

MID SUSSEX DISTRICT COUNCIL

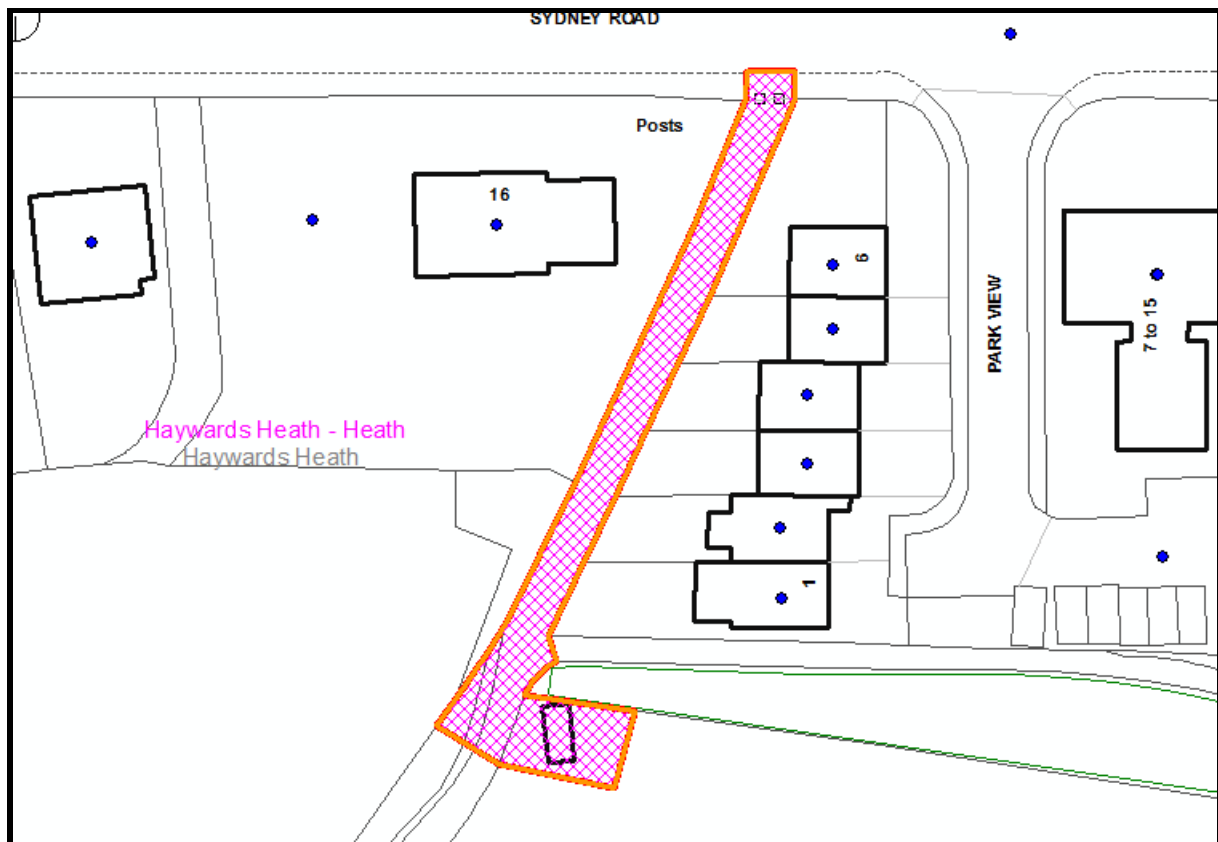
Planning Committee B

**28 MAR 2019**

RECOMMENDED FOR PERMISSION

**Haywards Heath**

**DM/18/4994**



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**HAYWARDS HEATH CRICKET CLUB THE PAVILION THE HEATH RECREATION GROUND PERRYMOUNT ROAD  
DEMOLITION OF TIMBER SHED AT NORTH WEST CORNER OF PLAYING FIELD AND REPLACEMENT WITH A PERMANENT AND SECURE EQUIPMENT STORE.  
MARTIN RUTHERFORD**

POLICY: Built Up Areas / Conservation Area / Classified Roads - 20m buffer / Planning Agreement / Planning Obligation / Aerodrome Safeguarding (CAA) / Sewer Line (Southern Water) / SWT Bat Survey /

ODPM CODE: Minor Other

8 WEEK DATE: 2nd April 2019

WARD MEMBERS: Cllr Sandra Ellis / Cllr Jonathan Ash-Edwards /

CASE OFFICER: Kate Brocklebank

### **PURPOSE OF REPORT**

To consider the recommendation of the Head of Economic Promotion and Planning on the application for planning permission as detailed above.

### **EXECUTIVE SUMMARY**

The application seeks planning permission to replace an existing equipment store, in the same location within the north west corner of The Heath Recreation Ground, adjacent to the existing cricket nets. The site is located within The Heath Conservation Area.

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

The proposed structure is of a more solid construction and is larger than the existing timber store and is proposed to be constructed in brick with a flat roof and will contain two sets of steel double doors within the southern elevation. The siting and scale requires the removal of an existing Silver Birch Tree. The impact of the increased scale of the building and loss of the tree in relation to the character of the surrounding conservation area is proposed to be mitigated by seeking a replacement tree and proportionate landscaping. With the imposition of a condition to secure this information, along with details of foul and surface water drainage, the proposal will not harm the character of the conservation area, is considered to be of an acceptable standard of design, would not harm neighbouring amenity and would meet the requirements of policies DP26, DP34, DP37 and DP41 of the Mid Sussex District Plan and E9 of the Haywards Heath Neighbourhood Plan. The store would allow the Club to improve the quality of the facility through improved maintenance of the outfield and would therefore meet the requirements of policy DP24 of the District Plan.

The application is therefore recommended for conditional approval as set out in full at Appendix A.

### **SUMMARY OF CONSULTEES**

#### **Haywards Heath Town Council:**

No comment.

**Conservation Officer:**

No objection.

**Drainage Engineer:**

No objection.

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**APPLICATION DETAILS**

The application seeks planning permission for a replacement equipment store on the same footprint as an existing smaller timber store. The proposed building would have a flat roof and two sets of double access doors on the southern elevation. The building would be constructed of brick elevations and steel framed doors with a flat roof measuring approximately 4m in width and depth and 2.5m in height.

**LIST OF POLICIES****Neighbourhood Plan**

Haywards Heath Neighbourhood Plan: Made December 2016.

Relevant policies:

Policy E9: Reinforce character

Policy L9: Existing playing fields and sporting facilities

**Mid Sussex District Plan** Adopted March 2018

Relevant policies:

DP24: Leisure and Cultural Facilities and Activities

DP26: Character and Design

DP35: Conservation Areas

DP37: Trees, Woodland and Hedgerows

DP41: Flood Risk and Drainage

**National Policy and Legislation**

*National Planning Policy Framework (NPPF) (Feb 2019)* is also a material consideration and paragraphs: 10 & 11 (presumption in favour of sustainable development) 124 & 127 (achieving well-designed places) are considered to be of particular relevance to this application. Paras 193 and 194 (Conserving and enhancing the historic environment) relate to assessing the impacts on designated heritage assets.

**ASSESSMENT**

It is considered that the main issues that need to be considered in the determination of this application are design, impact on the conservation area, amenity and impact on trees.

The relevant sections in District Plan Policy DP26: Character and Design state:

*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);*
- *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;*
- *optimises the potential of the site to accommodate development.*

Section 73 of the Planning (Listed Building and Conservation Areas) Act 1990 requires that within conservation areas the decision maker shall pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

District Plan policy DP35 (Conservation Areas) requires new development to conserve and enhance the special character and appearance of the surrounding conservation area by ensuring they are sensitively designed and respect the context within which they are located and Haywards Heath Neighbourhood Plan (NP) policy E9 is drafted in a similar vein.

The proposal seeks to replace an existing timber building which currently serves as an equipment store in connection with the pavilion at the Cricket Club. The proposed replacement building is larger in scale and of a more solid construction and would be sited in the same location as the existing building.

The Club require a larger and more secure store to house a new sit-on mower along with the mechanical roller which is currently kept in the existing store; the Club then intend to start maintaining the outfield themselves. The outfield is currently maintained by a MSDC subcontractors and the Club have been experiencing problems with the standard of the field. As such, the Club are seeking to maintain the

ground themselves during the cricket season which they identify has the potential to significantly improve the standard of the facility and associated training.

The Club have identified that the training is being affected by the poor quality of the outfield and as such, the proposed store would allow them to notably improve the Clubs facilities in accordance with policy DP24 of the District Plan.

The Council's Conservation Officer has considered the proposal and notes that the existing building is of no architectural merit and its removal is considered acceptable. The proposed replacement building will be more prominent however it will remain modestly sized in the context of the pitch and the design although utilitarian is considered acceptable. The proposal requires the removal of a Silver Birch tree which is classed as Grade C in the supporting Arboricultural assessment. The loss of this tree although regrettable is considered acceptable providing a replacement tree and softening landscaping proportionate to the development is secured by condition which will help to mitigate the loss of the tree and soften the impact of the proposed larger structure. It is also considered necessary to secure details of the facing and roofing materials. With the imposition of said conditions, the proposal will preserve the character and appearance of the Heath Conservation Area which would meet the requirements of District Plan Policies DP26, DP34 and DP37 and the relevant paragraphs of the NPPF.

In order to meet the requirements of District Plan policy DP41, details of foul and surface water drainage will also be sought by condition. The Council's Drainage Engineer is seeking confirmation that the existing culver is a minimum of 5m away, our records show it to be twice that and as such it is considered appropriate to condition that this minimum distance is maintained.

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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.

### **Approved Plans**

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 development shall be carried out unless and until samples and a schedule of materials and finishes to be used for external walls and roof of the building hereby approved, along with details of the proposed colour and finish of the doors 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 Policies DP26 and DP35 of the Mid Sussex District Plan 2014 - 2031.

4. Prior to commencement of the development hereby permitted a scheme for landscaping, including a replacement Silver Birch Tree, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or the development first being brought into use, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and of the environment of the development and to accord with Policies DP26, DP35 and DP37 of the Mid Sussex District Plan 2014 - 2031.

#### INFORMATIVES

1. 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.

2. 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.

## 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
Proposed Floor and Elevations Plan	HHC/2		12.12.2018
Location Plan	HHC/3	2	10.01.2019
Block Plan	HHC/4	2	10.12.2018

## APPENDIX B – CONSULTATIONS

### Haywards Heath Town Council:

No comment.

### Conservation Officer - Emily Wade:

No objection - The application site is within the Heath Recreation Ground, at the heart of the Heath Conservation Area. The Recreation Ground consists of a cricket pitch with associated pavilion and practice nets and terraced landscaping to the east, with beyond this to the east and to the south of the pitch an area of woodland, a remnant of the original 'Haywards Heath'. The Recreation Ground was created around the turn of the 19th/20th centuries, as the development of the town proceeded around it. The formal and informal open spaces of the Recreation Ground make a key positive contribution to the character and appearance of the Conservation Area.

The proposal is for the removal of an existing timber storage shed to the northern side of the cricket pitch, adjacent to the nets, and its replacement on an enlarged footprint with a brick built flat roofed structure, with double steel doors.

The existing shed is not of any architectural merit and its removal is not considered contentious. The proposed replacement building is bigger (wider) than the existing and will this be more prominent in views towards it across the open space of the cricket pitch. However it remains modestly sized in the context of the pitch as a whole. In design terms it is of a utilitarian appearance which is considered acceptable in the context of the existing building and adjoining nets subject to details of facing and roofing materials. I note that a tree is to be removed as part of the works and would suggest that due to this and the enlarged size of the building it would be appropriate to require some softening planting around the new building which would help to mitigate any associated loss of green open space/vegetation.

Subject to the above details I consider that the proposal will preserve the character and appearance of the Heath Conservation Area which would meet the requirements of District Plan Policy DP34 and the relevant paragraphs of the NPPF.

Suggested conditions:

- details including samples of facing and roofing materials
- detailed drawings of a scheme of soft landscaping etc.

### Drainage Engineer:

(Updated comment) No objection - the development has been demonstrated to be an acceptable distance from the surface water culvert and as such a drainage condition is no longer required and surface water can be managed through a roof drop onto the ground.

(Original comment) No objection - with the imposition of a condition to secure details of foul and surface water drainage and to identify the location of the existing culvert.

#### **SURFACE WATER DRAINAGE PROPOSAL**

It is proposed that the development will manage surface water drainage through the use of a soakaway.

#### **FOUL WATER DRAINAGE PROPOSAL**

It is proposed that the development will require no foul water drainage.

#### **FLOOD RISK CONSULTATION**

The proposed development is within flood zone 1 and is deemed to be at low fluvial flood risk. Based on the Environment Agency's Risk of Surface Water Flooding map the proposed development is located in an area of no surface water flood risk. However, an area of increased surface water flood risk is located in close proximity to the development. There are historic records of flooding occurring on Sydney Road and Park View to the north of the development.

#### **DRAINAGE CONSULTATION**

No details of how surface water drainage shall be managed on site have been provided. However, the application form suggests the use of a soakaway. Our plans show a surface water culvert / drain is located approximately 10m from the proposed development site. Confirmation of the exact location of this culvert will be required and the development should be located a minimum of 5m away from its actual location.