

**Minutes of a meeting of District Planning Committee
held on Thursday, 16th December, 2021
from 2.00 pm - 3.46 pm**

Present: D Sweatman (Chairman)

B Forbes
R Bates
P Coote
A Eves

S Hatton
R Jackson
C Laband
A Peacock

C Trumble
R Webb
R Whittaker

Also Present: Councillor R Salisbury

1. TO RECEIVE APOLOGIES FOR ABSENCE.

None as all Members were present.

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

None.

3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING OF THE DISTRICT PLANNING COMMITTEE HELD ON 21 OCTOBER 2021.

The Minutes of the Committee meeting held on 21 October 2021 were agreed as a correct record and signed by the Chairman.

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

None.

5. DM/21/2841 - LAND NORTH OF CLAYTON MILLS, HASSOCKS.

Stephen Ashdown, Planning Applications Team Leader for Major Developments introduced the application. He drew Members' attention to the Agenda Update Sheet noting the recent correspondence from the applicant in relation to electric vehicle charging points (EVC), and amendments regarding the paragraph on local amenities. The reserved matters application detailed the appearance, layout, landscape and scale for 500 dwellings, with associated infrastructure, open space and landscaping, pursuant to outline planning permission DM/18/4979. He highlighted that the outline planning permission had already determined the principles of development for the site, the access to the site, highway safety matters and the impact of the development on the highway network which were not part of the application before the Committee, and the site has been allocated for housing under the District Plan policy DP11.

The Team Leader confirmed the parameter plan had been approved, noted the mix of 1,2,3,4 & 5 bedroomed dwellings including 7 bungalows. The application was policy compliant for the provision of affordable homes, with a mix of social housing and shared ownership spread throughout the site. The designs of the dwellings depend to the position within the site, there are 4 designs. He noted the policy compliant northern buffer to the green open space, mitigation to the heritage assets, community orchard, and retention of hedgerows to provide a green corridor. He highlighted that the 10ms buffer to existing properties in Mackey Avenue would be outside the garden of the new properties, which would be managed by a Management Company. There will be a link to join up with bridleways 19 and 18 to connect with Burgess Hill. The main play area is integrated into the scheme and is overlooked by the adjacent dwellings. The application provides 1200 parking spaces, garages, allocated parking and visitor spaces, with EVC points in the garages. Provision of EVCs for the remainder of the site is covered by condition 4.

The Team Leader advised the Design Review Panel and Urban Designer had no objections. The application has mitigation measures to deal with the Urban Designers concerns regarding issues relating to drop off and pick up at the proposed school, by providing a drop off loop around the open space and additional parking along the avenue. There is a sustainability statement, a reduction of CO2 emissions has been achieved and EVC points will be installed. There is less than substantial harm to Ockley Manor and the public benefits are clear and outweigh the harm identified.

Cllr Dempsey, Ward Member for Hassocks spoke in objection to the application noting that the site has been controversial and was unpopular with the local residents as it was not part of the Neighbourhood Plan. Along with other sites it contributes to more than 1000 new houses in Hassocks, a 33% increase in the size of the village. Many Members and the Council have an aspiration for new houses to meet the highest environmental standards, and with the installation of gas boilers these new houses do not match that aspiration. He noted that the outline planning application had confirmed that solar thermal, solar voltaic and ground source heat pumps were viable for the site. Alternatives to gas boilers were not included in the application and gas boilers conflicted with government proposals. DP 11 and DP 39 are both fabric first approaches and comply with the District plan, a higher standard to meet the challenge of climate change would be desirable. He expressed concern of the developer setting aside land for the new school for only 10 years.

Cllr Nick Owens, Member of Hassocks Parish Council spoke in objection of the application.

Mr Hywel James, agent for the applicant spoke in favour of the application.

Following a request by the Chairman the Team Leader reiterated that a sustainability statement had been received to support the application, and the development will provide a standard better than the current required by 4.7%. He confirmed that the application must be considered with regard to current policies, and the application meets current sustainability standards. The development will comply with new regulations in 2022 and 2025 when they are mandatory. Any new conditions must meet 6 tests, the conditions suggested would not meet the tests.

Cllr Hatton, Ward Member for Hassocks endorsed the comments of Cllr Dempsey. She noted she had been invited to attend meetings with the developer, and that they had taken on board some of the comments received from those meetings. She highlighted the safe crossing of the railway line and that the roads would be put up

for adoption by West Sussex County Council. She expressed concern over District Plan policy DP11, specific to this site stating that the Council should work with the Parish Council to develop this site. The Parish Council's aspirations for sustainability have not been met. She questioned the emphasis on a fabric first approach and commented on the lack of EVC points for the parking spaces.

Members noted the high number of the objections received from the residents of Hassocks and appreciated their views. They discussed the comments of the Urban Designer, Public Rights of Way, loss of trees, future proofing of the site, the allotments, communal refuse bins, protection of green areas, and the site working hours.

The Chairman highlighted the fabric first approach to construct with good insulation and low CO2 emissions, he advised that the developer could not be forced to exceed current standards.

Sally Blomfield, Divisional Leader reminded Members of the benefits of a fabric first approach And reminded Members of the need to ensure energy efficiency and reduce energy demand which is what the fabric first approach does. This would be done in advance. The Committee must determine applications with the context of current policies.

The Team Leader noted the Urban Designers comments were covered by condition 2, the allotments were not statutory allotments and were part of the orchard, there was a condition for the bridleway to ensure a suitable surface and a condition to control the emptying of the communal waste refuse bins was not appropriate in a residential setting. The Council could not protect the green areas through conditions on a reserved matters application, if agreed some green spaces could be transferred to the control of the Parish Council. A Section 106 agreement would be in place for the large open space and a management company, or the Council could maintain the area. The developer had submitted a construction management plan (under a separate condition discharge application) which must be approved before commencing work on the site and there would be an overall net biodiversity gain on the site of 11%.

Members noted they were sensitive to the views of local residents, developers had to meet the current policies and regulations, and it was aspirational to be better. They commended the green corridor and retaining of existing hedgerows but some thought this should be an exemplar site for sustainability.

The Team Leader confirmed that condition 8 had been updated to the latest ecology assessment, the units have been designed to be future proofed for easy retro fitting of EV panels etc at minimal cost. He reiterated that the Urban Designer and Housing Officer had not raised any objections to the design or housing mix. The developers make a financial contribution for and set aside land for the community building and it is for the Council to decide if it will be transferred to their ownership. He highlighted

A Member wanted to know if there would be an impact on the Council's five-year housing land supply if this application were refused. The Divisional Leader confirmed that strategic sites are critical to ensuring on going delivery of the 5-year land supply. If this application were to be refused the decision would be appealed. Appeals take a long time to be heard which would lead to a delay in on site delivery of homes from this site. Currently, in line with a statement of common ground with Taylor Wimpey, it is anticipated that homes would be delivered on this site in 2022-3. She therefore

confirmed that if this application were to be refused there would be an impact on the five year housing land supply.

As there were no further questions or contributions the Chairman took Members to a named vote on the recommendations outlined in the report and the amendments as detailed on the Agenda Update Sheet. This was proposed by Cllr Coote and seconded by Cllr Forbes and was approved.

Councillor	For	Against	Abstain
Bates, R.		x	
Coote, P	x		
Eves, A.		x	
Forbes, B.	x		
Hatton, S.		x	
Jackson, R.	x		
Laband, C	x		
Peacock, A	x		
Sweatman, D	x		
Trumble, C	x		
Webb, R.	x		
Whittaker, R		x	

RESOLVED

Recommendation A

It is recommended that planning permission be granted subject to the conditions set out in Appendix A and the Agenda Update Sheet.

6. EF/17/0248 - 145 HIGH STREET, HURSTPIERPOINT, WEST SUSSEX, BN6 9PU.

Andrew Clarke, Senior Planning introduced the report. He noted that the report related to a planning enforcement investigation and breach of planning control where the landowner has failed to comply with the requirements of an Enforcement Notice. Officers were requesting authorisation from the District Planning Committee to commence prosecution proceedings in relation to the failure to comply with an extant s.172 Enforcement Notice. He confirmed that enforcement action had been delayed due to the pandemic. The owner had contacted the enforcement team after the report requesting authorisation to prosecute had been submitted to the committee. The Officer advised the offence had been committed as the landowner had failed to comply within the specified time period.

A Member noted that the work on the property had encroached on the footway and supported enforcement action. Another Member supported the proposed action to uphold planning legislation.

As there were no further questions or contributions the Chairman took the Members to the recommendation. This was proposed by Cllr Coote and seconded by Cllr Peacock and was unanimously approved.

RESOLVED

It is recommended that authority be given for the Council to prosecute the owner of the land for non-compliance with the Enforcement Notice (which is an offence under

section 179 TCPA 1990) subject to the Solicitor to the Council being satisfied that there is sufficient evidence, and it is in the public interest to pursue a prosecution.

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

None.

The meeting finished at 3.46 pm

Chairman