would be of sheet metal material.

A Member enquired about the night-time activity of the Iceland supermarket and if there would be noise disturbance resulting from this for the residents. The Chairman noted that there was a reduction in restrictions for night-time activity in supermarkets, a direct result of the Covid-19 pandemic.

The Chairman took Members to the vote to approve the application in accordance with the Officer Recommendations and the Agenda Update Sheet, which was proposed by Councillor Coote and seconded by Cllr Eggleston.

A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

Councillor	For	Against	Abstain
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
P Coote	Y		
R Eggleston	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

RESOLVED

RECOMMENDATION A

That permission be granted, subject to the completion of a section 106 planning agreement to secure an affordable housing contribution £126,000, a viability review clause based upon upper quartile build costs and GDV included in DSP's Viability Assessment (and allowing for 7% build contingency necessary), the necessary infrastructure contributions and the conditions listed at Appendix A with the suggested amendments set out in the Agenda Update Sheet.

RECOMMENDATION B

If a satisfactory legal agreement has not been entered by 10th March 2021 then the application be refused at the discretion of the Divisional Leader, Planning and Economy for the following reason: The proposal fails to provide the necessary infrastructure to serve the development and fails to provide the required affordable housing. The scheme therefore conflicts with policies DP20 and DP31 of the Mid Sussex District Plan 2014-2031.

7 TP/20/0002 - AYRTON HOUSE, BORERS ARMS ROAD, COPTHORNE, CRAWLEY, WEST SUSSEX RH10 3LH

The Members were asked to consider whether to confirm a new Tree Preservation Order (TPO). The Order concerns a mixed group of oak, ash, sycamore, and understory holly and an individual semi-mature Cedar tree.

Steve Ashdown, Team Leader for Major Development & Investigations drew Members' attention to the Agenda Update Sheet, noting that the matter is before members as an objection by the owner of the trees has been received. He noted that a TPO does not prevent good management of trees and any application for reasonable works would be considered favourably. He considered that the trees contribute to the street scene and therefore the order should be confirmed.

A Member commented that this was discussed in 2018 and a decision was made at that point not to apply a TPO. He also noted that a neighbouring resident had expressed concern about the ongoing work. He noted that trees are a necessary part of the scenery, though some issues include tree branches overhanging the road, causing a nuisance, or colliding with buses and other vehicles. He noted his disappointment that there had not been more communication between the Tree Officer and the residents, which he felt could have avoided the current situation.

The Team Leader confirmed that while there had been communication in relation to the planning application associated with the site, it is not standard procedure for a Tree Officer to discuss a potential Tree Preservation Order with the owners of the tree(s).

The Chairman reminded Members that Tree Preservation Orders are often the result of members of the public expressing concern with trees in the public space.

The Chairman took Members to the vote to confirm the Tree Preservation Order in accordance with the Officer Recommendation.

A recorded vote was carried out by the Legal Officer and the motion was unanimously approved.

Councillor	For	Against	Abstain
G Allen	Y		

R Cartwright	Y		
E Coe-Gunnell White	Y		
P Coote	Y		
R Eggleston	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

RESOLVED

That the Tree Preservation Order be confirmed.

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

None.

The meeting finished at 4.40 pm

Chairman