

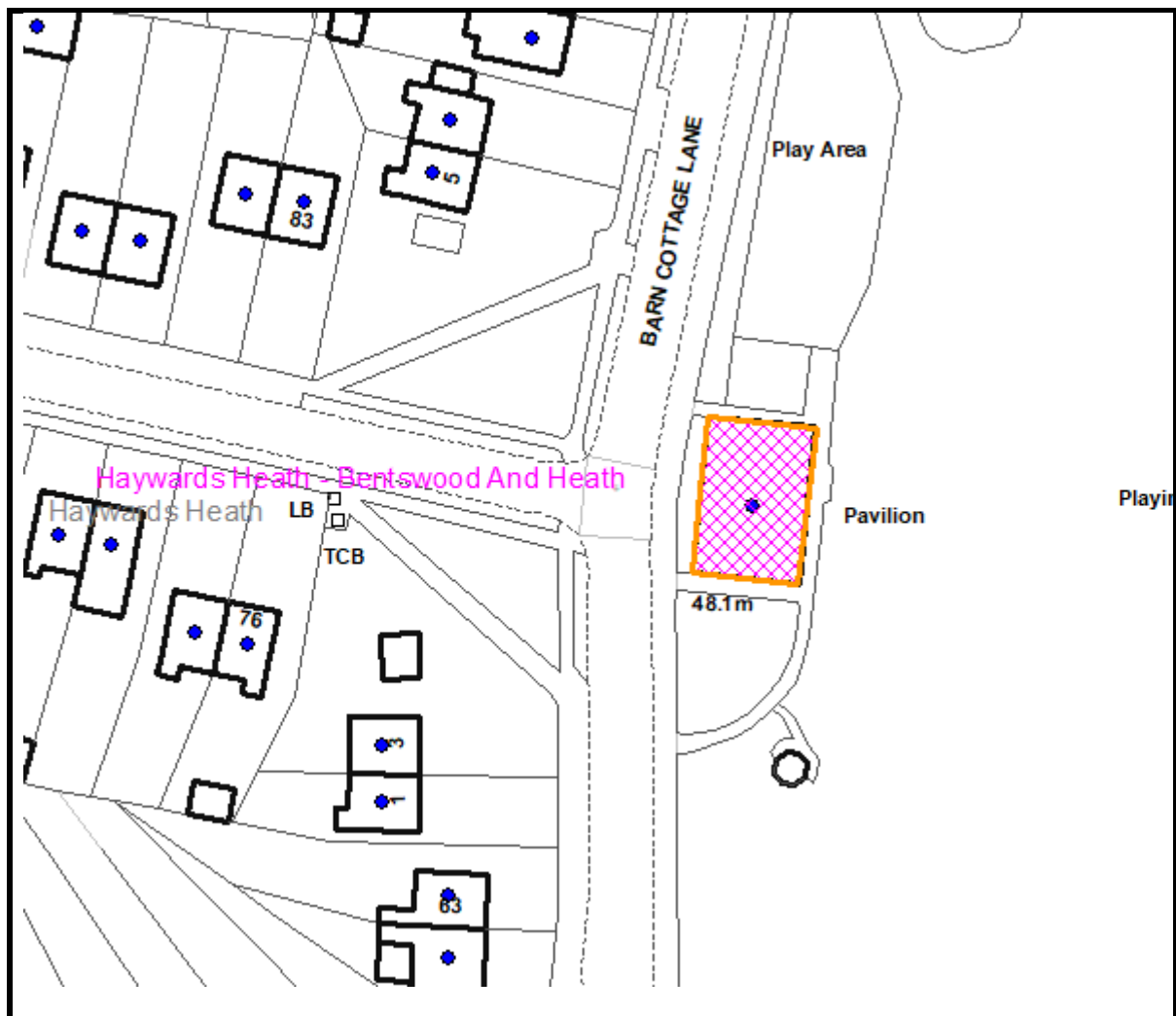
# Planning Committee



Recommended for Permission

15th June 2023

DM/23/0690



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Site:	Barn Cottage Pavilion Barn Cottage Lane Haywards Heath West Sussex RH16 3QW
Proposal:	Improved community facilities at Barn Cottage, including a single storey extension, a new accessible front entrance and energy efficiency measures.
Applicant:	Ms Anna Sharkey
Category:	Minor Other
Target Date:	23rd June 2023



<b>Parish:</b>	Haywards Heath
<b>Ward Members:</b>	Cllr Rachel Cromie / Cllr Stephen Hillier /
<b>Case Officer:</b>	Anna Tidey

### **Link to Planning Documents:**

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RRGVAIKT0D200>

### **Purpose of Report**

- 1.1 To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

### **2.0 Executive Summary**

- 2.1 This application seeks planning permission for an extension to the community hall, a new accessible front entrance and energy efficiency measures at Barn Cottage Pavilion, off America Lane in Haywards Heath.
- 2.2 The application is being reported to committee as Mid Sussex District Council is the landowner.
- 2.3 The community building is currently in a mixed use. The changes will update the pavilion, and extend the internal floor area. The alterations to the building are considered to be of an appropriate design that would not harm neighbouring amenity and would meet the requirements of Policy DP26 of the District Plan and Neighbourhood Plan. The proposed extension and alterations to the building would improve the existing community facilities for the area and meet the aims of Policies DP24 and DP25 of the District Plan.
- 2.4 The application is therefore recommended for approval.

### **3.0 Recommendation**

- 3.1 It is recommended that permission be granted subject to the conditions listed at Appendix B.

### **4.0 Summary of Representations**

- 4.1 One representation received, which raises concerns regarding parking issues in the area, particularly on football match days, and questions what noise controls there will be.



## **5.0 Summary of Consultations**

5.1 Full responses from Consultees are included at the end of this report as Appendix B.

### **5.2 Highways Authority**

Original response: More information requested.

Further comments: The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

### **5.3 Environmental Health Officer**

The site currently runs a daycare school Monday to Friday, with the grounds used for football at the weekend. While both of these activities have associated noise issues, the application to extend the venue, increase the size of the hall, and create additional storage facilities will not impact the current level of noise created. Therefore I have no comments in relation to potential noise issues. I have no objection to the proposed application.

### **5.4 Community Facilities Project Officer**

This project will greatly enhance the community facilities available in Bentswood by providing additional space which can be used to host a range of socially beneficial activities.

The internal layout has been carefully considered, the new outside space, outlook onto the recreation ground and street entrance will be a big improvement on the existing pavilion.

## **6.0 Town/Parish Council Observations**

6.1 The Town Council supports this application which, if successful, would make a welcome and much needed addition to the provision of community facilities in this part of Haywards Heath.

## **7.0 Introduction**

7.1 This application seeks planning permission for the development of the existing pavilion at Barn Cottage on Barn Cottage Lane in Lindfield.

7.2 The application is being reported to committee as MSDC is the landowner.



## **8.0 Relevant Planning History**

- 8.1 Planning reference: DM/21/1758. The change of use of the existing pavilion building to a sui generis use to allow a mixed use for learning and non-residential institutions (falling under Use Class F1) and recreational uses to include outdoor sports facilities and a community hall use (Use Class F2). Approved August 2021.
- 8.2 Planning reference: DM/19/1624. New purpose built community centre with joining tunnel to existing pavilion. Approved July 2019.
- 8.3 Planning reference: HH/007/98. Construction of pavilion. Removal of existing changing facilities. Approved March 1998.

## **9.0 Site and Surroundings**

- 9.1 The application site is the existing pavilion at Barn Cottage Lane, off America Lane in the built up area of Haywards Heath.
- 9.2 There is an existing single storey community building at the site. To the north of the building there is an associated fenced in play area which is used for outdoor play activities by Willow Tree Preschool. The land to the east is laid out as a football pitch and is surrounded on three sides by adjacent residential roads.

## **10.0 Application Details**

- 10.1 In detail the application seeks planning permission for the construction of a single storey extension with a new gabled roof form on the northern end of the building, measuring 5.5m in depth by 11m wide, spanning the width of the existing building. The extension will provide an enlarged hall space and a new kitchen and store room.
- 10.2 Externally the extension will be constructed in a contrasting brickwork with a band of hit and miss recessed brickwork with new aluminium framed windows. The new gabled roof will be finished with steel britmec imitation tiles to match the existing roof finish. The extension will include two roof lights in the eastern facing roof slope and one rooflight in the eastern facing roof slope, which will serve to light the new floor space. A 4m wide set of glazed bifold doors will provide access into the extension from the eastern elevation. An additional 4.4m set of glazed bifold doors will replace the current hall access doors to provide access into the enlarged hall space
- 10.3 Associated with the proposed extension is the introduction of new windows and a new accessible door entrance in the western elevation. The proposed works also include the formation of a new accessible access with the provision of a new doorway with stepped and a ramped pathway on the western side of the building. Detailed comments from the Highways Authority have been received in regard to



this pedestrian access, which crosses the grassed highway verge which extends along the western elevation of the building.

- 10.4 Currently the main access into the building is from the recreation ground from the eastern side. The new doorway with stepped and ramped access will allow users to access the hall from the pavement on Barn Cottage Lane. The new doorway will lead into a new internal entrance hall created from the space currently used as an existing store room off the main hall.
- 10.5 The application has been accompanied with a combined Planning, Design and Access Statement which explains the proposal with reference to the existing pavilion, the proposal, highways and parking issues, flood measures, construction materials, energy and sustainability and relevant planning policies. This document is available to view on the planning file.

#### **11.0 Legal Framework and List of Policies**

- 11.1 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Specifically Section 70 (2) of the Town and Country Planning Act 1990 states:

*'In dealing with such an application the authority shall have regard to:*

- a) The provisions of the development plan, so far as material to application,*
- b) And local finance considerations, so far as material to the application, and*
- c) Any other material considerations.'*

- 11.2 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

*'If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'*

- 11.3 The requirement to determine applications "in accordance with the plan" does not mean applications must comply with each and every policy, but is to be approached on the basis of the plan taken as a whole. This reflects the fact, acknowledged by the Courts, that development plans can have broad statements of policy, many of which may be mutually irreconcilable so that in a particular case one must give way to another.
- 11.4 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.



- 11.5 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan and the Haywards Heath Neighbourhood Plan and the Site Allocations Development Plan Document.
- 11.6 National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

- 11.7 The District Plan was adopted at Full Council on 28th March 2018.  
Relevant policies:

Policy DP24: Leisure and Cultural Facilities and Activities  
Policy DP25: Community Facilities and Local Services  
Policy DP26: Character and Design  
Policy DP28: Accessibility  
Policy DP39: Sustainable Design and Construction

Site Allocations Development Plan Document

- 11.8 Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs. There are no policies deemed relevant to this application.

Mid Sussex District Plan 2021-2039 Consultation Draft

- 11.9 The District Council is now in the process of reviewing and updating the District Plan. The new District Plan 2021 - 2039 will replace the current adopted District Plan. The draft District Plan 2021-2039 was published for public consultation on 7th November and the Regulation 18 Consultation period ran to 19th December 2022. No weight can be given to the plan at this stage due to the very early stage that it is at in the consultation process.

Haywards Heath Neighbourhood Plan} - Made December 2016

- 11.10 Relevant policies:  
Policy E1: Green infrastructure  
Policy E9 Design  
Policy L9: Existing playing fields and sporting facilities



## Mid Sussex Design Guide Supplementary Planning Document (SPD)

- 11.11 The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

## National Policy

### National Planning Policy Framework (NPPF – July 2021)

- 11.12 The NPPF sets out the government's policy in order to ensure that the planning system contributes to the achievement of sustainable development.
- 11.13 Paragraph 8 sets out the three objectives to sustainable development, such that the planning system needs to perform an economic objective, a social objective and an environmental objective. This means ensuring sufficient land of the right type to support growth; providing a supply of housing and creating a high quality environment with accessible local services; and using natural resources prudently.
- 11.14 Paragraph 12 of the NPPF states {'i' The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'}
- 11.15 Paragraph 38 of the NPPF states {'i' Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.'}
- 11.16 With specific reference to decision-taking paragraph 47 states that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise



## 12.0 **Assessment**

12.1 The main issues for consideration in determining the application are:

Principle of development  
Design  
Impact upon residential amenity  
Access and Parking  
Sustainability  
Habitats Regulations Assessment for Ashdown Forest  
Planning Balance and Conclusion

### Principle of development

12.2 The development plan in this part of Mid Sussex consists of the District Plan and the Haywards Heath Neighbourhood Plan (2016).

12.3 The most relevant policies in considering the principal of this proposal are District Plan Policies DP24 and DP25 and Neighbourhood Plan Policies E1 and L9.

12.4 District Plan Policy DP24 states:

*Development that provides new and/or enhanced leisure and cultural activities and facilities, including allotments, in accordance with the strategic aims of the Leisure and Cultural Strategy for Mid Sussex will be supported.*

*The on-site provision of new leisure and cultural facilities, including the provision of play areas and equipment will be required for all new residential developments, where appropriate in scale and impact, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure such facilities. Details about the provision, including standards, of new leisure and cultural facilities will be set out in a Supplementary Planning Document.*

*Sites for appropriate leisure and cultural facilities to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.*

*Proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless:*

- an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or*
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*



- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

12.5 District Plan Policy DP25 states:

*The provision or improvement of community facilities and local services that contribute to creating sustainable communities will be supported.*

*Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:*

- *that the use is no longer viable; or*
- *that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or*
- *that a replacement facility will be provided in the locality.*

*The on-site provision of new community facilities will be required on larger developments, where practicable and viable, including making land available for this purpose. Planning conditions and/or planning obligations will be used to secure on-site facilities. Further information about the provision, including standards, of community facilities will be set out in a Supplementary Planning Document. Community facilities and local services to meet local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council.*

12.6 Policies within the Haywards Heath Neighbourhood Plan also seek to prevent the loss of open spaces of public value (Policy E1) and seek to enhance the existing playing fields and sporting facilities within the town (Policy L9).

12.7 Policy E1 states:

*Planning applications which would result in the loss of existing open spaces of public value will generally be resisted except where:*

- *They are supported by an open space assessment that demonstrates the open space is no longer needed or*
- *Proposals for equivalent or better alternative provision are made in a suitable location or*
- *There is a proven need for essential utility infrastructure where the benefits outweigh any harm or loss and it can be demonstrated that there are no reasonable alternative sites available.*

12.8 Policy L9 states:

*Existing playing fields and sporting facilities within the Plan area shall be retained and where possible enhanced to the benefit of the Town. Should an existing facility come forward for redevelopment for non-sports use, and it is shown the site or facility is not surplus to requirements, the applicant will be required to provide alternative provision within the Plan area before the existing facilities are lost.*



- 12.9 The proposal accords with the principles of these policies as set out in the District and Neighbourhood Plan for Haywards Heath. Whilst the extension to the community centre would result in a small playing area to the side of the building being used for the construction of the extension, there remains adequate external play areas for the nursery on the recreation ground, and the benefit of the enlarged facility for the local community would outweigh the small area of land lost. As such it is considered that the proposal accords with District Plan Policies DP24 and DP25 and Neighbourhood Plan Policies E1 and L9.

### Design

- 12.10 Policy DP26 of the Mid Sussex District Plan states:

*All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:*

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally*
- *be designed with active building frontages facing streets and public open spaces to animate*
- *and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding*
- *buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future*
- *occupants of new dwellings, including taking account of the impact on privacy, outlook,*
- *daylight and sunlight, and noise, air and light pollution (see Policy DP29);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment,*
- *particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a*
- *strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be*
- *expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.*



12.11 Policy E9 of the Haywards Heath Neighbourhood Plan states:

*‘Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:*

- *height, scale, spacing, layout, orientation, design and materials of buildings,*
- *the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- *respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- *creates safe, accessible and well-connected environments that meet the needs of users,*
- *Will not result in unacceptable levels of light, noise, air or water pollution,*
- *Makes best use of the site to accommodate development,*
- *Car parking is designed and located so that it fits in with the character of the proposed development.*

*Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.’*

12.12 The proposed extension and alteration works to the existing community building have been designed to be contemporary in appearance and complementary in terms of the form and materials to the existing pavilion. It is considered that the proposed alterations will relate to the existing development form on the site and appear in keeping with the character and appearance of the surrounding residential area. The eaves and ridge height of the new extension will relate to the scale of the existing pavilion. The design of the extended building will accord with the requirements of District Plan Policy DP26 and Policy E9 of the Haywards Heath Neighbourhood Plan.

Impact upon residential amenity

12.13 Policy DP26 of the Mid Sussex District Plan states that development should ‘not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution’.

12.14 Policy E9 in the Haywards Heath Neighbourhood Plan states:

*Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:*

- *height, scale, spacing, layout, orientation, design and materials of buildings,*



- *the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- *respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- *creates safe, accessible and well-connected environments that meet the needs of users,*
- *Will not result in unacceptable levels of light, noise, air or water pollution,*
- *Makes best use of the site to accommodate development,*
- *Car parking is designed and located so that it fits in with the character of the proposed development.*

*Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.*

- 12.15 In terms of the impact of the proposal upon the neighbouring amenities the proposed pavilion is located on the western side of an established playing field within a residential area. The building would be sited over 30m from the nearest properties at Nos 1 and 3 Barn Cottage Lane to the west of the site.
- 12.16 The size of the site allows a reasonable degree of spacing between the immediate properties and the extended building and as such it is considered that the scale and form of the building would not be dominant in views from these properties and their respective gardens.
- 12.17 The MSDC Environmental Health response has considered potential noise issues as a result of the proposed extension and has recommended that should noise complaints arise these will be investigated to protect the neighbouring amenities. Any air conditioning or extraction units for the extended building, if required in the future, would need to be the subject of a separate planning application and would need to be the subject of appropriate acoustic reports.
- 12.18 It is considered that the proposal will accord with District Plan Policy DP26 and Neighbourhood Plan Policy E9 in respect of neighbouring amenities.

#### Access and Parking

- 12.19 Policy DP21 in the District Plan seeks to ensure, amongst other things, that proposals provide adequate car parking to serve the development, avoids severe additional traffic congestion and protects the safety of road users and pedestrians.
- 12.20 The pavilion has no onsite parking provision. There are adjacent residential roads around the recreation ground which are not the subject to parking restrictions. In addition, there are nearby bus stops on America Lane and the site is within easy walking distance of the wider residential area and the town centre.
- 12.21 Amended plans have been submitted to adjust the layout of the access within the highway verge. WSCC Highways have considered the amended application and find



the proposal acceptable, and conclude that there are no transport grounds to resist the proposal.

- 12.22 The siting of the pavilion on an established recreation ground is sustainable. The proposal therefore accords with Policy DP21 of the District Plan and the relevant requirements of the NPPF.

#### Sustainability

- 12.23 District Plan Policy DP39 is relevant in the determination of this application. This states:

*'All development proposals must seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate the following measures:*

- Minimise energy use through the design and layout of the scheme including through the use of natural lighting and ventilation;*
- Explore opportunities for efficient energy supply through the use of communal heating networks where viable and feasible;*
- Use renewable sources of energy;*
- Maximise efficient use of resources, including minimising waste and maximising recycling/ re-use of materials through both construction and occupation;*
- Limit water use to 110 litres/person/day in accordance with Policy DP42: Water Infrastructure and the Water Environment;*
- Demonstrate how the risks associated with future climate change have been planned for as part of the layout of the scheme and design of its buildings to ensure its longer term resilience.'*

- 12.24 The submitted Planning, Design and Access Statement includes a section regarding energy and the sustainable features of the proposal. In terms of the requirements of DP39 the proposal has been demonstrated to include a series of energy efficiency and sustainability measures including: natural lighting and ventilation, the proposed use of high energy rated appliances, low energy lighting and water conserving toilet and tap fittings, to ensure an energy efficient building.

- 12.25 In terms of the location, the site is on an established recreation ground sited within walking distance of the town centre and bus stops and this is considered to be a sustainable location for the development.

- 12.26 It is considered that the proposal has been demonstrated to represent a sustainable development on this site and therefore would accord with the requirements of District Plan Policy DP39.

#### Habitats Regulations Assessment for Ashdown Forest

- 12.27 Under the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), the competent authority – in this case, Mid Sussex District Council – has a duty to ensure that any plans or projects that they regulate



(including plan making and determining planning applications) will have no adverse effect on the integrity of a European site of nature conservation importance. The European site of focus is the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

- 12.28 The potential effects of development on Ashdown Forest were assessed during the Habitats Regulations Assessment (HRA) process for the Mid Sussex District Plan 2014-2031. This process identified likely significant effects on the Ashdown Forest SPA from recreational disturbance and on the Ashdown Forest SAC from atmospheric pollution.
- 12.29 A Habitats Regulations Assessment has been undertaken for the proposed development in this planning application.

#### Recreational disturbance

- 12.30 Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected near-ground and ground nesting birds on Ashdown Forest.
- 12.31 In accordance with advice from Natural England, the HRA for the Mid Sussex District Plan 2014-2031, and as detailed in District Plan Policy DP17, mitigation measures are necessary to counteract the effects of a potential increase in recreational pressure and are required for developments resulting in a net increase in dwellings within a 7km zone of influence around the Ashdown Forest SPA. A Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach has been developed. This mitigation approach has been agreed with Natural England.
- 12.32 This planning application does not result in a net increase in dwellings within the 7km zone of influence and so **mitigation is not required**.

#### Atmospheric pollution

- 12.33 Increased traffic emissions as a consequence of new development may result in additional atmospheric pollution on Ashdown Forest. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species.
- 12.34 The potential effects of the proposed development are incorporated into the overall results of the transport model prepared for the Mid Sussex Transport Study, which indicates there would not be an overall impact on Ashdown Forest. This means that there is not considered to be a significant in combination effect on the Ashdown Forest SAC by this development proposal.



### Conclusion of the Habitats Regulations Assessment

- 12.35 The Habitats Regulations Assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development.
- 12.36 No mitigation is required in relation to the Ashdown Forest SPA or SAC.
- 12.37 A full HRA (that is, the appropriate assessment stage that ascertains the effect on integrity of the European site) of the proposed development is not required.

### **13.0 Planning Balance and Conclusions**

- 13.1 Planning legislation requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. It is therefore necessary for the planning application to be assessed against the policies in the development plan and then to take account of other material planning considerations including the NPPF.
- 13.2 The proposal will enhance community facilities, in accordance with policies DP24 and DP25 in the District Plan.
- 13.3 The proposed extension is contemporary in appearance and complementary in terms of the form and materials to the existing pavilion. It is considered that the new building extension will relate well to the existing development form on the site and appear in keeping with the character and appearance of the surrounding residential area. The design of the new extension will accord with the requirements of District Plan Policy DP26 and Policy E9 of the Haywards Heath Neighbourhood Plan.
- 13.4 Given the presence of the existing pavilion at the site and the distance of the site from the neighbouring properties, it is considered that the proposed extension of the pavilion building to add a new single storey extension and new accessible entrance will not adversely impinge upon the occupiers of these neighbouring properties. The proposal is considered to accord with District Plan Policy DP26.
- 13.5 The proposal has been assessed with consideration to District Plan Policy DP39 (Sustainability). The proposed development has been considered in terms of energy efficiency and includes energy efficient features. For reasons including the location of the site and the proposed energy efficiency details of the scheme the proposal has been demonstrated to represent a sustainable development in accordance with District Plan Policy DP39.
- 13.6 The siting of the pavilion on an established recreation ground within the town is sustainable, being within easy access to the surrounding residential area and walking distance of the town centre and local residents. The proposal accords with Policy DP21 of the District Plan and the requirements of the NPPF.



- 13.7 The screening assessment concludes that there would be no likely significant effects, alone or in combination, on the Ashdown Forest SPA and SAC from the proposed development. No mitigation is required in relation to the Ashdown Forest SPA or SAC. A full HRA of the proposed development is not required.
- 13.8 In light of the above it is recommended that the application is approved, subject to appropriate planning conditions.
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## **APPENDIX A – RECOMMENDED CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

2. Approved plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

3. No development shall be carried out unless and until samples of materials and finishes to be used for the external walls / roof / and new external doors and fenestration have been submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Haywards Heath Neighbourhood Plan.

4. Works of construction, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times:

Monday to Friday 08:00-18:00 Hours

Saturday 09:00-13:00Hours

Sundays and Bank/Public Holidays no work permitted.



5. Deliveries or collection of plant, equipment or materials for use during the construction phase shall be limited to the following times:

Monday to Friday: 08:00-18:00hrs

Saturday: 09:00-13:00hrs

Sunday and Public/Bank holidays: None permitted

Reason: To safeguard the amenities of nearby residents and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031.

## INFORMATIVES

1. In accordance with Article 35 Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- o Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- o Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- o No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.



## **APPENDIX B – CONSULTATIONS**

### **Haywards Heath Town Council**

The Town Council supports this application which, if successful, would make a welcome and much needed addition to the provision of community facilities in this part of Haywards Heath. The building is of a sustainable design and the Planning Statement accompanying the application indicates compliance with the following policies of the Mid Sussex District Plan 2014-2031: DP1, DP2, DP3, DP24, DP25, DP28 and DP39. With regard to the Haywards Heath Neighbourhood Plan, the Town Council believes that the proposal meets Objective 6A (coordinate and improve green infrastructure in the town) paragraph 6.1 and complies with elements of Policies E1 and E9. The Town Council requests that any permission granted is subject to the following conditions:

1. in order to protect the amenity of local residents, works of construction (including the use of plant and machinery, and deliveries or collection of plant, equipment or materials) shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0900 hours to 1300 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays;
2. in the event that the centre is serviced by larger, Eurobin facilities - which will be collected by a commercial operator - no collections shall be permitted before 0700 hours, in order to protect resident amenity;
3. in order to protect local residents from undue noise and disturbance, all users shall vacate and secure the building by 2300 hours at the latest. This shall apply on all days of the week and on Bank Holidays and Public Holidays. Furthermore, as the project evolves and progresses, those responsible for its delivery are asked to consider the following:
  - a. the installation of an effective and robust CCTV system in order to safeguard the centre against vandalism and to deter antisocial behaviour;
  - b. any proposals to install an air conditioning system (with its associated heat exchanger(s)) would have to ensure compliance with Mid Sussex District Council's environmental health requirements, aligned to Environment legislation;
  - c. any proposals to introduce a lighting scheme for the exterior of the centre must be sympathetic to the locality and must safeguard local residents from unacceptable levels of light and disturbance. Advice on 'warm white' LED lighting should be sought from Mid Sussex District Council.'
  - d. the Town Council are impressed with the addition of kitchen facilities that will teach life skills to the important youth users of the Bentswood Hub.

### **Highways Authority**

#### **Original response:**

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals. I refer to your consultation in respect of the above planning application and would provide the following comments.



### More Information Request

The Local Highways Authority (LHA) has viewed the submitted plans and documents. However, at this stage we would request that some additional information is submitted to allow further assessment from the highway's perspective. The LHA has provided comments below outlining the points raised.

### *Primary Areas of Additional Information:*

1. Highway Boundary (HWB) - It appears that all or part of the proposal is located in the HWB, please can the applicant investigate and state their intentions.

### Conclusion

Please raise the above with the applicant and re-consult. Until such time, the LHA are not in a position to provide final comments until we receive the requested information as stated above

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The applicant and Local Planning Authority should be aware that the information provided for this request, might result in the need for further documentation upon resubmission.

### **Further comments:**

WSSC in its role as Local Highway Authority (LHA) previously provided comment on this application, dated 06/04/2023 and 27/04/2023, requesting additional information. The applicant has submitted amended plans and as such, the LHA has been reconsulted and can provide the following updated comments:

The site is located on Barn Cottage Lane, an unclassified road subject to a speed restriction of 30 mph. The proposals include the provision of a revised new pedestrian entrance to the west of the site, which has been relocated so that it does not encroach into the maintained highway boundary.

No vehicular access or parking is associated with this site. Whilst the proposals do represent a slight increase in floorspace, the LHA does not anticipate that this would have a significant impact on material movements or on-street parking associated with this site, when compared with what the site currently generates.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.



### **Environmental Health Officer**

The site currently runs a day-care school Monday to Friday, with the grounds used for football at the weekend.

While both of these activities have associated noise issues, the application to extend the venue, increase the size of the hall, and create additional storage facilities will not impact the current level of noise created. Therefore I have no comments in relation to potential noise issues.

I do note that there are no air conditioning units on the plans, which will likely mean that doors and windows will be open during warmer weather, which potentially presents further noise issues in itself. The applicant should be made aware that if we do get noise complaints regarding events these will be investigated.

If the applicant was to put in any plant or machinery, such as air conditioning or an extract unit for the kitchen, they should be made aware that we would require an acoustic report to demonstrate that these will not create a noise nuisance to neighbouring residents.

I have no objection to the proposed application.

### **Community Facilities Project Officer**

This project will greatly enhance the community facilities available in Bentswood by providing additional space which can be used to host a range of socially beneficial activities. The internal layout has been carefully considered, the new outside space, outlook onto the recreation ground and street entrance will be a big improvement on the existing pavilion.