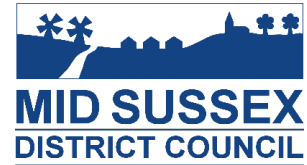


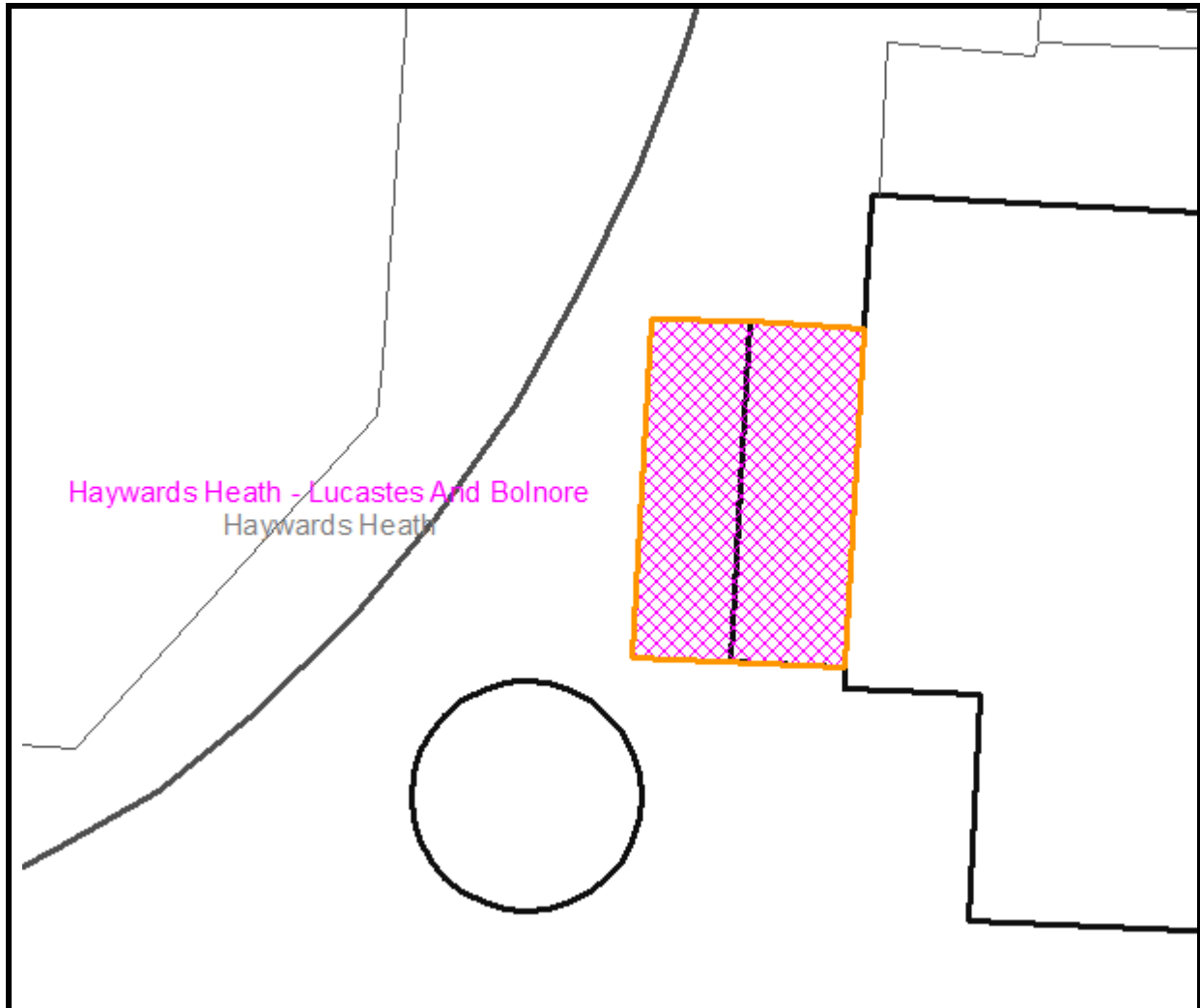
Planning Committee



Recommended for Permission

14th March 2024

DM/23/3179



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Site:	Haywards Heath And Beech Hurst Bowls Club Club House Beech Hurst Gardens Butlers Green Road Haywards Heath
Proposal:	Proposed removal of existing timber shed, construction of larger concrete base and the installation of a new, larger timber shed.
Applicant:	Mr Darren Prior
Category:	Minor Other
Target Date:	11th March 2024

Parish:	Haywards Heath
Ward Members:	Cllr Abdul Bashar / Cllr Paul Lucraft /
Case Officer:	Deborah Lynn

Link to Planning Documents:

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S5LU5AKT04L00>

1.0 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 to replace an existing timber shed at the Haywards Heath and Beech Hurst Bowls Club, Club House with a larger timber shed on a concrete base.

2.2 The application is being reported to planning committee as Mid Sussex District Council is the applicant and landowner.

2.3 The proposed development is deemed acceptable in that it will improve an existing sporting and leisure facility and will have limited visual impact, such that it should not detract from the appearance and character of the area. Nor is it considered that the proposal would have a detrimental impact upon the Archaeological Notification Area. Accordingly, it is considered that the development complies with policies DP24, DP26, DP34 and DP37 of the Mid Sussex District Plan and policies L5 and E9 of the Haywards Heath Neighbourhood Plan.

3.0 Recommendation

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

4.0 Summary of Representations

4.1 None received.

5.0 Summary of Consultees

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

5.2 {b Southern Water;} No objection.

5.3 {b Nature Space Partnership;} The proposed development is unlikely to have an impact great crested newts and/or their habitats, however, recommend adding an informative to the planning consent.

6.0 Town Council Observations

6.1 No comment.

7.0 Introduction

7.1 This application seeks planning permission to replace an existing timber shed at the Haywards Heath and Beech Hurst Bowls Club, Club House with a larger timber shed on a concrete base.

7.2 The application is being reported to planning committee as Mid Sussex District Council is the applicant and landowner.

8.0 Relevant Planning History

8.1 CU/269/82 - Extension to Bowls Pavilion. Permission granted 26.10.1982.

8.2 CU/054/83 - Single storey extension to Beech Hurst Bowls Pavilion. Permission granted 07.03.1983.

8.3 HH/216/86 - Portable shed for storage. Permission granted 29.09.1986.

8.4 HH/003/88 - New changing rooms to club house, new groundsman's shed. Permission granted 10.02.1988.

8.5 HH/004/93 - Renewal of unimplemented permission ref: HH/003/88. New changing rooms to club house. New groundsman's shed. Permission granted 25.02.1993.

8.6 HH/004/93/AP1 - Amended plans: Renewal of unimplemented permission ref: HH/003/88. New changing rooms to club house. New groundsman's shed. Amended plans received showing: Reversion to HH/003/93 including provision of disabled facilities. Permission granted 14.10.1993.

8.7 HH/136/93 - Alterations and additions to form toilets, changing rooms and lounge extension. Permission granted 03.09.1993.

8.8 HH/264/99 - Replacement and extension of present tearoom facility with disabled access. Permission granted 05.11.1999.

9.0 Site and Surroundings

9.1 The application site lies immediately west of the Club House building used by Haywards Heath and Beech Hurst Bowls Club. It is located in Beech Hurst Gardens, on the southern side of Butlers Green Road in Haywards Heath.

9.2 The site includes an existing timber shed which adjoins the brick, single storey Club House building. The model railway at Beech Hurst Gardens lies close to the west of the site, with established trees and vegetation screening The Goldbridge Care Home which lies further to the northwest. A water tank enclosed by Beech hedging lies close to the southwest of the site, with the Club House serving Sussex Miniature Locomotive Society located further south. The bowling green lies further to the northeast. Land levels rise to the north.

9.3 In terms of planning policy, the site lies within the built up area of Haywards Heath as defined by the Mid Sussex District Plan and Haywards Heath Neighbourhood

Plan. The site also lies with a West Sussex County Council Archaeological Notification Area, being the route of the Roman road through Mid Sussex.

10.0 Application Details

- 10.1 This application seeks planning permission to replace the existing timber shed with a larger timber shed, installed on a larger concrete base.
- 10.2 Plans show that the existing shed measures 5.42 metres long by 1.86 metres wide and a maximum of 2.23 metres high with a mono pitched roof.
- 10.3 The replacement shed is shown to measure 4.88 metres long by 3.05 metres wide and 2.45 metres high with a dual pitched roof. It will be constructed from stained Redwood timber with a Black Onduline roof proposed.
- 10.4 The replacement shed will provide improved storage facilities for the Bowls Club.

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.
- 11.2 Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocations Document (DPD) and the Haywards Heath Neighbourhood Plan.
- 11.3 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.

11.4 Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP24: Leisure and Cultural Facilities and Activities

DP26: Character and Design

DP34: Listed Buildings and Other Heritage Assets

DP37: Trees, Woodland and Hedgerows

11.5 Mid Sussex Site Allocations Document (DPD)

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.

11.6 Haywards Heath Neighbourhood Plan

The Neighbourhood Plan was made on the 15th December 2016.

Relevant policies:

E9: Design

L5: Community and Sporting Facilities

11.7 Mid Sussex District Plan 2021-2039 Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) was published for public consultation on 12th January 2024 for six weeks. At this stage the Local Planning Authority does not know which Policies will be the subject of unresolved objections and therefore only minimal weight can be given to the Plan. As such, this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPS6: Health and Wellbeing

DPN4: Trees, Woodland and Hedgerows

DPB1: Character and Design

DPB2: Listed Buildings and Other Heritage Assets

DPI5: Open Space, Sport and Recreational Facilities

11.8 National Planning Policy Framework (NPPF) (December 2023)

The NPPF is a material consideration 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**

Principle of Development

12.1 District Plan policy DP24 relates to leisure and cultural facilities and activities and states in part that '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.'

12.1 Neighbourhood Plan policy L5 relates to community and sporting facilities and supports the provision of new community service buildings whereby the site is suitable and will not lead to a loss of amenity for local residents.

12.2 The proposed development is modest in scale and will improve storage facilities for the Bowls Club, as the existing storage shed is no longer fit for purpose. The principle of development is therefore deemed acceptable, subject to the proposal complying with other planning policy considerations.

Design and Impact on the Character of the Area

12.3 District Plan policy DP26 relates to character and design and states in part that:

'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;*
- 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;...*
- positively addresses sustainability considerations in the layout and the building design;...'*

12.4 Neighbourhood Plan policy E9 relates to design and states in part that:

'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,...*

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.'

- 12.5 The replacement shed is considered acceptable in terms of design, form and scale and shall sit subserviently to the western side of the Club House building where it will be mainly obscured from public view. As such, it is not considered that it would have an adverse impact upon the appearance and character of Beech Hurst Gardens and wider area. It should be well screened in views from The Goldbridge Care Home, such that neighbouring amenities should not be significantly impacted.
- 12.6 It will be effectively sited such that it should not interfere with the running of the model railway which lies to the west of the site. Nor should the proposal interfere with the water tank used for irrigation purposes that lies to the southwest. The proposal may impinge upon the adjoining Beech hedge that surrounds the water tank, however, it is not considered that it would have a significant adverse impact in this respect.
- 12.7 The proposal, by virtue of its siting, scale and design is deemed acceptable in that it should not detract from the appearance and character of the area, thereby according with policy DP26 of the Mid Sussex District Plan and policy E9 of the Haywards Heath Neighbourhood Plan.

Archaeological Impact

- 12.8 The site lies within a West Sussex County Council Archaeological Notification Area (reference DWS8680 Grade: Red) which forms part of the route of a Roman Road through Mid Sussex.
- 12.10 Section 16 of the NPPF is therefore relevant in this instance, as is policy DP34 of the District Plan, which states in part that 'the Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.'
- 12.11 As the proposal includes the replacement of an existing shed with a slightly larger shed and the enlargement of the existing concrete base on which it sits, it is not envisaged that the proposal would be likely to have a detrimental impact upon the heritage asset, however a planning condition can be attached to the decision notice to ensure that if any items of archaeological interest are discovered during construction works, that appropriate action is taken.

Other Matters

- 12.12 The site is located within a designated Great Crested Newt Red Impact Risk Zone which indicates a high risk of Great Crested Newts and suitable habitat on site. However, having regard to the nature of the proposal, it is unlikely to have any impact upon newts and / or their habitat. Accordingly, there would be no conflict with biodiversity legislation, policy and guidance. An informative can be attached to the planning consent to advise the applicant on action to be taken should Great Crested Newts be found during construction works.
- 12.13 Southern Water have been consulted on the proposal and have raised no objection, however, have advised that a public sewer could be crossing the development site. An informative can be attached to the planning consent to advise the applicant on action to be taken should any sewer be found during construction works.

13.0 Planning Balance and Conclusion

- 13.1 The proposed development is deemed acceptable in that it will improve an existing sporting and leisure facility and will have limited visual impact, such that it should not detract from the appearance and character of the area. Nor is it considered that the proposal would have a detrimental impact upon the Archaeological Notification Area. Accordingly, it is considered that the development complies with policies DP24, DP26, DP34 and DP37 of the Mid Sussex District Plan and policies L5 and E9 of the Haywards Heath Neighbourhood Plan.

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. 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 external materials shall be used other than those specified on the application form without the prior written approval of the Local Planning Authority.

Reason: To protect the appearance of the building and the area and to accord with Policy DP26 of the Mid Sussex District Plan 2014 - 2031 and Policy E9 of the Haywards Heath Neighbourhood Plan.
4. The Local Planning Authority shall be informed in writing immediately of any items of archaeological interest unearthed during the building operation and given a reasonable opportunity for an examination of the artefact and the site where it was found.

Reason: To enable items of archaeological interest to be recorded in accordance with policy DP34 of the Mid Sussex District Plan 2014 - 2031 and relevant paragraphs of the NPPF.

INFORMATIVES

1. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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:

- 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.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- 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.

3. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
4. Your attention is drawn to the following Southern Water comments: "It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be

required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)."

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Photographs			13.12.2023
Location Plan			27.02.2024
Block Plan			15.01.2024
Existing Floor and Elevations Plan			12.01.2024
Proposed Floor and Elevations Plan			12.01.2024
Photographs			15.01.2024

APPENDIX B – CONSULTATIONS

HAYWARDS HEATH TOWN COUNCIL

No comment.

NATURE SPACE PARTNERSHIP

Thank you for consulting me on the above planning application. The proposed development is unlikely to have an impact great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent:

“The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.”

SOUTHERN WATER

Thank you for your letter dated 19 January 2024.

Southern Water would have no objection for the above proposal.

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk