

**Minutes of a meeting of Planning Committee
held on 11 January 2024
at 4.00 pm**

Present: G Marsh (Chairman)

A Bashar	J Dabell	P Kenny
P Brown	J Henwood	D Sweatman
G Casella	J Hitchcock	
C Cherry	T Hussain	

Absent: Councillors M Kennedy

In the absence of the Vice Chairman, the Committee agreed that Councillor Sweatman be appointed as Vice Chairman for the duration of this meeting.

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Kennedy.

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

Councillor Brown declared an interest regarding Agenda item 8 as he is the local correspondent for the Open Spaces Society for Mid Sussex.

3 TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES AND EXEMPT MINUTES OF THE PREVIOUS MEETING HELD ON 7 DECEMBER 2023.

The minutes and exempt minutes of the meeting of the Committee held on 7 December 2023 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/23/2975 - 40 WILMINGTON CLOSE, HASSOCKS, WEST SUSSEX, BN6 8QB.

Andrew Horrell, Planning Officer, introduced the application which sought planning permission to replace the existing front porch with a new front porch. He noted that it was before the Committee as the applicant is a Mid Sussex District Councillor. He confirmed that the application complies with District Plan DP26 and DP39 as well as policies 5 and 9 of Hassocks Neighbourhood Plan and relevant paragraphs of the NPPF and principles within the Mid Sussex Design Guide.

As there were no questions on this item, the Chairman took Members to a vote on the recommendations, proposed by Councillor Sweatman and second by Councillor Hitchcock. These were approved unanimously with 11 in favour.

RESOLVED

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

6 DM/23/2842 - WICKES, 255-269 LONDON ROAD, BURGESS HILL, WEST SUSSEX, RH15 9QU.

Hamish Evans, Planning Officer introduced the application which sought advertisement consent for two internally illuminated fascia signs, three non-illuminated fascia signs and one internally illuminated totem sign at Wickes 255 – 269 London Road, Burgess Hill, RH15 9QU. The item has been brought to the Committee as the Council is the landowner of the site. The Planning Officer drew attention to the Agenda Update sheet which confirms the address of the site and sets out an additional 5 conditions, with the existing conditions set out in papers to be renumbered as conditions 6,7 and 8.

He confirmed that the site is located in the Burgess Hill built up area boundary and within the Victoria Road Industrial Estate. He noted that the size and illumination of the signs reflect the character and scale of the existing and surrounding buildings and are not considered to be a hazard to public safety. The application therefore complies with District Plan policies DP21 and DP26, the Burgess Hill Neighbourhood Plan, the Town and Country Plan in Control of Advertisements 2007 and the objectives of the NPPF.

The Chairman took Members to a vote on the recommendation as set out in the report and agenda update sheet which was proposed by Councillor Sweatman and seconded by Councillor Casella. This was approved unanimously with 11 in favour.

RESOLVED

Planning permission is approved subject to the conditions outlined at Appendix A and Agenda Update Sheet.

7 DM/23/2656 - WICKES, 255-269 LONDON ROAD, BURGESS HILL, WEST SUSSEX, RH15 9QU.

Hamish Evans, Planning Officer, introduced the report, which sought planning permission for external cladding, alterations to existing car park and bollards, proposed covered trolley park, replacement first-floor showroom and replacement entrance and exit at Wickes 255-269 London Road Burgess Hill RH15 9QU. The item has been brought to the Committee as the Council is the landowner of the site. He drew Members attention to the Agenda Update Sheet which clarifies the reduction of parking spaces from 71 to 68. He confirmed that the principle of works is acceptable due to the location of the site, it addresses the character and scale of the existing landscape and it is considered to be an improvement to the current building. Although there is a loss of 3 parking spaces, this is not considered by West Sussex Highways Department to be of concern.

Members welcomed the fact that a major business is investing in the future of its property. In response to a question, the Planning Officer confirmed that the cladding

is aluminium and are acceptable from a Health and Safety perspective. It is also subject to a building regulations application to ensure that it is compliant.

The Chairman took Members to a vote on the recommendation as contained in the report and the Agenda Update Sheet which was proposed by Councillor Sweatman and seconded by Councillor Hussain. The application was approved unanimously with 11 in favour.

RESOLVED

Planning permission is approved subject to the conditions outlined at Appendix A and Agenda Update Sheet.

8 DM/23/2172 - LAND SOUTH OF THE OLD POLICE HOUSE, BIRCHGROVE ROAD, HORSTED KEYNES, WEST SUSSEX, RH17 7BL.

Joseph Swift, Senior Planning Officer, introduced the application which sought full planning permission for the erection of 25 dwellings and associated access, car parking, landscaping, balancing pond, creation of biodiversity area and infrastructure works on land south of The Old Police House, Birchgrove Road, Horsted Keynes. He drew Members attention to the Agenda Update Sheet which confirmed a number of amendments to conditions and recommendations within the report.

He noted that the application site in the built-up area of Horsted Keynes and has been allocated in SA28 of the Sites Allocation DPD for 25 houses. The western boundary borders onto the Horsted Keynes conservation area and as a Grade 2 listed farm to the north. It is situated in an Area of Outstanding Natural Beauty and is within 7km of the Ashdown Forest. He highlighted a public footpath which runs between the Swedish houses and across second parcel of land. There have been no objections from the West Sussex County Council Highways Department regarding parking and access, no objection from the tree officer and no objections on the footpath from the public right of way officers. The site will provide a mix of 1, 1.5 and 2 storey units, a balancing pond and the creation of a biodiversity area. The dwellings are a mixed proposal of house types with designs that respond to the local character. Where the Urban Designer's recommendations have not been met, information has been provided as to why. The proposal will include 8 affordable housing units which is policy compliant, the housing mix of 1, 2 and 3 bedroom dwellings complies with the policy requirement of the Neighbourhood Plan. As set out in the report, the public benefits outweigh the less than substantial harm in the setting of the conservation area and listed building. Subject to the legal agreement it will provide infrastructure contributions and exceeds building regulations with provision of low energy lighting, air source pumps and additional sustainability measures secured by condition 17.

Amanda Sutton spoke in favour of the application.

The Chairman reiterated that it is an allocated site and so the principle of development has already been established. He was pleased to see that bungalows had been included to assist the needs of the aging population.

Discussion was held on drainage and how that has dictated the position of the pond and therefore influenced the diversion of the right of way. A Member raised the possibility of amending a condition to request that "no development should take place until a section 257 order has been agreed, displayed and delivered to statutory consultees". He also raised concern that there was no plan to upgrade the path

between Swedish houses 2 and 3 which will be a regular route for residents once the new development is in place. Discussion was also held on the potential missed opportunities to promote further sustainability measures such as the addition of solar panels.

The Senior Planning Officer confirmed that regarding the Section 278 agreement for the highways it is included in Condition 37 on p102 which requires an agreement to be submitted. He also noted that an informative highlights any block paved areas to be adopted are to be included as a section 38 agreement in accordance with West Sussex and Public Right of Way Officer's comments. In response to questions on the sustainability statement, he noted that additional requirements are set out in Condition 17. Building Regulations may change in 2025 so additional changes may need to be made at that point if the properties haven't been built, however the application currently meets and exceeds current building regulations and is therefore deemed acceptable subject to that condition.

The Head of Development Management confirmed that Condition 7 and 8 addresses drainage concerns. He acknowledged the Member's comments on the diversion of the footpath, noting that it will be subject to a separate application. In relation to the existing public Right of Way an additional Condition will be included such that a s.257 Order in accordance with the T&C Planning Act 1990 shall be agreed prior to the occupation of the first dwelling.

A Member sought clarification on the size of the play area, and it was confirmed this is in proportion to the size of the development and situated in view of properties. A request was made for an informative encouraging the use of photo voltaic panels and the provision for grey water recycling to which the Head of Development Management agreed. The Chairman noted that this application comes under the old District Plan and therefore water usage requirements are slightly different. A Member highlighted a typing error in condition 19 relating to breeding places.

Members welcomed the size, scale and offering of the application noting that it is the right fit for a village setting and will blend in well with the surrounding area. It is a viable location close to shops and pubs and provides a good green space. The Committee expressed a hope that there would not be any future applications to alter the size or design of the properties, so that the bungalows and small properties remain.

The Chairman took Members to a vote on the recommendations as amended which was proposed by Councillor Hitchcock and seconded by Councillor Kenny. The application was approved unanimously with 11 in favour.

RESOLVED

Planning permission is granted subject to the recommendations below and those set out in the Agenda Update sheet.

Recommendation A

Planning permission is granted subject to the conditions listed in Appendix A and the completion of a section 106 legal agreement to secure the required SAMM and SANG mitigation, the biodiversity net gain provisions, infrastructure contributions and the necessary affordable housing.

Recommendation B

If a satisfactory planning obligation has not been completed by 11 April 2024 it is recommended that the application be refused at the discretion of the Assistant Director for Planning and Sustainable Economy for the following reasons:

1. The proposal fails to provide the required affordable housing or infrastructure contributions. The application therefore conflicts with Policies DP20 and DP31 of the Mid Sussex District Plan, Policy SA GEN of the Mid Sussex Site Allocations DPD.
2. The application fails to mitigate its impact on the Ashdown Forest SPA and SAC, contrary to Policy DP17 of the Mid Sussex District Plan 2014-2031, Policy HK10 of the Neighbourhood Plan, Policy SA GEN of the Mid Sussex Site Allocations DPD and the provisions contained within the National Planning Policy Framework.
3. The proposal fails to make provisions for securing biodiversity net gain. The application therefore conflicts with Policy SA GEN of the Mid Sussex Site Allocations DPD and Policy HK10 of the Horsted Keynes Neighbourhood Plan.

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

None.

The meeting finished at 4.48 pm

Chairman