

**Minutes of a meeting of District Planning Committee  
held on Thursday, 24th February, 2022  
from 2.06 pm - 3.35 pm**

**Present:** D Sweatman (Chairman)  
B Forbes (Vice-Chair)

R Bates  
P Coote  
A Eves

R Jackson  
C Laband  
C Trumble

R Webb  
R Whittaker

**Absent:** Councillors S Hatton and A Peacock

**Also Present:** Councillor R Salisbury

**1. TO RECEIVE APOLOGIES FOR ABSENCE.**

Apologies were received from Councillors Hatton and Peacock.

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

Councillor Bruce Forbes declared a non-pre-determined interest in Item 6 DM/21/4235 as he is a Member of West Sussex County Council.

**3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING OF THE DISTRICT PLANNING COMMITTEE HELD ON 16 DECEMBER 2021.**

The Minutes of the Committee meeting held on 16 December 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/20/0886 - LAND EAST OF KINGSWAY, BURGESS HILL, RH15 0SD.**

Susan Dubberley, Senior Planning Officer introduced the full planning application for 237 dwellings, 30% affordable with associated informal open space, SUDS attenuation features and a locally equipped area of play. She noted that the application site is part of a wider development where consent was granted in 2012 for 480 units; phases 1, 2 and 3a are occupied, phase 3b is at advanced stage of construction and some are occupied. A full application was required as the previous outline planning permission had time lapsed. The application provides for the remaining balance of the previous consent, with the addition of a further extra 33 units.

She drew Members' attention to the Agenda Update Sheet and highlighted the additional conditions concerning photovoltaic panels and the play area. The development has a perimeter block arrangement retaining some trees and the hedgerows. There are 470 allocated spaces and 73 visitor spaces, mixed housing types split across two-character areas, urban and rural. She highlighted the concerns raised by Sussex Police regarding natural surveillance and the remedial works to mitigate their concerns.

The Chairman read a submission from Mr Glyn Wells, local resident who opposed the application.

Ms Jackson, agent for the applicant spoke in favour of the application.

The Chairmen reminded the committee that the principle of development had already been established, the original application was time lapsed and the additional 33 units would increase the total number above the previously consented 480.

Members discussed the design of the buildings and noted that highways had no objections. They expressed concern over the lack of grey water storage, sustainable heating, disruption of ground water levels and that the road would not be adopted and how the upkeep of the roads would be managed.

The Senior Planning Officer noted the additional condition in the update sheet would enable the addition of photovoltaics to aid compliance with future Building Regulations, the developer is using a fabric first approach, the Design Review Panel and Urban Designer were content, and remediation works on drainage had been completed. She advised that Highways have no control over the adoption of the roads, the decision was for the developer and the earlier phases not been adopted.

The Chairman confirmed that the adoption of the roads was not a matter for the Committee to consider.

Members discussed the process of approving the Section 106 agreement, parking provision, the impact of noise from the railway, suggested future proofing the site for installation of EVCs and noted the lack of sports facilities on the eastern side of Burgess Hill.

The Senior Planning Officer confirmed the details of the Section 106 agreement were on page 26 and included the delivery of affordable housing and contributions to other services including sports provision. She confirmed the application met Highway standards for parking provision and page 55 detailed the process to approve a soundproofing scheme prior to construction.

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

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Bates, R.	X		
Coote, P	X		
Eves, A.	X		
Forbes, B.	X		
Jackson, R.	X		

Laband, C	X		
Sweatman, D	X		
Trumble, C	X		
Webb, R.	X		
Whittaker, R	X		

## RESOLVED

### Recommendation A

It is recommended that planning permission be approved subject to the completion of a satisfactory S106 Legal Agreement to secure infrastructure contributions, affordable housing and the conditions set in Appendix A.

### Recommendation B

It is recommended that if the applicants have not completed a satisfactory signed planning obligation by the 24th May 2022, then it is recommended that permission be refused, at the discretion of the Divisional Leader for Planning and Economy, for the following reason:

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

## 6. **DM/21/4235 - LAND ADJ. BALCOMBE HOUSE, LONDON ROAD, BALCOMBE, RH17 6PB.**

Joanne Fisher, Senior Planning Officer introduced the application for a residential development to provide 17 dwellings made up of 1 and 2 bedroom flats, and 3 bedroom detached and semi-detached houses associated landscaping, parking, vehicular access and a village car park.

She confirmed that the land was within the High Weald AONB and has been allocated under the Balcombe Neighbourhood Plan. She noted that the Committee refused an application in November 2021 for 17 dwellings which included a 4-bed house. The application was refused as the housing mix with a 4-bed property was contrary to Policy 2 (i) of the Balcombe Neighbourhood Plan and also as the Section 106 agreement for infrastructure contributions and affordable housing had not been completed.

The Senior Planning Officer confirmed that new application still had 17 dwellings replacing the 4-bed house with a 3-bed house and a village car park. Officers consider that the layout is acceptable, the tree frontage was to be retained with a planting buffer and enhanced planting provided on the northern boundary of the site. The majority of trees to be removed are of low classification with many being non-native plantation trees. The heritage assets impacts had been considered and would result in less than substantial harm where the public benefits of the proposal would outweigh the harm. The site would deliver traditionally designed dwellings using a fabric first approach in a sustainable location.

She highlighted that the principle of development had been established as the site has been allocated in the Neighbourhood Plan and the housing mix meets the requirements of 2(i) of Balcombe Neighbourhood Plan. She noted that the Section 106 agreement is progressing.

Cllr Lloyd Thompsett, Balcombe Parish Council spoke in objection to the application.

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

Cllr Jenny Edwards, Ward Member for Balcombe spoke in support of the application. She welcomed the changes with the removal of the 4-bed dwelling, and noted that 2-bed dwellings would have been better so older people could downsize and stay in the area. She noted that balconies had not been included and would have provided private outdoor space for the residents of the flats.

Cllr Gary Marsh, Ward Member for Balcombe spoke in support of the application. He noted that the reasons to refuse the application had been removed, and the application was now policy compliant with Balcombe Neighbourhood Plan. The Section 106 agreement had not been signed and he would have liked money allocated for a skateboard park in the village.

The Senior Planning Officer advised that the Parish Council are not involved in the Section 106 agreement and the application before the committee had only one entrance to the car park. Another application would be required to request a second entrance.

The Chairman advised the Committee that as the application no longer included a 4-bed house, the reason for refusal of the original application had been addressed and it would be unreasonable to refuse the application.

Members discussed access to the site, the layout of the village car park, preventing overdevelopment of the site at a later date and the lack of solar panels.

The Senior Planning Officer confirmed Highways had no objections and a Road Safety Audit had been provided, condition 21 covers details to be provided in relation to the public car park including disabled parking spaces within the car park, and the application accords with the Balcombe Neighbourhood Plan.

The Chairman reiterated that a second entrance to the car park was not on the original application. 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 Whittaker and was approved with 7 in favour, 1 against and 2 abstentions.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Bates, R.			X
Coote, P	X		
Eves, A.		X	
Forbes, B.	X		
Jackson, R.			X
Laband, C	X		
Sweatman, D	X		
Trumble, C	X		
Webb, R.	X		
Whittaker, R	X		

**RESOLVED**

**Recommendation A**

It is recommended that planning permission be approved subject to the completion of a satisfactory S106 Legal Agreement to secure infrastructure contributions and affordable housing and the conditions set in Appendix A.

**Recommendation B**

It is recommended that if the applicants have not submitted a satisfactory signed planning obligation securing the necessary infrastructure payments and affordable housing by the 24th May 2022, then it is recommended that 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 policies DP20 and DP31 of the Mid Sussex District Plan in respect of the infrastructure and affordable housing required to serve the development.'

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

None.

The meeting finished at 3.35 pm

Chairman