

**Minutes of a meeting of Planning Committee  
held on Thursday, 5th September, 2019  
from 7.02 - 8.30 pm**

**Present:** G Marsh (Chairman)  
P Coote (Vice-Chair)

G Allen	J Dabell	C Phillips
R Cartwright	R Eggleston	M Pulfer
E Coe-	A MacNaughton	D Sweatman
Gunnell White		

**Absent:** Councillor N Walker

**1 TO RECEIVE APOLOGIES FOR ABSENCE.**

Apologies were received from Councillor Walker.

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

None.

**3 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 15 AUGUST 2019.**

The Minutes of the meetings of the Planning Committee held on 15 August 2019 were agreed as a correct record and signed by the Vice Chairman.

**4 TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.**

None.

**5 DM/18/4419 - EAST LODGE FARM, MALTHOUSE LANE, HURSTPIERPOINT, BN6 9LA.**

The Planning Applications Team Leader introduced the report and explained the recent changes which were on the Agenda Update Sheet, including 3 additional conditions which were recommended. The public speakers were in favour of the officer's recommendation. The Chairman confirmed with Members that they did not require a presentation from officers. He took Members to the recommendation to approve, which was moved by Councillor Sweatman and seconded by Councillor Coote. This was agreed unanimously.

**RESOLVED**

That planning permission be approved subject to the conditions outlined at appendix A, with the additional conditions 1-3, as stated in the Agenda Update Sheet.

**6 DM/18/4541 - LAND EAST OF HAYWARDS HEATH ROAD, BALCOMBE, RH17 6NL.**

The Senior Planning Officer Lesley Westphal introduced the report. The application sought the development of the site for the erection of 16 dwellings with associated access, parking, and open space/landscaping on this greenfield site to the east of Haywards Heath Road, Balcombe. She noted that the site is a housing allocation in the Neighbourhood Plan. The development would include affordable housing, complies with policy, and that planning officers would deem this acceptable. The Senior Planning Officer did note the application would involve a footpath to connect Balcombe village to the site, but that this was permissive and subject to an agreement between the Parish Council and the Landowners; she also noted this was outside of the section 106 agreement.

The Senior Planning Officer explained that Appendix A contains a change in condition 13 on p64 relating to the construction of the footpath link to the village. This change requires the applicant to provide details of the siting and design of the proposed footpath only within the site.

The Senior Planning Officer explained that the changes on the Agenda Update Sheet, regarding infrastructure and specifically Total Access Demand. She explained that West Sussex County Council would need to approve changing the Total Access Demand to traffic calming measures within Balcombe, however this would require further discussion. Terms within the S106 obligation could be varied to allow for funding traffic calming measures or the provision of funding for the cycle path as originally advised.

Alison Stevenson, Carol Jarvis, and Charles Metcalfe spoke against the application. Chris Hough spoke in support of the application.

The Chairman, spoke as a Ward Member, to the committee regarding his support of the Neighbourhood Plan. He also voiced concerns regarding the speed of the access road, Haywards Heath Road. He noted that a community speed watch had recorded speeds of 67mph on the road, and that further information should be gathered on the average speed of the road. He asked The Head of Regulatory Services Tom Clark, for clarification regarding the S106 obligation, and the change from Total Access Demand to traffic calming measures.

The Head of Regulatory Services explained that the Section 106 structure is informed by the Councils Infrastructure supplementary planning document, however the Council may be able to allocate the money to a different scheme, such as that of traffic calming measures. West Sussex County Council would need to be consulted for this to happen.

The Chairman commented that the Parish Council and speakers had both called for higher pedestrian safety and as there is a scheme being developed to do this, it would be worth considering.

Councillor MacNaughton, Ward Member, requested more information on the Section 106 agreement, and consultations from experts, such as highways engineers. He also suggested that in light of this, the application be deferred.

A Member addressed the committee to express his traffic speed concerns.

The Chairman agreed that the Committee may need to defer until they have more information. A Member asked if the deferral would allow the applicant to change the design, however it was noted that as the agent for the developer was present this information would be relayed to the developer.

Steve King, Planning Application Team Leader, explained the general S106 contributions are calculated based on the infrastructure supplementary planning document, and must go towards schemes related to the development in question. The use of the infrastructure supplementary planning document ensures that the infrastructure contributions are lawful and mitigate the impact of the development. The Team Leader advised that whilst discussions can be had about where the S106 contributions would be allocated, this had to be informed by the infrastructure supplementary planning document and it would not be appropriate to allocate monies to projects with no evidence behind this. He also noted that West Sussex County Council is satisfied with the visibility on the road of the development, but that the Committee is able to seek further comments regarding the traffic calming, road speed and visibility on Haywards Heath Road. He also requested that the Committee clearly state their reason for deferring the application. The Team Leader advised that if Members had concerns about the design of the scheme these should be made clear now because it would not be reasonable to the applicants to defer the application to obtain more information on highways matters and then return to committee in two months time for example and then to have a new concern about the design and layout being raised.

A Member believed the design to be satisfactory and that the deferral would be due to Section 106 and the need to be further informed regarding traffic calming measures, and reallocating funds from the potential cycle path scheme as currently planned.

A Member asked for confirmation of the sizes of the garages for parking. The Planning Officer answered the garages were open garages without walls which measured 9 metres for 3 cars. This was deemed to be acceptable by Members. It was also noted that the footpath should be surfaced in order to make it accessible year round, however, it was acknowledged that most of the path would be outside of the development and not the responsibility of the applicant. Members reiterated concerns over traffic speed, and it was suggested that the community speed watch data and reports be given to the Parish Council in order to assist their decision regarding Haywards Heath Road on the west of the development.

The Chairman suggested deferring the application based on, Section 106, clarification of design, and the safety of the highways.

The Chairman took Members to the recommendation to defer which was moved by Councillor Sweatman and seconded by Councillor Coote. This was agreed unanimously.

## **RESOLVED**

The application has been deferred until more information regarding highway safety and section 106, and design can be presented.

**7 DM/19/1235 - LAND SOUTH OF BOLNEY ROAD, ANSTY, RH17 5AN.**

The Planning Applications Team Leader introduced the report and explained the recent changes which were on the Agenda Update Sheet. He noted that permission had already been granted for the site and that this was a reserved matters application for the details of the layout and design of the scheme., . He explained the condition relating to p115 to ensure that prior to occupation that a vehicle activated sign will be submitted to and approved by the local planning authority. As there were no public speakers the Chairman confirmed with Members that they did not require a presentation from officers. He took Members to the recommendation to approve, which was agreed unanimously.

**RESOLVED**

That the application be approved subject to the conditions set out in Appendix A and the conditions laid out in the Agenda Update Sheet.

**8 DM/19/1341 - CLOCKFIELDS DEVELOPMENT SITE, NORTH STREET, TURNERS HILL, RH10 4AR / RH10 4NS.**

Steve Ashdown, Team Leader for Major Development & Investigations, introduced the report which was for 38 dwellings. He noted that an extant permission for 47 dwellings was under construction. He noted that the Urban Designer had recommended the application for refusal on the grounds that the changes including elevation changes resulted in an inferior layout to the previously approved scheme. However, it was the Planning Officers' recommendation that the application should be approved as the design has not changed significantly.

As there were no public speakers the Chairman took Members to the recommendation to approve which was moved by Councillor Sweatman and seconded by Councillor MacNaughton, which was agreed unanimously.

**RESOLVED**

That permission be granted subject to the conditions listed in Appendix A.

**9 DM/19/1613 - ASHPLATS HOUSE, HOLTYE ROAD, EAST GRINSTEAD, RH19 3EZ.**

The application was introduced by Steve Ashdown, Team Leader for Major Development & Investigations who explained the application seeks planning consent, with access, for the demolition of Ashplats House and associated outbuildings and erection of 30 no. residential dwellings (including 30% affordable housing) and access onto Greenhurst Drive. He noted that the area of 1.1 hectares was currently occupied by one large dwelling, with the current access to the site being from Holtye Road, and the site is allocated within the East Grinstead Neighbourhood plan, with allocation for 35-45 dwellings, however, just 30 were part of the application before Members tonight. He spoke regarding concern which has been raised as Greenhurst Drive is a private drive which would provide access to the site, however he explained that road access is not within the Committees responsibility and therefore should not be taken into account.

The Team Leader for Major Development & Investigations explained that Section 106 funds would be used to secure infrastructure and affordable housing, and there were no material concerns to suggest this would be outside of approval.

Patrick Collett and Lucy Sargent spoke against the application. Katie Lamb, representative of the applicants and owners spoke for the application.

The Team Leader for Major Development & Investigations addressed concerns of the public speaker regarding the pumping station used for sewage waste and directed the Committee to Condition 2 which specifically references the requirement for the applicants to further investigate the pumping station's capacity.

A Member wished to ensure the condition was as clear as possible, as he is in favour of the application but required reassurances that the drainage and pumping station limitations be addressed. It was noted that condition 2 was very clear that if the pumping station was not sufficient, the applicants would not be able to proceed until they put it resolve the issue. A Member asked The Head of Regulatory Services to confirm the condition is clear enough legally.

The Planning Application Team Leader explained that the condition stated that the planning department are required to give their written permission for the development to proceed regarding the solution to the pumping station. He also noted that it would be unreasonable to reject the application based on this, advising Members that government guidance was clear, namely that if an issue can be resolved by imposing a planning condition, then this is what should be done rather than refusing the application; this was agreed by the Chairman, Vice Chairman, and The Head of Regulatory Services.

A Member enquired if tank size should be included in the clause, however the Planning Applications Team Leader advised that the technical details of the tank and means of drainage would be considered by the Councils drainage engineer when the details are submitted to discharge the condition and these would have to be approved before occupation could begin and this would include assessing tank size.

The Chairman took Members to the recommendation to approve, which was moved by Councillor Sweatman and seconded by Councillor Pulfer. This was agreed with 9 in favour and 2 against.

## **RESOLVED**

### Recommendation A

That, subject to the completion of a satisfactory S106 planning obligation securing the necessary affordable housing provision and financial contributions towards infrastructure and SAMM mitigation, as set out in the Assessment section below, planning permission be granted subject to the conditions set out in Appendix A.

### Recommendation B

That if the applicants have not completed a satisfactory signed planning obligation securing the necessary affordable housing provision, infrastructure payments and SAMM mitigation by the 5th December 2019, then that permission be refused, at the discretion of the Divisional Leader for Planning and Economy, for the following reason:

'In the absence of a signed legal agreement the application fails to deliver the necessary affordable housing, infrastructure and SAMP mitigation required to serve the development and as such conflicts with Policies DP17, DP20 and DP31 of the Mid Sussex District Plan as well as the Council's SPD's entitled 'Development Infrastructure and Contributions' and 'Affordable Housing'.

**10 DM/19/2639 - ARMSTRONG BODYSHOP LTD, ARMSTRONG AUTO SERVICES, COPTHORNE COMMON ROAD, COPTHORNE, RH10 3LF.**

The Chairman introduced the application in which planning permission is sought for the removal of the existing double entrance gates and adjacent fencing and the erection of a 2.4 metre high green powder coated steel palisade double entrance gate and adjacent fencing. As there were no public speakers he confirmed with Members that they did not require a presentation by officers. He noted that the application was before the Committee as a Councillor had an interest in the application as the planning agent for the applicant. He took members to the recommendation to approve which was agreed unanimously.

**RESOLVED**

That planning permission be approved subject to the conditions outlined at Appendix A.

**11 DM/19/0060 - SLAUGHAM MANOR, SLAUGHAM PLACE, SLAUGHAM, WEST SUSSEX, RH17 6FT.**

The Planning Application Team Leader introduced the application, which seeks full planning permission for the erection of 8 dwellings at Slaugham Manor, Slaugham Place, Slaugham. The Planning Application Team Leader noted that the plans show that there would be 4 pairs of semidetached dwellings located at the southern end of the site. These houses would be in the same location as 4 houses that were approved under the previous outline and reserved matters consent for 15 dwelling houses on the site. In effect the proposal is to subdivide the 4 plots that have been previously approved to accommodate 8 houses in their place. The proposal would therefore result in a net gain of 4 dwellings on the site compared to the consented scheme. He also noted there is a current application pending determination for an access road, but that that application was separate.

The Planning Application Team Leader explained the elevations of the proposed houses are following the same treatment as the approved plans, utilising a contemporary style, red brick and the same roofing. He noted that the principle is the main issue, the application would be in conflict with Policies DP12, DP21 and DP15 of the District Plan. He explained there would be no impact on adjacent heritage as laid out on p200. The Planning Application Team Leader noted that the site is isolated, and residents would be reliant on private cars. The Planning Application Team Leader stated that officers believe there was no justification in planning policy to approve the further changes beyond what was previously approved. He noted one other reason for refusal; within the site is a tree of merit, which the proposed dwellings would be closer to than in the previous application.

The Chairman noted that Slaugham Parish Council was against the application as amended.

A Member noted that the site that was approved had previously been discussed at length. He also noted that it would not be a sustainable development with more properties as proposed.

The Chairman took Members to the recommendation to refuse, which was moved by Councillor MacNaughton and seconded by Councillor Coote. This was agreed unanimously.

## **RESOLVED**

That planning be permission be refused for the following reasons:

1. The application site is located within the countryside, outside any defined built-up area boundary, on a site not allocated for development within the Mid Sussex District Plan or the Slaugham Neighbourhood Plan. The Council is able to demonstrate a 5 year housing land supply and the applicant has failed to demonstrate the proposal is essential to a countryside location. The site is in an unsustainable location, where occupants would be reliant on the use of a private car to gain access to local services. There are considered to be no other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The proposal is therefore considered to conflict with policies DP12, DP15 and DP21 of the District Plan and paragraphs 11 and 108 of the National Planning Policy Framework.
2. The proposal fails to provide the required infrastructure contributions necessary to serve the development and the required payments towards affordable housing. The proposal therefore conflicts with policies DP20 and DP31 of the District Plan.
3. The proposal would result in both harm and future pressure to fell a tree that contributes to the visual amenity of the area. The proposal therefore conflicts with policy DP37 of the District Plan.

## **12 TP/19/0009 - WOODLAND NORTH OF BOLNEY, LONDON ROAD, BOLNEY, RH17 5PY.**

The Chairman introduced the report and confirmed with Members that they did not require a presentation from officers. He noted that the Ward Member, Councillor Llewellyn-Burke supported the application. He took Members to the recommendation to approve, which was agreed unanimously.

## **RESOLVED**

That the order is confirmed.

## **13 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.**

None.

The meeting finished at 8.30 pm

Chairman