

**Minutes of a meeting of District Planning Committee
held on Thursday, 18th January, 2024
from 2.00 pm**

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

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

Absent: Councillors E Prescott

1. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Prescott.

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

In relation to Item 6 – DM/23/1160 – Contego Safety, Wearmaster House, Malthouse Lane, Hurstpierpoint, Hassocks, BN6 9LA, Councillor Jackson declared an Other Registrable Interest as he is a Member of Hurstpierpoint and Sayers Common Parish Council.

3. TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 14 DECEMBER 2023.

The minutes of the meeting of the committee held on 14 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.

The Chairman confirmed he had no urgent business.

5. DM/21/1842 - LAND AT QUEEN VICTORIA HOSPITAL, HOLTYE ROAD, EAST GRINSTEAD, WEST SUSSEX, RH19 3DZ.

Stuart Malcolm, Senior Planning officer introduced the item and drew Members attention to the changes contained in the Agenda Update sheet, including additional letters of representation, an update to the conditions at Appendix A and finally, for Appendix B, an update from the Council's Ecological Consultant and the original comments from the Tree Officer.

The Senior Planning officer introduced the application which sought full planning permission for the erection of 30 dwellings, consisting of a mix of units, 40% of which are allocated affordable housing, which equates to 12 units. Included with the application is pedestrian and vehicular access from Oakfield Way along with parking and landscaping. The principle of development is considered acceptable as the application site forms part of an allocated site for housing of approximately 40 dwellings in Policy EG8 of the Mid Sussex Local Plan. The Mid Sussex District Plan 2018 replaced the 2004 Local Plan, Policy EG8 was one of the policies that was carried over from the 2004 Local Plan and adopted by the District Plan 2018. The EG8 allocation policy therefore forms Development Plan policy.

The Senior Planning officer highlighted the relevant planning history of this application for the benefit of the Committee. An outline application for the construction of 80 residential units together with access roads, highways improvements, surrounding roads and creation of new public open space was submitted in 2006. These plans were amended showing revised site layout and deletion of emergency access. This particular application was refused due to the unacceptable increase in traffic using Blackwell Farm Road to the detriment of highway safety, the loss of some trees with a high amenity value and the lack of infrastructure being secured.

West Sussex County Council (WSSCC) have confirmed the proposed access arrangements are acceptable and these have been through the Road Safety Audit process, which have been signed off by the local highways authority. WSSCC are also satisfied with the proposed parking with 63 off street spaces and 12 visitor spaces to serve 30 units will help avoid any potential overspill on surrounding roads.

The application complies with the relevant policies of the District Plan, the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide and the NPPF.

Kerry Henderson, resident, spoke against the application.

Barbara Marchant, resident, spoke against the application.

Isabelle Lindsay-McCall, resident, spoke against the application.

Julian Walker, Head of Planning, Brookworth Homes, spoke in support of the application.

Councillor Margaret Belsey, Ward Member for East Grinstead, Ashplats, spoke against the application.

The Chairman invited Members to discuss the application.

Members discussed the application in detail and several Members expressed concerns regarding parking, the increased volume of traffic using Blackwell Farm Road and access to the site via Oakfield Way with a primary school on the same road. A Member expressed disappointment that West Sussex Highways were not present at the Committee, considering the number of representations.

A Member was particularly concerned that the increase in traffic had not been considered, as part of the current application, given the increase in the number of pupils at the local primary school when the previous application was refused on these grounds and several Members agreed. The Vice Chairman emphasised traffic was a constant issue for the access road.

The Senior Planning officer, noted these points, however the previous application was for 80 units, the application before the Committee was for 30 units and the site had already been allocated for housing as part of the Development Plan and access via Oakfield Way had been agreed as part of the policy.

In response to Members concerns regarding the Road Safety Audit and when it was conducted, the Senior Planning Officer emphasised this was based on road conditions not volume of traffic, so the timing of the survey work was acceptable to the highways authority. West Sussex Highways had visited the site at various times and their assessment against the NPPF had found no further issues. He also highlighted the 6 additional parking spaces above WSCC standards that would help alleviate further off site parking congestion. The Chairman reminded Members, West Sussex Highways have to assess a site on incremental effect of traffic caused by the development before them, not volume of traffic and an application can only be dismissed if the incremental affect is severe.

A Member asked for clarity on the Construction Management Plan and for consideration of an additional condition to the existing conditions, to include restrictions for construction traffic accessing the site during peak times and other Members agreed. The Senior Officer did not have the details of the Construction Management Plan however, he advised that the Construction Management Plan condition could be amended to address this concern.

Members expressed concerns regarding the number of trees that would be removed and the impact on the surrounding woodland. The Senior Planning officer, advised the majority of better quality trees around the site would be retained with 16 out of 17 Category A trees being retained. He reminded Members an appropriate condition had been set out in Appendix A to address the concerns of the Tree Officer on landscaping matters.

A Member noted the application had been under consideration for some time and it was important to note the capital receipt to Queen Victoria Hospital from this development could improve hospital facilities.

In conclusion, Steve King, Team Leader, Planning Applications, emphasised the site had already been allocated for residential development, resulting in an inevitable impact on highways and trees. The Team Leader advised that highways matters are assessed on evidence and the evidence submitted indicates that the proposal would not have a severe impact on the highway network. The applicant has the right to appeal a planning decision and the Council must have robust evidence to refuse an application and for the decisions taken. The Team Leader advised that significant weight should be given to the views of the Highway Authority as they are the statutory body responsible for the road network in the district.

As there were no further questions the Chairman took Members to a vote on the recommendations as amended and with an additional condition to restrict construction traffic accessing the site at peak times. This was proposed by Councillor Bates and seconded by Councillor Whittaker. These were approved with 6 in favour, 4 against and 1 abstention.

RESOLVED

Recommendation A

Planning permission was 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 and the necessary affordable housing contribution.

Recommendation B

If a satisfactory planning obligation has not been completed by 16th February 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 the infrastructure contributions. The application therefore conflicts with Policies DP20, DP31 and EG8 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 3.40pm and Committee reconvened at 3.50pm.

6. DM/23/1160 - CONTEGO SAFETY, WEARMASTER HOUSE, MALTHOUSE LANE, HURSTPIERPOINT, HASSOCKS, BN6 9LA.

Steve King, Team Leader, Planning Applications, introduced the application which sought planning permission for the adaptation of the existing building and construction of a warehouse building with office and associated facilities, car parking, cycle parking and landscaping. With access via existing entry onto Malthouse Lane. He drew Members attention to the changes contained within the Agenda Update Sheet, the proposed allocation of the land to the north of the site in the Submission Draft District Plan and the existing development around the site.

The application is recommended for refusal as the proposal is not considered to be a small scale development and would be of a greater scale than the neighbouring buildings. The proposal would not maintain or enhance the quality of the rural and landscape character of the District and would result in less than substantial harm to the setting of Kents Farmhouse, a listed building in the vicinity. The public benefits are not considered to outweigh the harm and the application conflicts with policies DP12, DP14, DP26 and DP34 of the Mid Sussex District Plan and policy HUrstC1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan.

The Team Leader, noted the adaptation would not result in a coalescence between Burgess Hill and Hurstpierpoint and under policies DP1 and DP14 of the District Plan, the application would result in economic benefits in the rural area. In its own right the design is acceptable, it is the size and scale of the proposed building which are the issue. No objections had been raised from the Local Highways Authority.

Jim Lewis, applicant, spoke in favour of the application.

Deborah Southwell, applicant, spoke in favour of the application.

Nathan Lewis, applicant, spoke in favour of the application.

The Chairman reminded Members the allocated development to the north of the existing site in the Submission Draft of the District Plan was at an early stage and had yet to be put before the Planning Inspector to agree.

Members discussed the application in detail and the majority of the Members agreed the benefits of the scheme would outweigh any impact or harm. They agreed it meets the criteria of DP1 and DP14 of the District Plan.

In response to a Member query regarding the planning permission on a neighbouring site and the height of the approved building, the Team Leader clarified the height of the approved building to the southeast was similar to the proposal now before Members. The Team Leader explained the planning history of the neighbouring site to the southeast. The neighbouring site used to have a building on it and there was an extant consent for a redevelopment of that site. There remains an extant consent on the neighbouring site and the Team Leader advised that this is a material consideration in the determination of the current application.

Members suggested consideration of the provision of hedge screening along the boundary and a cycle route. A Member sought clarity on the TAD contribution should the application be approved.

The Team Leader advised Members officers would look to secure the TAD payment through a S106 agreement to be drawn up within 3 months of the application being approved to be spent on sustainable transport measures as identified by the Highway Authority in the committee report. The Team Leader advised that conditions, such as, building materials, parking and landscaping would be drafted by officers in consultation with the Chairman and Vice Chairman. The Chairman and Members agreed.

As there were no further questions, the Chairman took Members to a vote on the motion as follows;

'The completion of a S106 agreement to secure TAD payment within 3 months of the planning application being approved and the planning conditions including building materials, parking and landscaping to be drafted by officers in consultation with the Chairman and Vice Chairman.'

The motion was proposed by Councillor Jackson and seconded by Councillor Bates, it was agreed unanimously, with 11 in favour.

RESOLVED

Recommendation

Planning permission was approved subject to the completion of a S106 agreement to secure TAD payment within 3 months of the planning application being approved and the planning conditions including building materials, parking and landscaping to be drafted by officers in consultation with the Chairman and Vice Chairman.

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

None.

The meeting finished at 4.36 pm

Chairman