

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

Present: G Marsh (Chairman)
M Kennedy (Vice-Chair)

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

Absent: Councillors J Henwood and J Hitchcock

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Henwood and Hitchcock.

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

Councillor Marsh confirmed that he had called in item 5 for consideration by the committee and would abstain from voting on the item.

3 TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 14 MARCH 2024.

The minutes of the meeting of the Committee held on 14 March 2024, 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/24/0230 - LAND TO EAST OF BALCOMBE ROAD AND SOUTH OF M23, HAYWARDS HEATH, WEST SUSSEX.

Katherine Williams, Planning Officer, introduced the application which seeks permission for a change of use of agricultural land to use for exercising of dogs including a perimeter fence, pathway, shelter, gate and associated parking. She drew Members attention to the Agenda Update Sheet regarding additional conditions. She confirmed that it was not considered to cause harm to the Countryside and High Weald Area of Outstanding Natural Beauty (AONB) as the application is subject to conditions by Environmental Health and West Sussex County Council, and an ecological impact assessment has been provided and accepted.

Robert Brown, applicant, spoke in favour of the application.

The Chairman noted that he had called in the application on the grounds of potential harm to the AONB. However, having visited the site and heard from Officers he noted that there is no real planning reason for refusal and will abstain from voting on the item.

Members acknowledged the Parish Council's observations but noted that only four dogs can be walked at any one time, and the proposed fencing and shed were similar to items that farmers could erect with no objection. It was noted that the application was a responsible way to deal with a necessary need. A Member queried if there should be a restriction on the hours of use, but it was noted that dog walking would likely be in daylight hours. Any further application for expansion or lighting would require a new application to be considered by the Committee.

Councillor Kennedy proposed the item which was seconded by Councillor Sweatman.

The Chairman took Members to a vote on the recommendation, which was agreed with 9 in favour and 1 abstention.

RESOLVED

That planning permission is approved subject to the conditions outlined at Appendix A and as contained in the Agenda Update Sheet.

6 DM/23/2448 - MULTI INSTALLATIONS LTD, 27 VICTORIA GARDENS, BURGESS HILL, WEST SUSSEX, RH15 9NB.

Andrew Clarke, Senior Planning Officer, introduced the application which seeks permission to retain a dust extraction system, including its cladding and lagging and enclosure of centrifugal fan. The application also seeks the proposed replacement of windows and doors to the front offices and the installation of three heat pumps. He noted that Mid Sussex District Council are the Freeholders of the land hence the application is before the Committee for consideration. It is a commercial unit within an industrial estate with residential properties approximately 55m to the north. The hopper was constructed in 2022 and noise concerns have been raised by residents. The Council has been working with the owner to address these concerns and the application includes mitigations such as cladding, a maintenance plan and defined hours of use to address the issues. It is noted that the site does not benefit from specific hours of use and the Council can only impose restricted hours related to the hopper. The design is considered functional and does not harm the character of the street scene.

Councillor David Eggleton, Chair of Burgess Hill Town Council Planning Committee, spoke against the application.

Members acknowledged the unsightly design of the hopper, and the resident's concerns regarding noise. A suggestion was put forward that the applicant build completely around the structure to encase it. A Member also raised concern that the cladding would not be strong enough to withstand storm damage. The Senior Planning Officer acknowledged that in its current state it causes harm to the neighbouring amenity with the large hissing noise emitted by the hopper at irregular times. Building a structure around it is one option, but that is beyond the scope of this application. The proposed cladding comes with acoustic support around the metal part at the top of the hopper, to the extent that it will no longer cause harm. Whilst it

won't address appearance of it, it is not considered a reason to reject the application. He also noted that post-implementation there is a condition that requires the applicant to submit a new report to confirm noise levels have reduced. It was confirmed that the obligation to comply with the conditions lies with the applicant, and if they do not complete the cladding within the required timescales, and submit a report on subsequent decibel levels, the Council can begin enforcement. It was also confirmed that an independent sound level company will verify the noise level report.

Members queried the retrospective application, and it was acknowledged that it was unfortunate that the hopper was constructed without permission originally. The Council has been in discussion with the applicant for a long time to reach this point. A Member noted that without the hopper, the business would not be able to function and had the potential to impact up to 50 jobs.

A number of Members sympathised with the concerns of the residents but noted that a retrospective application must be considered as if it were a new one. The site is on an industrial estate, so some noise is to be expected. With the cladding and restricted hours of use, it should bring it to within acceptable levels.

Councillor Kennedy proposed the item. This was seconded by Councillor Sweatman.

The Chairman took Members to a vote on the recommendation as contained in the report which was approved with 5 in favour and 2 against and 3 abstaining.

RESOLVED

That planning permission be granted subject to the conditions listed at Appendix A.

7 DM/23/3213 - LAND AT CUCKFIELD RECREATION GROUND, HIGH STREET, CUCKFIELD, WEST SUSSEX, RH17 5EL.

Steve Ashdown, Planning Team Leader, introduced the application which seeks permission for the installation of equipment to deliver free public Wi-Fi (including: 6m high column with mounted Wireless Access Point, Wireless Access Point attached to Pavilion roof, ducting and associated network infrastructure).

He noted that the item is before the Committee as Mid Sussex District Council is the landowner. The site is within the Cuckfield Conservation Area, with the AONB to the west and near a number of listed buildings as referenced in the report. Given the nature of the proposal for free Wi-Fi access and the size and location of the proposed antennae, he confirmed that there would be no impact on the conservation area, listed buildings, AONB or neighbouring amenity.

Councillor Avery, Ward Member, spoke in favour of the application.

Members discussed the benefits to the local community, noting that internet access in other rural communities would benefit from such a proposal. Members sought further information on who is making the application, and therefore paying for the service and maintenance. It was confirmed that Mike Jones from North Limited is the applicant and they have been appointed by West Sussex County Council to deliver broadband services in several locations under contract, supported by Government funding.

Councillor Kennedy proposed the item. This was seconded by Councillor Casella.

The Chairman took Members to a vote on the recommendation as contained in the report which was approved with 10 in favour.

RESOLVED

That the application be approved subject to the conditions set out in Appendix A.

8 DM/24/0672 - 38 THE MARTLETS, BURGESS HILL, WEST SUSSEX, RH15 9NN.

Steve Ashdown, Planning Team Leader, introduced the application which seeks permission to carry out temporary filming with the Lidl and Heights building (unit 38 and 49) in The Martlets Shopping Centre. A total of 31 days filming over a 12-month period. He noted that the item is before the Committee as Mid Sussex District Council is the freeholder of the site, and drew Members attention to the Agenda Update Sheet containing the remaining consultation responses. He highlighted an observation from the Town Council that the application may impact the progression of the urban garden project in that area. However, as the temporary planning permission for a public park on the site runs out on 14 April 2024, it would not have an impact. It was noted that there has been two similar prior approval procedure for filming considered by the Council, and with regard to the relevant matters, he is content that further information is not required and the impact of the proposal in relation to these issues is acceptable.

A Member expressed the wish for an urban park still to be built following the conclusion of the timeframe for this application.

Councillor Sweatman proposed the item. This was seconded by Councillor Cherry.

The Chairman took Members to a vote on the recommendation as contained in the report which was approved with 9 in favour and 1 abstention.

RESOLVED

That Prior Approval is not required, and the proposal can therefore proceed in accordance with the submitted details.

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

None.

The meeting finished at 5.05 pm

Chairman