

**Minutes of a meeting of Planning Committee
held on 08 February 2024
at 4.00 pm**

Present: M Kennedy (Chairman)
D Sweatman (Vice-Chair)

A Bashar	J Dabell	P Kenny
P Brown	J Henwood	
G Casella	J Hitchcock	

Absent: Councillors G Marsh, C Cherry and T Hussain

In the absence of the Chairman, the Vice Chairman, Councillor Kennedy was appointed Chairman and the Committee agreed that Councillor Sweatman be appointed as Vice Chairman for the duration of the meeting.

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillors Cherry, Hussain and Marsh.

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

In relation to Item 8 – DM/23/3073 – 18 High Street, East Grinstead, West Sussex, RH19 3AW, Councillor Dabell declared an interest as he seconded the Call-In procedure.

3 TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 11 JANUARY 2024.

The amended minutes of the meeting of the Committee held on 11 January 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/23/3006 - BARN COTTAGE, PAVILION BARN, COTTAGE LANE, HAYWARDS HEATH, WEST SUSSEX, RH16 3QW.

Anna Tidey, Planning Officer, introduced the application which sought planning permission under S73 of the Act for the variation of planning condition No:2 of planning permission DM/21/1758 for a new mix-use purpose built community centre

with use by day nursery, with an outdoor play area not attached to the existing pavilion building. She drew Members attention to the change in Plan reference numbers for the List of Plans at the end of Appendix A within the Agenda Update sheet. The proposed footprint of the new building remains unchanged and the alterations submitted have been simplified as part of this application. The application is before the Committee as Mid Sussex District Council is the landowner.

The Chairman asked Members if there were any questions and reminded the Committee, the application was before them as Mid Sussex District Council is the landowner.

In response to a Member query regarding the use of the existing pavilion building the Chairman and Planning Officer confirmed that it is understood that the existing nursery use will remain and continue there. It is understood that the new building will be multifunctional with facilities to take children but will also be used by the Scouts and as a multipurpose community centre.

As there were no further questions, the Chairman took Members to a vote on the recommendation, proposed by Councillor Sweatman and seconded by Councillor Hitchcock. This was approved unanimously with 9 in favour.

RESOLVED

Recommendation

Planning permission was granted to vary planning condition No:2 of planning permission DM/21/1758, subject to the conditions and plans listed in Appendix A and included in the Agenda Update sheet.

6 DM/23/2960 - HURSTPIERPOINT CRICKET CLUB, FAIRFIELD RECREATION GROUND, CUCKFIELD ROAD, HURSTPIERPOINT, WEST SUSSEX, BN6 9SD.

The Chairman introduced the item, which sought full planning permission for a new patio at the front of the existing pavilion building, with a small path running down the south side of the building to the storeroom, enclosed by a white picket fence. The application is retrospective. The Chairman reminded Members the application was before the Committee as Mid Sussex District Council is the landowner. Andy Watt, Senior Planning officer, had no further comments on the application.

As there were no questions from Members, the Chairman took the Committee to a vote on the recommendation, proposed by Councillor Sweatman and seconded by Councillor Dabell. This was approved unanimously with 9 in favour.

RESOLVED

Recommendation

The application was approved subject to the conditions set out in Appendix A.

7 DM/23/0153 - LITTLE ABBOTSFORD, ISAACS LANE, BURGESS HILL, WEST SUSSEX, RH15 8RA.

Rachel Richardson, Senior Planning officer, introduced the report which is a reserved matters application for the approval of the layout, scale, appearance and landscaping for nine dwellings on land at Little Abbotsford, Isaacs Lane, Burgess Hill, West Sussex. This follows the approval of a S73 application, DM/23/0151 which received permission to amend the position of the access along Isaacs Lane frontage following the outline planning permission DM/19/3234. The application site is well within the built up area boundary of Burgess Hill.

The Chairman reminded Members, this application was before the Committee as it was requested at the previous Committee meeting on 14th April 2022, when the outline planning permission was considered that any further application be referred back to the planning committee for consideration rather than being dealt with by officers under delegated authority. This was due to the sensitivity of the site adjoining the Northern Arc (now Brookleigh) land and consideration of its access in advance of the Northern Arc proposals.

In response to a Member query regarding the Town Council's concerns that there were no cycle paths, bus routes or footpaths to the site, the Senior Planning confirmed a condition was attached to the outline planning permission requiring no dwelling to be occupied until the Brookleigh development cycle path is implemented. The site plans of the Brookleigh development include a cycle path to the south of the site linking to Little Abbotsford. A Member asked for clarity on the comments made by the Drainage officer that the open ditch would require third party agreement. The Senior officer confirmed there was a condition attached to the outline planning permission, for further drainage information to be submitted under a separate application for consideration by the drainage team where the third party matter will be considered. She confirmed the condition would not be discharged until the drainage team were satisfied the information received meets the requirements.

Members expressed their concerns and disapproval that the applicant had cleared the site prior to conducting an ecological impact assessment, which was included as a planning condition as part of the outline planning application. The Senior Planning officer advised the applicant had now completed the assessment and the Council's ecology consultant was satisfied. She confirmed that trees with a protection order, had not been detrimentally affected by the site clearance. Members discussed how to avoid this issue in the future and the Chairman agreed a collective response to the developer was appropriate. Steve King, Team Leader, Planning Applications advised future national Biodiversity Net Gain legislation will be introduced to mitigate this issue for major and minor developments. In the short term, planning conditions and other legislation are in place.

A discussion was had regarding the need to include further informatives for recycled rainwater, alternative energy resources and building regulations. Steve King, Team Leader, advised this application was to consider the reserved matters, however, these could be flagged with the developer. He reminded Members, applications could only be considered under the current policies of the existing District Plan, not those of the emerging District Plan.

The Chairman concluded a collective response from the Committee to the developer flagging their disappointment at the site clearance was appropriate. The Team Leader confirmed the Council had already flagged this with the developer and a response from the Committee would be submitted.

As there were no further questions, the Chairman took Members to a vote on the recommendation, proposed by Councillor Sweatman and seconded by Councillor Hitchcock. This was approved with 7 in favour and 2 abstentions.

RESOLVED

Recommendation

Planning permission was granted subject to the conditions listed in Appendix A.

8 DM/23/3073 - 18 HIGH STREET, EAST GRINSTEAD, WEST SUSSEX, RH19 3AW.

Andrew Horrell, Planning officer, introduced the application which sought planning permission for the installation of two entrance doors to replace the existing bay windows to access the two retail units at 18 High Street, East Grinstead. This would resolve the access via a shared entrance lobby with the first floor flat. The materials are to be black timber to match the existing materials. The application is before the Committee as it has been called in by Councillor Russell who is also a Ward Member for East Grinstead Town.

The building is unlisted, however, the proposal is considered to be out of character with the surrounding buildings and wider conservation area and harmful to the setting of the adjoining listed building. The application contradicts the requirements of DP34 and DP35 of the District Plan. However, in terms of the NPPF the harm caused would be less than substantial.

Simon Pilbrow, applicant, spoke in favour of the application.

A discussion was had relating to the economic benefit and supporting local businesses.

The Vice Chairman noted the historical importance of the high street and the impact of the setting on the listed buildings on the high street and adjacent conservation area, should the doors be replaced. A Member noted the maintenance of the listed buildings was exceptional and this would need to be maintained and flagged that East Grinstead Town Council were in support of the application.

Some Members felt the replacement doors would be detrimental to the street scene, design and character of the high street, which would impact the public benefits and the optimum viable use of the building. Although some Members also noted the doors would be relatively unobtrusive and as the building was not listed, there should be the freedom to improve it.

In response to a Member asking for clarity on the materials to be used, the Planning officer confirmed these would match the existing materials and should Members approve the application, a condition could be included to secure this.

The Team Leader, reminded Members of the findings of the Conservation officer, that in her view the proposal would detract from the character and appearance of the Conservation Area and the settings of the adjacent listed buildings and heritage assets would be harmed. The Team Leader advised that officers considered that the proposal was unacceptable and contrary to the policies of the Development Plan but that this was a matter of judgement, and the Members of the Planning Committee

would need to exercise their judgement in making the final decision on the application.

The Chairman took Members to a vote on the recommendation, proposed by Councillor Sweatman and seconded by Councillor Henwood that the application be refused. This was approved with 5 in favour, 3 against and 1 abstention.

RESOLVED

Recommendation

Planning permission was refused.

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

None.

The meeting finished at 5.12 pm

Chairman