

**Minutes of a meeting of District Planning Committee
held on Thursday, 21st March, 2024
from 2.00 pm**

Present: C Phillips (Chairman)
D Sweatman (Vice-Chair)

M Avery	R Jackson	R Whittaker
R Bates	M Kennedy	C Wood
K Berggreen	A Peacock	
A Eves	E Prescott	

1. TO RECEIVE APOLOGIES FOR ABSENCE.

There were none.

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

There were none.

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

The Chairman confirmed he had no urgent business.

4. DM/23/0827 - WEST HOATHLY BRICKWORKS, HAMSEY ROAD, SHARPTHORNE, EAST GRINSTEAD, WEST SUSSEX, RH19 4PB.

Stuart Malcolm, Senior Planning Officer, introduced the application which sought full planning application for the demolition of existing structures and redevelopment of the site to provide 108 residential dwellings (Class C3) and associated works, including the provision of an on-site SANG (Suitable Alternative Natural Greenspace), access, landscaping, parking, and associated works. He drew members attention to the Agenda Update Sheet, including additional letters of representation and an update to the conditions at Appendix A.

Key points were that this site was situated in the High Weald AONB (Area of Natural Beauty) and the site as it was had a negative impact on the surrounding area. The Senior Planning Officer stated that the proposed development was considered to be an enhancement on the AONB and that this matter should be given great weight when considering the merits of the application.

He made the members aware that the local highway authority had confirmed that the proposal would not result in any unacceptable highway safety or any other such impacts that would be considered severe.

He also drew the members attention to the provision of 33 affordable houses that would be provided in this scheme along with the required Infrastructure Contributions. He further noted the provision of sustainability measures on the proposed site, such as EV charging points for each house, air source heat pumps and solar panels.

The Senior Planning officer noted that there was a non-designated heritage asset on the site which is to be lost. The loss of this, given its low level of significance, is outweighed by the benefits of the scheme.

The Chairman invited speakers to speak on the application.

Martin Robinson, Vice-Chairman of West Hoathly Parish Council; Tony Grubb, a local resident; Phillip Dobson, a local resident of the Hamsey Road Resident Group; Gary Wall, West Sussex County Councillor; and Cllr Paul Brown, Ward member, spoke against the application.

Tracy Puttock, Ashill Regeneration; Neil Rowe, RGC Highway consultancy; and Sam Stackhouse, Chartered Town Planner, spoke in support of the application.

In reference to comments by speakers, Steven King, Team Leader - Planning Applications, made members aware that they should take into consideration the current District Plan and not the emerging district plan for the reasons that were set out in the officers' report. He confirmed that a planning application did not have to comply with each and every policy in the development plan but should be assessed against the development plan when taken as a whole and it was also necessary to consider other material planning considerations. He lastly noted that local opposition was not itself grounds for refusal, and refusals must be based on solid planning concerns that can be properly substantiated.

The West Sussex Highways Officer stated that the planning application should not be refused on traffic concerns. However, stated that if members were to take traffic concerns into consideration for a refusal, they must have demonstrated that the traffic increase would be severe. Members discussed the traffic implications of the development to the local pre-existing road network but agreed that this site did not pose a severe increase to traffic or road safety problem.

Members asked the Mid Sussex District Council Drainage Officer how much of an impact onto the nearby Bluebell Railway line this proposed development would have. The Drainage Officer stated that the Bluebell Railway line would not be severely impacted by this application.

Members noted that the applicant had worked closely with officers to create their plan and they commended the site allocation of 4 hectares to housing and 11 to the SANG. They discussed that the proposal had a suitable mix of 2 and 3 bedroom houses which the district had a shortage of. They noted and approved of the sustainability measures that the applicants had proposed in this development.

Members discussed the provenance of the site within the AONB, and specifically its context within West Hoathly and Sharpthorne. They noted that the site was difficult to see, as it was screened by natural foliage. Members discussed their site visit and described the current state of the site and how that had helped to inform them on the merits of this application. Members noted that the High Weald AONB Unit have commended this proposed plan.

Members discussed the value of the infrastructure contributions that this application was proposing and agreed that it was substantial.

Members discussed and commended the sustainability measures that this application had, however they expressed concern over the development's car dependency.

Members discussed the proposed deer fence on the eastern boundary of the development. Some members stated that they wished for this to be removed, to facilitate the pre-existing natural pathways that the local deer already used, evidenced by the footprints at the site. Other members disagreed that this condition should not be applied as deer could pose a danger to the new residents as the deer may damage the gardens and pose a risk to drivers.

Members discussed the SANG and commended the proposed increase in biodiversity. They also discussed safety concerns about the lagoon on the site and the dangers of children drowning. Members discussed whether safety measures should be conditioned to the approval of this application.

The Senior Planning Officer noted that there was a risk in conditioning this measure and suggested that the committee add this concern as an informative, not a condition. The Legal Advisor to the committee stated that applying this as a condition could prove to make Mid Sussex District Council liable for the safety of this site. Members agreed to add the safety concerns as an informative to this application.

Members discussed the ground water at the site and were concerned by the capacity to manage the excess water running off this site to neighbouring areas.

As there were no further questions the Chairman took Members to a vote on the recommendations as amended along with an additional informative to take into consideration the safety risks of the lagoon. This was proposed by Councillor Sweatman and seconded by Councillor Whittaker. These were approved with 10 in favour, 2 against and no abstentions.

RESOLVED

Recommendation A

It is recommended that planning permission is granted subject to the conditions listed in Appendix A, as amended in the Agenda Update sheet and the completion of a section 106 legal agreement to secure the required Infrastructure contributions, the necessary affordable housing, the onsite SANG, the PROW improvements and the Travel Plan.

Recommendation B

If a satisfactory planning obligation has not been completed by 21st June 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 infrastructure contributions, the necessary affordable housing, the onsite SANG, the PROW improvements and the Travel Plan. The application therefore conflicts with Policies DP17, DP20, DP21, DP22 and DP31 of the Mid Sussex District Plan and the Mid Sussex Supplementary

Planning Documents 'Affordable Housing' and 'Development Infrastructure and Contributions'.

The Chairman paused the meeting at 3.46pm and Committee reconvened at 3.56pm.

5. DM/23/2360 - FRANCIS COURT, BORERS ARMS ROAD, COPTHORNE, CRAWLEY, WEST SUSSEX, RH10 3LQ.

Susan Dubberly, Senior Planning officer introduced the item which sought consent for the demolition of existing care home and construction of a 78-bedroom care home (Use Class C2), with associated access, plant, parking, landscaping, and site infrastructure.

The Senior Planning Officer noted that the design of the care home was similar in terms of the footprint, scale, form, and materiality to that of the current building on the site. She stated that the design had been amended and that the scheme was considered to sufficiently address the principles set out in the Council's Design Guide and accord with policy DP26 of the District Plan and the Neighbourhood Plan.

The Chairman invited speakers to speak on the application.

Amy Paterson, Chartered Town Planner, spoke in support of the application.

The Chairman, as the ward councillor, spoke in favour of the application.

In response to a Member Susan Dubberly stated that the parking provision had changed, but that it was sufficient for the buildings proposed use.

Some members discussed the sustainability measures proposed in the plan. Some members approved of the increased energy efficiency of the new proposal. Some members noted that the embodied carbon that would be released by the demolition of the building was a shame and that it was unfortunate that this building was being demolished rather than retrofitted. Other members noted that they believed Care UK had no other option.

Members discussed the lack of creativity of the design. Some members agreed that it was an outdated design and were disappointed in its proposed appearance. The Senior Planning Officer noted that the design had been through a design review panel and stated that the design review panel had concerns that this was not an innovative design. The Senior Planning Officer stated that the design had been amended in line with the comments of the Urban Designer, and officers considered that it was now acceptable.

A Member noted that he was grateful to see this proposal designed to care for dementia patients.

As there were no further questions the Chairman took Members to a vote on the recommendations. This was proposed by Councillor Phillips and seconded by Councillor Whittaker. These were approved with 11 in favour, 1 against and 0 abstentions.

RESOLVED

Recommendation A

It is recommended that planning permission be approved subject to the conditions set in Appendix A and to the completion of the Unilateral Undertaking securing the Travel Plan monitoring fees.

Recommendation B

It is recommended that if the applicants have not submitted a satisfactory signed Unilateral Undertaking securing the Travel Plan Monitoring fees by 21st June 2024, 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 DP21 of the Mid Sussex District Plan and the requirements of the NPPF to promote sustainable transport modes.

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

None.

The meeting finished at 4.19 pm

Chairman