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10 December 2018

Dear Councillor,

A meeting of **DISTRICT PLANNING COMMITTEE** will be held in the **Council Chamber** at these offices on **TUESDAY, 18TH DECEMBER, 2018 at 2.00 pm** when your attendance is requested.

Yours sincerely,  
KATHRYN HALL  
Chief Executive

**A G E N D A**

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## Human Rights Act

The reports and recommendations set out in this agenda have been prepared having regard to the requirements of the Human Rights Act 1998.

## Risk Assessment

In formulating the recommendations on the agenda, due consideration has been given to relevant planning policies, government guidance, relative merits of the individual proposal, views of consultees and the representations received in support, and against, the proposal.

The assessment of the proposal follows the requirements of the 1990 Town and Country Planning Act and is based solely on planning policy and all other material planning considerations.

Members should carefully consider and give reasons if making decisions contrary to the recommendations, including in respect of planning conditions.

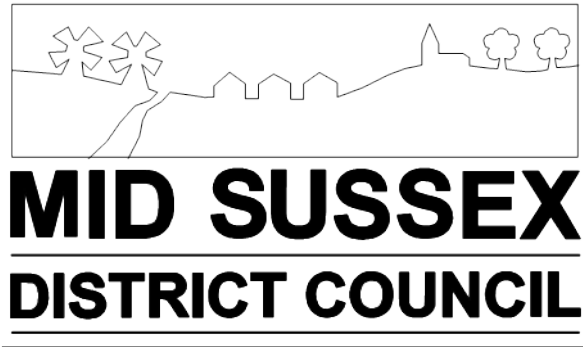
Where specifically relevant, for example, on some applications relating to trees, and on major proposals which are likely to have a significant impact on the wider community, potential risks associated with the proposed decision will be referred to in the individual report.

**NOTE:** All representations, both for and against, the proposals contained in the agenda have been summarised. Any further representations received after the preparation of the agenda will be reported verbally to Members at the meeting. Any other verbal or additional information will be presented at the meeting.

The appropriate files, which are open to Member and Public Inspection, include copies of all representations received.

Members are also reminded the representations, plans and application file will also be available for inspection at these offices from 6.00 p.m. on the day of the meeting.

To: **Members of District Planning Committee:** Councillors R Salisbury, J Wilkinson, C Hersey, C Holden, E Matthews, N Mockford, P Moore, D Sweatman, A Watts Williams and P Wyan



**Agenda Update Sheet**

**District Planning Committee**

**Date 18<sup>th</sup> December 2018**

**Agenda Item 5:**

**Recommended for Approval**

**APPLICATION NO: DM/18/3617**

**Page 6, Introduction should read:**

Application DM/18/3617 seeks full planning consent for the installation of ground-mounted solar voltaic modules on Land To The North Of The A2300, Cuckfield Road.

**Page 19, Letter received from applicant in regard to condition number 1 which reads as follows:**

*As set out in the draft conditions contained within Appendix A of the Report, it is proposed under Condition 1 that the permission shall be begun before the expiration of 3 years from the date of this permission. We acknowledge that this is a standard condition and should be the default time limit for most planning permissions.*

*However, as expressed in recent email correspondence and as discussed with officers prior to submission of the application, our client requires a longer time limit than the standard 3 years in order to implement the permission.*

*Under Section 91 Town and Country Planning Act 1990, where a planning permission is subject to a condition that specifies the time limit within which the development must begin, the relevant time limit for beginning the development should not be later than the expiration of either 3 years beginning with the date on which the permission is granted, or; such other period (whether longer or shorter) as the local planning authority may impose.*

*It is therefore at the Council's discretion as to whether an extended time limit is appropriate. However, we appreciate that officers should be clear on the site specific circumstances in order to justify a time limit which is longer than the default position of 3 years.*

*The proposed solar farm is simply not economically viable with only a National Grid connection and it is my client's intention to secure a long-term commitment from a future occupier of the adjacent Hub Business Park to justify the solar farm's construction.*

*The Hub Business Park is under construction with first phase completion anticipated for March 2019. On this basis, my client is looking for a 7 year time limit, to allow sufficient time to secure an occupier and to ensure that the solar farm can be constructed in line with the proposed phased build-out of the Hub Business Park.*

*It is proposed that the solar farm will be used as a marketing tool to attract sustainably minded occupiers of the Hub Business Park, hence why a planning permission is being sought now, prior to securing an occupier.*

*The proposed development is consistent with the wider aims of the Northern Arc allocation and the additional time limit for implementation is fundamental to the delivery of the solar farm. We therefore respectfully request that the Council reconsiders draft Condition 1 and that the time limit is extended accordingly.*

**Officer's response:** National Planning Practice Guidance states that a local planning authority may wish to consider whether a variation in the time period could assist in the delivery of development. The guidance states that a longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all

the necessary preparations to be completed before development can start. The intentions of the applicant are acknowledged but officers do not consider that there are any exceptional circumstances in this case that would warrant a longer time period for implementation. The application itself is not 'complex' and if the applicant has still not implemented the application within three years they can always apply for planning permission once again - which is standard practice.

**Page 21, Additional condition number 12 to read:**

No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the local planning authority.

Reason: The land is potentially of archaeological interest and to enable items of archaeological interest to be recorded before alteration or demolition and to accord with Policy DP34 of the Mid Sussex District Plan 2014 – 2031.

**Page 21, Additional condition number 13 to read:**

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 Applications".

Reason: For the avoidance of doubt and in the interest of proper planning.

**Page 22, Plans referred to should read:**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Submitted Date</b>
Location Plan	24743/001		31.08.2018
Proposed Layout Plan	BRS6350_08	A	06.12.2018
Location Plan	BRS6350_04		31.08.2018
Site Layout Plan	PV-0272-01	A	06.12.2018

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