

**Minutes of a meeting of District Planning Committee
held on Thursday, 21st October, 2021
from 2.00 pm - 3.30 pm**

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

R Bates	C Laband	R Webb
A Eves	A Peacock	R Whittaker
R Jackson	C Trumble	

Absent: Councillor S Hatton

Also Present: Councillor Salisbury

1. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Cllr Hatton.

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

Councillor Jackson declared a non-pre-determined interest in Item 5 DM/21/1118 as he is a Member of Hassocks and Sayer Common Parish Council.

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

The Minutes of the Committee meeting held on 16 September 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/21/1118 - EAST LODGE FARM, MALTHOUSE LANE, HURSTPIERPOINT, WEST SUSSEX, BN6 9LA.

Steven King, Planning Applications Team Leader introduced the application. He drew Members' attention to the Agenda Update Sheet noting the additions in relation to policy DP1, the cycle parking, the additional conditions and the removal of permitted development rights for the site.

The Officer advised the application was seeking full planning permission to erect a class E(g) building to include a mix of office, research and development and industrial processes with carpark, new vehicle access onto Malthouse Lane and associated landscaping.

The Team Leader highlighted that the previous buildings had already been removed, confirmed the planning history of the site was detailed in the report, noted the issues of the site and highlighted that the principle of development had been established by previous extant planning consents for a similar development. The site has developments already on two sides, would not result in coalescence between Hurstpierpoint and Burgess Hill, and the public benefit of the development would outweigh the less than substantial harm to the setting of the grade II listed building, Kent Farm. The Urban Designer had no objections, and the design had a fabric first approach to sustainability. West Sussex Highways had no objections and there would be no severe impact on the highway network. He concluded that the committee should determine the application in relation to the Development Plan and reiterated the material conditions of the two extant applications for the site.

Ms Sacha Drabble, resident spoke in objection of the application.

Mr David Wakefield, resident spoke in objection of the application.

Ms Sally North, resident spoke in objection of the application.

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

Cllr Alison Bennett, Ward Member for Hurstpierpoint and Downs spoke in objection of the application. She advised that she was speaking against the application as it was contrary to District Plan policies: DP1: Sustainable Economic Development as a planned business park is nearby; DP12: Protection and Enhancement of Countryside as the site is outside the built-up area of Hurstpierpoint and in her opinion the proposal would not enhance the countryside; DP13: Preventing Coalescence; DP21: Transport as Malthouse Lane has no sustainable transport and has been subjected to flooding; DP26: Character and Design as the proposal would not be sensitive to its countryside setting. The application would provide 30 jobs, and these should be provided within the allocated employment areas of the Burgess Hill Growth Programme.

Cllr Jackson, Ward Member for Hurstpierpoint and Down spoke in objection to the application. He objected as the application was contrary to District Plan policies DP12: Protection and Enhancement of Countryside and DP13: Preventing Coalescence. He commented of the volume of traffic in the vicinity of the site, expressed concern that West Sussex Highways had not raised an objection and noted that permission had been granted previously. He confirmed that he would not support the application.

The Chairman highlighted the extant planning permission, the application had an improved design with a lower roof height and reiterated that Highways had no objection.

Members expressed concern about the notification process for the 2007 planning application, fatalities on the highway that had not been listed in the report, the lack of Total Access Demand (TAD) contributions, the ecological survey, the removal of established trees, increased traffic and requested that the large car park be reassessed. They noted they were compromised by the previously approved application and discussed flooding, light pollution, sustainable design, biodiversity and future proofing of the site.

The Chairman noted the oak tree would be removed as the car park would damage the tree's roots and reminded Members that the existing principle of development had already been established.

The Team Leader advised that TAD contributions could only be required where they met the tests set out in the Community Infrastructure Levy Regulations. He advised that infrastructure contributions were to mitigate the impacts of development. He advised that the Highway Authority had stated that the application would not result in a highway safety hazard and would not have a severe impact on the highway network. He highlighted that no TAD was requested in the approved 2019 application and in light of these points there was no justification for TAD on this application. The report detailed the comments received from the Councils Ecological Consultant regarding the ecological survey. The Team Leader advised that the Councils Ecological Consultant would have objected to the application if he had not been satisfied with the survey.

A Member recounted a brief history of the site including a previous application elsewhere in the Parish that was approved on appeal by the Planning Inspectorate as too much attention had been paid to local opinion and not enough to assess the application against policies. Members were reminded to assess all applications in relation to the National Planning Policy Framework (NPPF) and the Council's planning policy and they highlighted that a cross-party committee had unanimously approved the last application in 2019.

The Chairman advised the Committee that they had to consider the application that had been received. The extant permission included the felling of the oak tree, works could commence immediately, and a substantial tree and hedgerow planting schedule was listed in the report. The car park provision would allow for future expansion of the businesses and prevent parking on the lane.

The Team Leader confirmed each application was judged on its merit. The site was unique as there had been former agricultural buildings on the site, no precedent was being set in relation to other commercial developments on the lane. West Sussex Highways use TRICS, which is a national database to work out traffic movements, the test is whether there will be a severe impact, and they do not consider there to be such an impact. He confirmed most local traffic is generated by the college. There would be an impact on the setting of a listed building, but the public benefits of the scheme outweigh the less than substantial harm, which the Team Leader advised should be given significant weight to reflect the statutory position that the preservation of the setting of listed buildings is desirable. The information from the Highway Authority was that the two 2 fatalities noted by a Member were caused by driver error and not the road layout, the matter of coalescence was detailed in the report. With regards to the question about neighbour notification he advised the District Councils policy is to notify by letters those properties adjoining the site and put up site notice for rural sites where there are no adjoining buildings. He confirmed that the proposal involved the provision of 9 Electric Vehicle Charging points (EVC).

In response to a query from a Member regarding the oak tree and amount of car parking proposed, Nick Rogers, Business Unit Leader - Development Manager highlighted that the condition on page 3 of the Agenda Update Sheet, did not prevent the removal of the tree simply that it was checked for nesting birds and roosting bats prior to commencing removal of trees and shrubs. It was confirmed that there was no Tree Preservation Order on the oak that was to be felled. Car parking was similar to the previous permission.

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 Laband and was approved.

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

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

None.

The meeting finished at 3.30 pm

Chairman