

**Minutes of a meeting of District Planning Committee
held on Thursday, 21st August, 2025
from 14:00**

Present: C Phillips (Chairman)
D Sweatman (Vice-Chair)

M Avery
R Bates
K Berggreen

A Eves
J Henwood
R Jackson

A Peacock
R Whittaker
C Cherry

Absent: Councillors E Prescott and C Wood

**1. TO NOTE SUBSTITUTES IN ACCORDANCE WITH COUNCIL PROCEDURE
RULE 4 -SUBSTITUTES AT MEETINGS OF COMMITTEES ETC.**

Councillor Cherry substituted for Councillor Wood.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Prescott and Wood.

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

None.

**4. TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE
PREVIOUS MEETING HELD ON 17 JULY 2025.**

The minutes of the meeting held on 17 July 2025 were agreed as a correct record and were signed by the Chairman.

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

None.

**6. DM/25/0445 LAND AT COLWELL FARM, LEWES ROAD, HAYWARDS HEATH,
WEST SUSSEX, RH17 7TB.**

Joanne Fisher, the Team Leader for Applications, introduced the report. She first drew attention to the information included within the agenda update sheet. She spoke on how the site is outside of the built-up area boundary of Haywards Heath and is

therefore in the countryside and that the access is within the Lewes Road Conservation Area with ancient woodland on falling outside of the application site, she also noted that the creation of this access would require the removal of 15 trees. There is also a Listed Building to northeast of the site and a non-designated heritage asset to the northwest. She drew Members attention to the proposed site access which is to be located to the south of Lewes Road with the creation of a dropped curb to either side with tactile paving. The Officer mentioned that several offsite highways work have been proposed.

The legal framework is set out in the report alongside the principle of the development. The Officer noted that the proposal is not in accordance with the District Plan however the determination is tilted in favour of development due to Mid Sussex District Council not having a 5-year housing land supply. The Local Highway Authority has no objection to the access point or associated off-site highway works. In respect of the impact to the heritage assets of the Lewes Road Conservation Area, the Grade II listed building and the non-designated heritage asset to the north-west, the harm to the setting of the heritage assets is classed as less than substantial and therefore the harm from the proposal has to be weighed against the public benefits as set out in the officer's report. She acknowledged that there would be a loss of trees with 15 to be removed to create the site access. The trees being removed would be category B, C and U. The proposal would provide the opportunity for replacement and new planting which would be dealt with at the reserved matters stage. There had been no objection from the council's ecology consultant who are satisfied that there is sufficient ecological information to support the determination of the application and has reviewed the BNG proposals. The Officer advised that developers are only required to mitigate the impacts of their development and all requests for infrastructure contributions are required to meet the tests of the community infrastructure levy regulations.

Overall, it is the Officers view that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits, and the application was recommended for approval subject to conditions outlined in the report and in the update sheet.

Alison Rees – Spoke against the application.

Ingrid Marson – Spoke against the application.

Ian Howard – Spoke against the application.

Nick Billington – Spoke in favour of the application.

Cllr Clarke – Spoke against the application.

The Officer addressed concerns regarding issues with the highways, she stated that the Highway Authority were satisfied with the application, they have considered the speed survey; they consider that automatic traffic survey is more appropriate and are happy with the visibility splays. She also highlighted that the ecological consultant was satisfied with the details that have been submitted and provided for the application.

Members discussed the impact of the current status of the Submission Draft District Plan and how it will increase speculative developments and the impact of its stalling on how it can be weighed against planning applications. The Team Leader for Major Development acknowledged that the approval recommendation is based on the

current status of the district plan, which means that the Council cannot demonstrate a 5-year housing land supply and that more applications like this are likely to be coming up. The Team Leader for Major Development advised each application must be considered on its own merits and the outcome of this application would not set a precedent, and the focus of the Planning Committee should be on the individual merits of this planning application. The Team Leader for Major Development addressed the impact of the stalling of the District Plan on the weight to be attached to the Submission Draft District Plan and advised, that it has such minimal weight that officers are not assessing planning applications against any policies in the Submission Draft District Plan policies as it's not appropriate.

Members asked how far this Site progressed as an allocation in the District Planning process and why was it not originally selected to be allocated for housing. The Team Leader for Applications responded that the original application did get to stage 3 of the process. However, the conclusions were that it was not well connected to the services and facilities of Haywards Heath, it would represent backland development adjacent to a Conservation Area, altering the setting, and therefore it was not suitable for allocation in the District Plan.

Members discussed the ecological impact of the development including the felling of trees, the damage to hedgerows and the impact on local wildlife. They expressed concern regarding the loss of 176 trees from the site. They went on to raise concerns about it being further than 20 minutes to access the town. Further to this they spoke about the speed at which cars travel down the Lewes Road and how they were concerned about the 40-mph limit., A Member and an Officer pointed out that a Traffic Regulation Order has been proposed to lower the speed limit to 30mph.

Members spoke about the Councils lack of a 5-year housing land supply and how in consequence the NPPF weighs in favour of development.

The Chairman sensing that there was resistance to the officer recommendations addressed Members stating that if committee was inclined to reject the recommendation, then committee needed to provide a list of reasons for rejections.

As there were no further comments, the Chairman took Members to a vote on the recommendations contained in the report, together with the changes to conditions in the update sheet. This was proposed by Councillor Sweatman and seconded by Councillor Whittaker and rejected with 6 against and 5 in favour.

Councillor Henwood Proposed a motion to reject the application with reasons. The motion was seconded by Councillor Eves.

The Chairman paused the meeting at 15:10. This was to enable officers to review the reasons for refusal and advise committee on whether the reasons were supportable.

The Chairman restarted the meeting at 15:44.

The Team Leader for Major Development laid out the reasons for refusal. The first being that there would be an adverse impact on the character of the area and landscape as laid out in policy DP12 in the District Plan. Members were concerned about the sustainable location of the application due to it being car dominated in terms of access. This would be contrary to policy DP21 of the District Plan and paragraph 110 of the NPPF. The Officer went on to the third reason, that it would have an adverse impact on the setting of the designated and non-designated heritage assets. The Officer cited that this was contrary to policies DP34 and 35 of

the District Plan and policy E9 of the Neighbourhood Plan. He went on to highlight that Members were concerned about the loss of trees on the site which is contrary to policy DP 37. The Officer drew attention to the Members fears regarding the ecology of the site, which is related to DP38, however, due to the council's independent ecological consultant not objecting to the plans it would be difficult for the council to argue in favour of refusal on these grounds. The Chair asked whether policies DP 34 and DP 35 covered the Conservation Area, to which the Officer responded that they do.

The Committee's Legal Adviser clarified that the Members position was that the benefits laid out in the report were outweighed by the harm that will be done to the policies laid out by the Team Leader for Major Development.

A Member queried why the ecological issues raised were not being included in the reasons for refusal. The Officer clarified that the planning authority has to be able to defend all of its reasons, this can be done for the 4 main areas expressed but in Officers view the ecological matters would be difficult to defend due to the Councils ecological consultant not raising any objections. The Team Leader advised the ecology was an area that relied on technical evidence and the advice from the Councils consultant was that there were no ecological grounds to refuse the planning application.

Following this, the Chairman took Members to a vote on the motion to refuse the application for the reasons laid out by the Team Leader for Major Development. The Motion was proposed by Councillor Henwood and seconded by Councillor Eves.

RESOLVED

It was resolved to refuse the application by 6 votes for and 5 votes against. Officers to base the reasons for refusal on the following grounds:

1. Harm to the character of the landscape
2. The unsustainable location of the site and reliance on the private car for access
3. Adverse impact on the setting of heritage assets
4. Adverse impact arising from the loss of trees
5. Absence of a completed s106 to secure the required infrastructure payments and affordable housing

The final wording of the reasons to be agreed with the Chair & Vice Chair

7. DM/25/1327 - THE MARTLETS SHOPPING CENTRE, BURGESS HILL, WEST SUSSEX, RH15 9NN.

Steven King, Team Leader for Major Development, introduced the report. He outlined that the application was to amend three planning conditions that were attached to a previous planning permission, making changes to the approved scheme. The Officer highlighted that whilst the Council has an interest as the landowner the report represents the Officers views as the local planning authority. He emphasised that as set out in the report, these were two separate functions.

The Officer drew Members attention to the heritage assets in the area which include the conservation area and the listed building. He then went through the planning history of the site, stating that a lawful development certificate had been granted to confirm that works had started on the previous planning permission reference DM/19/3331.

The Officer then went through the various amendments to the planning permission as per the report. He conveyed to Members how it was important to note that as this application was submitted under section 73, therefore Members should confine their assessment of the application to the proposed changes from the previously approved scheme. He confirmed that Officers considered the current application to be in line with the development plan policy. He told Members that it was important to note that this scheme was not being considered in a vacuum as there is an extant scheme that was approved by the Council under the same development plan that is in place now, which has approved and accepted the basic design and the scale of the development.

Officers did note that there would be some harm to the setting of the listed church and conservation area, however, this was outweighed by the benefits of this redevelopment. He noted that the highway authority had raised no concerns with the site access or the wider application. He went on to state that there was no provision for affordable housing in the scheme as it was not deemed viable to do so, but the legal agreement does have a review mechanism within it. The Officer also pointed out that there would be some adverse impact on properties on Church Walk as set out in the officer's report, however the overall planning balance fell in favour of development.

The Officer pointed out that there was no objection from the ecological consultant and that the application fully complies with development plan policy. He also spoke on how the Council can't demonstrate a 5-year housing land supply. He finished by stating that the scheme is in accordance with the development plan policy and should be supported.

Cllr Peter Williams, Leader of Burgess Hill Town Council, spoke in favour of this application

Dan Osborn, resident, spoke against this application.

Jamie Whitfield spoke in favour of this application.

Cllr Eggleston, Ward Member, spoke in favour of this application.

In response to comments from the public the Officer responded that there was guidance and planning case law relating to section 73 of the Town and Country Planning Act. He advised that officers were content that the use of section 73 was appropriate in this case.

Members weighed up the drawbacks of the application including the loss of amenities against the benefits of the development starting and the increased foot fall that it would bring into the town. A Member asked whether the bike sheds would be secure and whether the planned public square would be part of the public realm or owned privately. The Chair reminded Members that they were only considering what was within this revised application and should not take into account anything that would have been lost as part of the original application. The Officer responded to Members queries that the bike sheds would be secure, and the public square would be part of the public realm.

Members raised concerns regarding the loss of trees. The Officer stated that there would be an increase in the number of trees that would be planted under this application compared to the original application due to the increased size of the public square.

Members discussed the reduced leisure block and whether this could increase in scale. The Chairman and Officer responded that Members were only considering what was in front of them and it wasn't for Members to redesign the scheme.

Members discussed the loss of public toilet facilities. The Chairman stated that there wasn't a provision for public toilets in the original plan and there aren't in this revised application and there is an existing agreement with a local café who have agreed to their facilities to be used as a public toilet. He suggested that Officers could look into expanding this scheme.

The Officer concluded that the benefits of this application outweighed the harm caused and the redevelopment does need to come forward and Members should support this scheme.

The Chairman asked Members to approve extending the meeting beyond 3 hours which was approved unanimously.

As there were no further comments, the Chairman took Members to a vote on the recommendations laid out by the Team Leader for Major Development. The motion was proposed by Councillor Whittaker and seconded by Councillor Peacock and approved unanimously with 11 in favour.

RESOLVED

Recommendation

Planning permission was granted, subject to the conditions listed at Appendix A.

8. DM/25/0090 - LAND AT EASTWOOD FARM, SHAVES WOOD LANE, ALBOURNE, WEST SUSSEX, BN6 9DY.

Rachel Richardson, The Senior Planning Officer, introduced the report. She started by highlighting the changes on the agenda update sheet. This was a change of use to an equestrian facility. The Officer brought Members attention to the representation from the South Downs National Park Authority who were maintaining their objection. There had been no objection from the landscape consultant, or the Highway Authority at West Sussex County Council. She also stated that it meets the Biodiversity Net Gain requirements and 3 overarching sustainability goals and is not considered to have any significant effect on the Ashdown Forest area. The Officer went on to advise Members that the scheme is considered acceptable and is compliant with policy criteria of the adopted development plan. She recommended that permission be granted.

Kathryn Sadler, spoke in favour of this application.

Matthew Comber, spoke in favour of this application.

Members approved of the lighting of the site in connection with the Dark Skies policy within the South Downs National Park Local Plan.

A Member asked how much weight should be given the South Down National Park Authority's representation. The Officer responded that Members should weigh up the various issues and that the majority of these were in favour of this application.

As there were no further comments, the Chairman took Members to a vote on the recommendations laid out by the Senior Planning Officer. The motion was proposed by Councillor Whittaker and seconded by Councillor Cherry and approved unanimously with 11 in favour.

RESOLVED

Recommendation A

Planning permission was approved subject to the suggested conditions set in Appendix A.

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

None.

The meeting finished at 5.20 pm

Chairman