

**Minutes of a meeting of Planning Committee  
held on Thursday, 12th November, 2020  
from 4.00 - 7.00 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

**Also Present:** Councillors A Peacock and R Whittaker

**1 ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.**

The Chairman introduced the meeting and took a roll call of Members in attendance. The Legal Representative explained the virtual meeting procedure.

**2 TO RECEIVE APOLOGIES FOR ABSENCE.**

Apologies were received from Councillor Walker.

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

The Vice-Chairman declared a personal interest in application DM/20/1647 - East Grinstead Sports Club, Saint Hill Road, East Grinstead, West Sussex, RH19 4JU as his son is the Vice-Chairman of the Hockey Club.

**4 TO CONFIRM THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 8 OCTOBER 2020**

The Minutes of the meeting of the Planning Committee held on 8 October 2020 were agreed as a correct record and signed electronically by the Chairman.

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

The Chairman had no urgent business.

**6 DM/20/2976 - THE HEATH RECREATION GROUND, PERRYMOUNT ROAD, HAYWARDS HEATH, WEST SUSSEX**

Katherine Williams, Planning Officer, introduced the application which sought permission for the erection of a 40-metre long and 8-metre-high ball stop fence which

would be positioned along the northern boundary of the Haywards Heath Cricket Club pitch within the Heath Recreation Ground. She noted that the application was brought before the Committee as the site is located on land owned by Mid Sussex District Council.

The Vice-Chairman proposed to move straight to the recommendation to approve the application. The proposal was seconded by Cllr MacNaughton.

The Chairman took Members to the recorded vote, which was carried out by the Legal Officer, and the application was unanimously approved.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
P Coote	Y		
J. Dabell	Y		
R Eggleston	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

## **RESOLVED**

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

### **7 DM/20/1647 - EAST GRINSTEAD SPORTS CLUB, SAINT HILL ROAD, EAST GRINSTEAD, WEST SUSSEX, RH19 4JU**

Steven King, Planning Applications Team Leader, introduced the application which sought planning permission for a change of use of an agricultural field to a sports field and the erection of a yurt at East Grinstead Sports Club, Saint Hill Road, East Grinstead.

Cllr Rex Whittaker, East Grinstead Town Council, spoke in favour of the application.

Martin Donaghy, local resident, spoke in objection to the application.

Clemency Scarfe Beckett, local resident, spoke in objection to the application.

Simon Curtis, local resident, spoke in objection to the application.

Bob Shelley, East Grinstead Sports Club, spoke in favour of the application.

Richard Leman, Trustee of East Grinstead Sports Club, spoke in favour of the application.

Steve Phillips, Chairman of East Grinstead Meads Football Club, spoke in favour of the application.

Cllr Adam Peacock, Ward Member, spoke in objection to the application. He expressed his support for the District Council's aspirations for improving sports pitches in the District however he raised concerns on the harm caused to the neighbouring amenity and the formalisation of the irreversible change from agricultural land, of which sits within the High Wield Area of Outstanding Natural Beauty, to a sports field.

The Planning Applications Team Leader provided an explanation of the historical and current use of the site. He noted the proposal would not make significant physical changes to the site but highlighted that the main concern of officers is the formalisation of the change of use of the site. He outlined what was proposed in the application and highlighted the main issues to consider and summarised how they had been assessed in the committee report. He outlined that the Committee would have to assess the application against the relevant development plan policies and material considerations, some of which weighed in favour of the scheme and some which weighed against the scheme, to come to a view on the application.

In response to a query from the Chairman the Planning Applications Team Leader highlighted how the site is used currently under permitted development rights. He went through the photographs that showed what was on and around the site at present time.

The Chairman and Vice-Chairman stated that they sat on the Planning Committee which refused the previous application in 2011 however they came to the meeting with an open mind to hear the consideration of the committee, officers and public speakers.

The Chairman drew attention to the Prime Minister's promotion of young people engaging more with sporting activities.

A Member also drew attention to the Prime Minister's comments and noted that there is an increasing amount of young people in the town. He mentioned that the field is already being used by the Sports club and Treehoppers so he believed that, with the right mitigations, the change of use would not cause substantial harm. He supported the aim of providing young people with better facilities for outdoor sport. He did not consider it would cause significant harm to neighbouring properties. He believed that the application should instead be approved and proposed a motion to approve the application.

The Vice-Chairman noted that the neighbouring properties are newly built and supported the encouragement to get more young people engaging with sports. He did not consider the proposal would harm the amenities of neighbouring properties.

A Member expressed his support for the District Council Playing Pitch Strategy and recognised the need for more football pitches within the town. He also expressed the need to be consistent in deliberating planning matters and could not see any difference to the previous application brought before the Committee in 2011. He noted that no noise survey was carried out to see how the noise from the club affects local residents and that the East Grinstead Society recommended refusal to the application. He sought clarification on the final bullet point on P.212 of the Report which refers to other sports being played on the pitch during quieter times.

The Planning Applications Team Leader confirmed that the final bullet point on P.212 states that the field will be used at a time when the other sports facilities at the East Grinstead Sports Club are quieter. He added that he had been in discussion with the

Environmental Protection Officer officers who haven't had any complaints with the field under its temporary permitted development rights; the complaints that had been received by the Environmental Protection Officer related to noise at the main facilities during events and musical performances. The Planning Applications Team Leader advised that whilst there had not been a noise survey supplied with the planning application, the site has been used for 28 days a year for sporting activities under permitted development rights. Therefore, the Environmental Protection Officer had the benefit of this existing use to draw upon when making his comments on the planning application.

A Member recognised the need to all ages to get active and engage with sports however he believed that the need does not overcome the clear policy directive of Paragraph 172 of the NPPF which states that great weight should be given to the protection of National Parks and Areas of Outstanding Natural Beauty.

A Member stated that in his view the proposal would not detract from the character of the AONB. He stated that the need for the facility outweighed any harm to the AONB. A Member referenced the additional housing East Grinstead has received and highlighted the need to develop more leisure facilities to cope with the increasing demand.

The Chairman noted the proposed motion to approve the application and so asked the Planning Applications Team Leader to provide advice to the Committee should it be minded to do so.

A Member sought clarification if the motion to approve the scheme was to approve it on a permanent basis or a temporary planning permission.

A Member proposed that the motion to approve the application should be for a permanent and not a temporary planning permission.

The Planning Applications Team Leader explained that the only construction on the site is the yurt. He explained that as set out in the committee report planning applications must be determined in accordance with the development plan unless material planning considerations indicate otherwise. He explained that when assessing whether a scheme was in compliance with the development plan, this means the development plan when read as a whole. He explained that it is not the case that a planning application must comply with each and every policy in the development plan.

The Planning Applications Team Leader advised that great weight should be given to conserving the natural beauty of the AONB as required by planning policy and the NPPF. He outlined that there was support in policies DP24 and DP25 of the District Plan for improved leisure facilities. He also advised that the need for additional pitch provision was a material planning consideration that weighed in favour of the application. He advised that on balance officers did not support the application for the reasons that were set out in the committee report. He advised that the Committee would have to balance any adverse impact on the appearance of the AONB, if they considered there was harm to the AONB, against the positives of the improved facilities. He added that the Committee could condition that there couldn't be any physical works to the site.

Cllr John Dabell proposed to move to approve the application and Cllr Emma Coe-Gunnell White seconded the proposal.

The Planning Applications Team Leader confirmed the conditions regarding the times, dates and hours of use of the site as well the ecological condition proposed by the Ecology Adviser. He added that the Committee could include a condition that if the site ceases to be used for sporting activities then the yurt would be removed, and the use of the field would revert back to agricultural. He referred to P.212 of the Report as the conditions there would form the basis of conditions regarding the times of use for the approval.

The Chairman explained to Members that the vote was for a permanent planning permission to be granted subject to appropriate conditions on the basis that the committee did not consider that there was an adverse impact on the AONB by permanently formalising what was already taking place on the site. The Chairman took Members to the recorded vote to approve the application, carried out by the Legal Officer and the application was approved with nine votes in favour and two against.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
P Coote	Y		
J. Dabell	Y		
R Eggleston		Y	
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman		Y	

## **RESOLVED**

That planning permission be approved subject to conditions regarding the times of use of the field, ecology, floodlighting any other such condition that the officers feel appropriate, wording of which to be approved by the Chairman and Vice-Chairman.

## **8 DM/20/2381 - THE WEALD INN, ROYAL GEORGE ROAD, BURGESS HILL, WEST SUSSEX, RH15 9SJ**

**[Cllr Coote left the meeting at 5:30pm]**

Joanne Fisher, Senior Planning Officer, introduced the application which sought planning permission for the demolition of the existing public house and redevelopment of the site to provide 10 dwellings with associated access, parking, and landscaping at The Weald Inn, Royal George Road, Burgess Hill. She directed Members' attention to the Agenda Update Sheet which noted that the Mid Sussex Design Guide has now been approved by the Council and now forms a material planning consideration.

Billy Clements, agent of the applicant, spoke in favour of the application.

A Member said it was regrettable to see the closure of another pub in the town however he complimented the application for an attractive scheme. He expressed concerns with the access to the site as the road leads to Southway Primary School which can get very busy during peak times. He expressed his disagreement with the

approach taken with the allocation of Section 106 contributions as it ignores the Town Council's Bee Hive project.

Jennifer Bale, Solicitor, confirmed that the collection of monies needs to meet the three tests in the Community Infrastructure Levy (CIL) Regulations, the most relevant relating to the allocation of funding within the proximity of development and the nearest being the play space at Fairfield Recreation Ground.

The Senior Planning Officer confirmed that whilst the Town Council can request where funding is allocated it is for the District Council to decide where the monies are spent, which for this application is the Fairfield Community Centre and Place and Connectivity Programme.

A Member noted that the Bee Hive scheme is not ready and therefore the contributions could not be put in reserves where it could stay there indefinitely. He expressed that he did not want to keep money for specific schemes when there are other schemes that are ready.

A Member believed the scheme was very well designed and whilst he supported the Bee Hive project he felt that there were very worthy activities at Fairfield Community Centre which should receive the contributions.

A Member also mentioned that the closure of the pub was regrettable and that it was an excellent use of a brownfield site. He felt surprised that the scheme had been designed to allow car parking at the back of the development as he was aware that planners have insisted that parking areas can be seen from the road so that the area does not become susceptible to crime. He also felt that the parking spaces does not take into account the visitors to the properties.

The Senior Planning Officer replied that there are 20 parking spaces for the site with some houses provided with parking to the side of the houses; the rear parking court is unallocated. She noted that the Design Principle DG9 in the Mid Sussex Design Guide SPD supports parking courts in high density areas and the layout has been designed to negate the need for a number of vehicle access routes into the site.

The Chairman took Members to the vote to approve the application, which was proposed by Cllr Emma Coe-Gunnell White and seconded by Cllr Eggleston.

A recorded vote was carried out by the Legal Officer and the application was approved with nine votes in favour and one against.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
J. Dabell	Y		
R Eggleston	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer		Y	
D. Sweatman	Y		

## **RESOLVED**

### **A**

That planning permission be approved subject to the completion of a satisfactory S106 Legal Agreement to secure infrastructure contributions and the conditions set in Appendix A;

and

### **B**

That if the applicants have not submitted a satisfactory signed S106 Legal Agreement securing the necessary infrastructure contributions by the 12th February 2021, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reasons:

1. 'The application fails to comply with policy DP20 of the Mid Sussex District Plan in respect of the infrastructure required to serve the development.'

## **9 DM/20/0979 - BUXSHALLS, ARDINGLY ROAD, LINDFIELD, WEST SUSSEX**

Stuart Malcolm, Senior Planning Officer, introduced the application which sought planning permission for a change of use, adjustment and refurbishment of 19 dwellings for the over 55's to provide 15 dwellings; change of use, adjustment and refurbishment of Buxshalls House from a 21 bed nursing home to provide 11 dwellings; construction of 9 new dwellings; associated adjustments to landscaping and car parking with no age restrictions on any new or refurbished dwellings.

Brendan Tracey, architect of the application, spoke in favour of the application.

A Member noted the improvements to the site and felt that the retention of the existing building as well as the good use of space and fair number of dwellings on the site is positive.

The Chairman outlined that the application is much better than what has been previously proposed at the site and would bring a magnificent building back into use.

A Member concurred with the Chairman and welcomed the provision of electrical vehicle charging points. He expressed concern that some of drainage arrives at a local pond which then feeds into the River Ouse thereby allowing oil and other potentially harmful substances to pollute the River. He also expressed concern that the parking is short for the number of dwellings on the site.

The Senior Planning Officer highlighted that there are to be soakaways on the site that should address the issue raised whilst the drainage engineers will review the condition submissions to ensure that there is an acceptable approach to addressing any issues. He outlined the dwelling mix, including a number of smaller units, and noted that the 70 spaces for the 35 dwellings was deemed sufficient. However, there is sufficient space within the application site to explore additional parking on the site should it be needed in the future.

The Chairman took Members to the vote to approve the application, which was proposed by Cllr MacNaughton and seconded by the Chairman.

A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
J. Dabell	Y		
R Eggleston	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

### **RESOLVED**

**A:** That, subject to the completion of a satisfactory S106 planning obligation securing the necessary financial contributions towards SAMM and SANG mitigation as set out in the Assessment section of the Officer report, planning permission be granted subject to the conditions set out in Appendix A;

and

**B:** That if the applicants have not completed a satisfactory signed planning obligation securing the necessary SAMM and SANG mitigation by the 12<sup>th</sup> February 2021, then it is recommended 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 SAMM and SANG mitigation and as such conflicts with Policy DP17 of the Mid Sussex District Plan.'

### **10 DM/20/2899 - LAND TO THE WEST OF FREEKS LANE, FREEKS LANE, BURGESS HILL, WEST SUSSEX**

Stuart Malcolm, Senior Planning Officer, introduced the application which sought planning permission for the installation of a surface water drainage pipe to support SUDS features approved under the Freeks Farm development (DM/19/3845).

The Chairman noted that no Member wished to speak so moved to the recommendation to approve the application, which was proposed by Cllr Coe-Gunnell White and seconded by Cllr Cartwright.

A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
J. Dabell	Y		
A. MacNaughton	Y		

G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

## RESOLVED

That planning permission be granted subject to the conditions set out in Appendix A.

### 11 **DM/20/2937 - KINGSLAND LAINES, REEDS LANE, SAYERS COMMON, HASSOCKS, WEST SUSSEX, BN6 9JG**

Steven King, Planning Applications Team Leader, introduced the report which sought planning permission to amend the provision of dwellings on an approved housing site at Steven King, Planning Applications Team Leader, introduced the report which sought planning permission to amend the provision of dwellings on an approved housing site at Kingsland Laines in Sayers Common to deliver a greater number of two and three bedroom properties and a reduction in the number of four and five bedroom properties. The proposal would increase the number of dwellings that would be provided in this redesigned part of the site from 27 to 40, resulting in a net increase of 13 dwellings.

Cllr Bob Sampson, Hurstpierpoint and Sayers Common Parish Council, spoke in objection of the application.

Sam Sykes, agent of the applicant, spoke in favour of the application.

A Member stated that it was good to have more two- and three-bedroom houses in the area which young people can afford.

A Member said he was assured that electric vehicle charging points will be put in for the development and the issue with the storage of the properties' waste bins have been addressed. He expressed a serious concern with the sewage of the site as was aware of shortcomings within his own ward from Southern Water.

The Chairman noted the original application which stated that there would be an upgrade to the pump station and hoped that this would be carried out before the houses are constructed.

A Member also expressed concerns about Southern Water and requested concrete commitments that they can cope with the additional sewage as he was aware of shortcomings from Southern Water in Crawley Down.

The Planning Applications Team Leader confirmed that there are 33 proposed electric vehicle charging points. He outlined that regarding surface water, the developer has reassessed drainage calculations for the application. He drew Members attention to the fact that the amount of built form and hardstanding in the replanned area was very similar to the previously approved scheme. He stated that the Councils drainage engineers have looked carefully at the replanned area and are satisfied that the scheme can be properly drained. Regarding foul water, he explained that Southern Water are the statutory body responsible for providing foul drainage and they have stated that they can take the additional demand and the Committee would have to take their commitment at face value. He stated that the Supreme Court has confirmed that developers have an absolute right to connect to

the foul drainage system and that if further works are required then this can be dealt with by a planning condition.

The Member requested that a condition be added to the application to ensure that the improved pumping station be operational before any houses are occupied to prevent sewerage backing-up into people's homes as what occurred in his own ward.

The Planning Applications Team Leader directed Members' attention to P.172 which covers the drainage details. He added that drainage details for the site have already been approved under the existing scheme and the drainage condition requires details of the effect of this proposal.

A Member felt that it was good to see developers providing more realistic houses in their developments.

The Chairman took Members to the vote to approve the application, which was proposed by Cllr Coe-Gunnell White and seconded by Cllr MacNaughton.

A recorded vote was carried out by the Legal Officer and the application was unanimously approved.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
G Allen	Y		
R Cartwright	Y		
E Coe-Gunnell White	Y		
J. Dabell	Y		
A. MacNaughton	Y		
G. Marsh	Y		
C. Phillips	Y		
M. Pulfer	Y		
D. Sweatman	Y		

## **RESOLVED**

### **A**

That permission be granted, subject to the completion of a section 106 planning agreement to secure the necessary affordable housing and infrastructure contributions and the conditions listed at Appendix A and the additional conditions listed in the Agenda Update Sheet;

and

### **B**

That if the applicants have not submitted a satisfactory signed S106 Legal Agreement/or legal undertaking securing the necessary infrastructure payments by the 4th February 2021, then permission be refused at the discretion of the Divisional Lead for Planning and Economy, for the following reason:

1. The application fails to comply with policies DP20 and DP31 of the Mid Sussex District Plan in respect of the infrastructure and affordable housing required to serve the development.

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

None.

The meeting finished at 7.00 pm

Chairman