

**Minutes of a meeting of Planning Committee  
held on 07 December 2023  
at 4.00 pm**

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

A Bashar  
P Brown  
G Casella  
C Cherry

J Dabell  
J Henwood  
J Hitchcock  
T Hussain

P Kenny  
D Sweatman

**1 TO RECEIVE APOLOGIES FOR ABSENCE.**

None.

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

In relation to Item 10 – EF/21/0282 – Woodbury Avenue, East Grinstead, Councillor Dabell declared a non-registrable interest.

**3 TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 2 NOVEMBER 2023.**

The minutes of the meeting of the Committee held on 02 November 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/22/0752 - EARTHINGLEIGH, COLLEGE ROAD, ARDINGLY, RH17 6SA.**

Joseph Swift, Senior Planning Officer, introduced the application which sought full planning permission for the erection of one detached 5 bedroom dwelling and a pair of semi-detached 5 bedroom dwellings with associated parking and access from College Road. Parking would be provided to the side of each dwelling, with each dwelling having 3 off road parking spaces. He noted there were no additions to the Agenda Update Sheet and no objections had been raised by Consultees, including West Sussex Highways. The site is not contiguous with the built-up area boundary of the village, which is on the opposite side of College Road, and the proposal is therefore contrary to the development plan principle and conflicts with DP6, DP12 and DP15 of the Mid Sussex District Plan policies. He emphasised however, based

on further analysis, the proposal is not considered to conflict with the essential countryside protection and sustainability aims of the policies and other material planning considerations outweighed the conflict with the Development Plan.

The Chairman noted for the benefit of the Committee, he was Ward Member for the application. He expressed his initial concerns regarding 5 dwellings in AONB areas, . He advised that the Planning Policy team intend to review this built-up area boundary having regard to the outcome of this application. The Chairman supported the development and design of the dwellings.

A Member had concerns regarding grey water recycling on the development and queried whether there were plans to provide this. The Senior Planning Officer advised the applicant's sustainability statement met current planning policy and would be delivered through condition 9 of the recommended conditions. The Chairman advised it was not possible to require grey water recycling as this was not current policy. No weight could be given to the draft District Plan currently.

In response to a Member seeking clarity on whether this application was an improvement on the previous applications, the Senior Planning Officer confirmed the development consisted of better use of space and solar energy measures had been met as part of the sustainability statement.

A Member expressed concerns regarding the number of parking spaces allocated to each plot and whether EV charging points would be installed as part of the development. The Chairman confirmed the Highways Authority had not objected to the number of allocated parking spaces and installation of EV charging points was now a requirement of Building Regulations.

As there were no further questions, the Chairman took Members to a vote on the recommendations, proposed by the Chairman and second by the Vice Chairman, Councillor Kennedy. These were approved unanimously with 12 in favour.

## **RESOLVED**

### **Recommendation A**

It is recommended that, subject to the completion of a satisfactory S106 Legal Agreement and/or legal undertaking to secure the required level of SAMM and SANG contributions, planning permission is granted subject to the conditions set out in Appendix A.

### **Recommendation B**

If by 7<sup>th</sup> March 2024, the applicants have not submitted a satisfactory signed S106 Legal Agreement and/or legal undertaking securing the necessary SAMM and SANG contributions, then it is recommended that planning permission be refused at the discretion of the Divisional Leader for Planning and Economy for the following reasons:

*'The proposal does not adequately mitigate the potential impact on the Ashdown Forest SPA and therefore would be contrary to the Conservation of Habitats and Species Regulations 2017, Policy DP17 of the Mid Sussex District Plan, Policy ARD4*

*of the Neighbourhood Plan and paragraph 181 of the National Planning Policy Framework.'*

## **6 DM/23/2126 - 36 HURST ROAD, HASSOCKS, BN6 9NL.**

Joseph Swift, Senior Planning Officer introduced the application which sought full planning permission for the erection of 1 dwelling with car parking at 36 Hurst Road, Hassocks. The Senior Planning Officer drew Members attention to the changes noted on the Agenda Update Sheet, specifically the addition of a condition to Appendix A.

The application was called in to the Committee by Ward Members who considered that it conflicts with the requirements of the Local Gap policies of Mid Sussex District Plan and Hassocks Neighbourhood Plan. However, due to the infill nature of proposal between two existing dwellings, within the residential curtilage of the host dwelling and linear development fronting Hurst Road, it is not considered that the proposal would compromise the character of the countryside or the local gap between Hassocks and Hurstpierpoint. The existing access would be used to serve the new site and the vegetation to the frontage maintained.

The dwelling is considered acceptable in relation to design and scale of the varied character of the locality, while preserving the character of the countryside and not impacting on the setting of the South Downs National Park. No issues had been raised by the Highways Authority.

At the request of the Chairman, Nick Rogers, Head of Development Management, drew Members attention to paragraph 12.59 of the report. The decision notice would include a additional condition requiring compliance with the applicant's Sustainability Statement.

Tim Rodway, Planning Agent spoke in favour of the application.

Members discussed the application in detail and concerns were raised regarding the building line of the proposed development in relation to the Mid Sussex Design Guide and future use of the double garage as residential. The Senior Planning Officer advised the plot was considered adequately set back from the building line and the Head of Development Management drew the committee's attention to condition 5 which restricts the use of the garage other than the purpose for which it is built.

Members raised concerns about the preservation of the trees to the frontage of the dwelling along with the maintenance of trees on what is considered a large site. The Senior Planning Officer and Head of Development Management, advised the vegetation to the frontage of the development would be retained and condition 8 of the recommended conditions elaborates on the requirements. The Chairman advised that although there was no Tree Protection Order and the site was not part of a conservation area, condition 8 provides some protection and there would be additional tree planting over the next 5 years. He also noted condition 4 in relation to proposed foul and surface water drainage.

As there were no further questions, the Chairman took Members to a vote on the recommendation as amended which was proposed by Councillor Dabell and seconded by Councillor Sweatman. This was approved with 11 in favour and 1 against.

## **RESOLVED**

### **Recommendation**

Planning permission is approved subject to the conditions set in Appendix A as amended.

#### **7 DM/23/2398 - LAND TO THE WEST OF LONDON ROAD, HANDCROSS, RH17 6HD.**

Katherine Williams, Planning Officer, introduced the report, which sought planning permission for the change of use of land from agricultural land to a daycare facility for RoodDog (Doggy Day Care) to include a reception timber cabin and 4x timber cabins for dog shelters, re-use of the existing access gate and fencing to the perimeter of the site on land to the west of London Road, Handcross within the countryside and the High Weald AONB. She drew Members attention to the additional conditions to Appendix A, contained in the Agenda Update Sheet.

The application had been called into the Committee by the Chaiman and Ward Member due to the impact on the AONB and countryside landscape., along with the creation of business activity which is unsuitable to the location. The planning officer advised that the proposal represents small scale economic development in the countryside and is acceptable in terms of its principle, design and scale which is in proportion and appropriate to the rural character of the site and landscape of the AONB.

Steve Baldock spoke against the application.

Paul Thornton, on behalf of Marianne Butler, spoke against the application.

James Breckell, Architect, spoke in favour of the application.

Mat Rood, applicant, spoke in favour of the application.

Councillor Prescott, spoke against the application.

The Chairman reiterated he had called in the application and had previously been a Ward Member in the Parish of the proposed site. He emphasised that there were already a number of dog daycare facilities in the local area to Handcross, that were not in the AONB and it was important to protect the AONB as well as the existing countryside, referring to condition 9 of the report.

There was support for the application from some Members, noting that despite concerns regarding the proximity of the cabins to residential properties and noise nuisance, the licence, conditions and opening hours were reasonable. A Member asked for clarity on whether Planning Policy supports local business in the countryside. The Head of Development Management clarified that planning policy does support local businesses in the AONB, however, it must be compatible with the conservation and enhancement of natural beauty. This impact, together with any economic benefits would be considered within the planning balance of the area. The Planning Officer expanded on the AONB in relation to the impact of the application and the economic benefit, noting the business would create employment and the traffic would be minimal to the site, consisting of the business vans only.

Members raised concerns regarding the number of staff present on site and the number of drivers, as this would impact on the level of care for the dogs and noise nuisance. The Planning Officer confirmed the applicant had approached a private company to manage the sanitary care of the facility. The Chairman advised waste and licensing were not matters for the Planning Committee. However, he did have concerns the economic development would not benefit the village or residents as the majority of customers would be resident out of the area. Approval of the application was subject to a noise management plan being agreed. The Chairman also raised concerns regarding the current use of the land.

The Head of Development Management reminded Members the considerations of the AONB and the impact of a development are matters of planning judgement. The planning officers view was that this application was modest in its scale and appropriate.

As there were no further questions the Chairman took Members to a vote on the recommendations as amended which was proposed by Councillor Sweatman and seconded by Councillor Hitchcock. The application was refused with 3 in favour and 8 against.

The Head of Development Planning proposed the following motion to refuse the planning application;

'The proposed development would be located on an open field within the High Weald AONB. The use of the land for dog daycare, the stationing of the ancillary outbuildings, associated fencing and hard standing would fail to conserve and enhance the natural beauty of the area. Contrary to the requirements of DP16 of the Mid Sussex District Council District Plan, Policy 1 of Slaugham Neighbourhood Plan and paragraph 176 of National Planning Policy Framework.'

The Chairman took Members to a vote on the proposed motion to refuse the application, which was proposed by Councillor Henwood and seconded by Councillor Cherry. The motion was carried with 8 in support, 2 against and 1 abstention, the application was refused. The detailed reason was to be agreed with the Chairman and Vice-Chairman of the Committee.

The meeting went into a closed session at 5.45pm.

**8 TO CONSIDER WHETHER TO EXCLUDE THE PRESS AND PUBLIC FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ACCORDANCE WITH SECTION 100A OF THE LOCAL GOVERNMENT ACT 1972 ON THE GROUNDS THAT IT INVOLVES THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPHS 1, 2 AND 7 OF PART 1 OF SCHEDULE 12A OF THE SAID ACT.**

**9 EF/17/0129 - LAND PARCEL AT CRAWLEY LANE, BALCOMBE.**

Members discussed the exempt report and voted unanimously to agree the recommendation.

**RESOLVED**

**Recommendation**

The recommendation was agreed.

**10 EF/21/0282 - WOODBURY AVENUE, EAST GRINSTEAD.**

Members discussed the exempt report and voted unanimously to agree the recommendation.

**RESOLVED**

**Recommendation**

The recommendation was agreed.

The meeting returned to an open session at 6.05pm.

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

The meeting finished at 6.05 pm

Chairman