

## HASSOCKS PARISH COUNCIL

### Minutes of the Planning Committee Meeting held on 21 December 2015 at 7.30pm in the Parish Centre, Adastra Park, Hassocks

Present: Cllrs Jane Baker  
Leslie Campbell (Chair)  
Judith Foot  
Bill Hatton  
Victoria Standfast (From item 3)  
Carol Wise

Acting Assistant Clerk: Tracy Bates

#### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Sue Hatton due to illness.

**DECLARATIONS OF INTEREST.** Carol Wise declared a personal interest in the Land West of London Road Application DM/15/4609

**15/187** **RESOLVED** that the minutes of the meeting held on 30 November 2015 as confirmed be signed by the Chairman.

**PUBLIC PARTICIPATION** – There were members 5 of the public present. Ian Tovey of London Road, Hassocks spoke against planning application DM/15/4609, Land West of London Road. Mr Tovey had submitted a paper copy of his objections to the committee prior to the meeting. (attached). Mr Tovey's main objections were on the grounds of air quality, traffic issues, the Strategic Gap, infrastructure and environmental impact. Mr Mark Kelly, also from London Road spoke against this application citing flooding concerns and the impact on school places. Mrs Bullimore expressed concern over the air quality issues and asked the question whether a case could be taken to the Court of Human Rights as the air quality at Stonepound exceeds EU Standards and will increase even further should this additional development be allowed. Mr Bob Brewer provided further information about the current situation on air quality and EU legislation and the localised impact of any further development around Stonepound.

#### **APPLICATIONS**

**DM/15/4609 Land West Of London Road, London Road, Hassocks, West Sussex.** Outline planning application for the development of up to

51 new homes, associated landscaping and open space, with all matters being reserved except for access. The application was discussed by Committee and it was agreed unanimously to recommend refusal to this application. Carol Wise did not participate in the final vote. Response: Recommend Refusal for the following reasons:

### **1 Summary**

The Parish Council objects strongly to this application. The proposed development of this land for housing is contrary to the decision of the Inspector who dismissed an appeal against the decision of Mid Sussex District Council (MSDC) to refuse permission for up to 97 new homes on the site on 2<sup>nd</sup> July 2015 Ref APP/D3830/A/14/2226987. It is contrary to the policies of the Neighbourhood Plan for Hassocks which the Parish Council approved for public consultation under Regulation 14 of the Neighbourhood Planning Regulations 2012 on the 8<sup>th</sup> December 2015. It is also contrary to paragraphs 7 and 14 of the National Planning Policy Framework (NPPF)

### **2 The Application**

The Parish Council has given careful consideration to the difference between this application and the application dismissed on Appeal. The new application is for approximately half the number of homes which would be on the eastern half of the site leaving the western half as open space. Although the housing extends less into the Local Gap between Hassocks and Hurstpierpoint it is still a very significant intrusion which would erode the Gap. The documentation submitted with the application is basically a resubmission of the documents considered at the Appeal. The data has been adjusted to reflect the reduction in housing numbers.

### **3 Consideration of Application against recent Appeal Decision**

#### **The Local Gap**

Despite receiving no support whatsoever from MSDC the Parish Council and local residents convinced the Inspector of the importance of the Local Gap in the preservation of the separate identities of Hassocks and Hurstpierpoint. In her conclusions, in which she also took account of the dismissed appeal in respect of a large housing proposal at College Lane, Hurstpierpoint Ref APP/D3830/V/14/2211499, she stated:-

*“ However, notwithstanding the creation of hedgerows and meadows, and that the scheme would cause no significant harm to the landscape character and visual amenity of the area, I have found that it would undermine the purpose of the Local Gap between Hurstpierpoint and Hassocks and reduce forever the land available to perform its important planning function. Furthermore I cannot be certain that the development would not be detrimental to air quality, and therefore to human health, within the designated AQMA. Consequently, it would conflict with the environmental role of sustainable development”*

In her detailed consideration of the Gap Issue she stated:-

*“The College Lane site considered by the previous Inspector lies almost directly opposite the present appeal site, adjacent to the eastern boundary of Hurstpierpoint. Thus the “Gap” I must consider is the same as the one to which the previous Inspector had regard. Whilst the inspector acknowledged that neither the built development proposed, nor the College Lane site as a whole would entirely fill the gap between the settlements, she found that the “ increase in built development here, at the edge of the settlement, would result in a small but nevertheless significant diminution of this part of the Local Gap. Physically, it would reduce forever the amount of land available to perform the separation function: visually it would introduce built form onto currently empty and undeveloped land, reducing the openness of this part of the Gap. The development would undermine the purposes of the Gap and would change its character”(DL 13.23 – 13.24). Paragraph 14 of the letter dated 4<sup>th</sup> September on behalf of the Secretary of State confirms that he agrees with her reasoning”*

She went on to say:-

*“In the light of the above, notwithstanding the differences between the previous and present schemes their effect on the gap would be sufficiently similar, both in principle and practice, that I reach the same conclusion as the previous Inspector and the Secretary of State. The proposed development would result in a small but nevertheless significant diminution of this part of the Local Gap which would undermine its purpose. In turn this would harm the setting of the villages of Hurstpierpoint and Hassocks, contrary to Policy C3 of the Local Plan”*

**The Parish Council therefore wishes to draw the attention of the District Council to the fact that two Planning Inspectors and the Secretary of State have concluded that there should be no diminution of the Local Gap and that there is no scope whatsoever for building a reduced number of dwellings in this Gap. This application is clearly contrary to these decisions.**

**The Stonepound Crossroads Air Quality Management Area (AQMA)**

Air quality at the Stonepound Crossroads is the worst in the entire District of Mid Sussex. The Parish Council were, and still are, of the view that the Appellants took insufficient account of the growth of traffic and its effect on air quality in the future. In spite of the fact that the Pre-Submission District Plan proposed 3,500 homes in the Burgess Hill Northern Arc and that a further 1000 homes either had permission or were committed in the rest of Burgess Hill the Appellants argued that air quality would improve by 2018 because of more efficient engines. This was, of course before it became known that the largest car maker in the world was falsifying emissions data. In any event, the Inspector agreed with the evidence submitted by a local resident, Mr Brewer, that the increase in emissions created by the development would be harmful to human health. She concluded:-

*“The Stonepound Crossroads is the only designated AQMA in the council area and this is indicative of the particular sensitivity of the locality. I am also mindful of Mr Brewer’s suggestion that “Sussex Air”, a partnership of local Councils to deal with air quality issues, requires that new developments should not worsen air quality in existing AQMAs. Even on the basis of the appellants latest Assessment, it is clear that the situation would be worse in 2018 with the development than without it.*

*For the reasons above, I consider that the evidence in respect of air quality is at best equivocal. It would appear that this is due in part to questions of data reliability which might be beyond the appellant’s control. However, on the basis of all the evidence before me, I cannot conclude with confidence that the proposed development would not have a negative effect on air quality within the Stonepound Crossroads AQMA. Consequently it would conflict with Policy CS22 of the Local Plan and with the provisions of paragraphs 109, 120 and 124 of the framework.”*

The reduction in the number of homes does not, in the view of the Parish Council, make this proposal more acceptable from the air quality point of view. The submitted Air Quality Report (apart from an adjustment to take account of the change in the number of homes) is simply a re-run of the report which the Inspector found unconvincing. Additionally there must at least be a question as to whether the data is reliable following the revelations on the falsification of emissions data in the intervening period.

**For this reason also the Parish Council is strongly opposed this large development so close to Stonepound Crossroads and the District Council is requested to refuse the application for this reason.**

#### **4 Consideration of the application against the Policies of the Regulation 14 Neighbourhood Plan for Hassocks**

In the Planning Statement Submitted with the application the applicants state, paragraph 5.12 “The Hassocks Neighbourhood Plan remains at an early stage of preparation, and no policies have yet (sic) to be drafted. As such this can be given no material weight”

This could not be further from the truth. The Parish Council contends that the information set out below demonstrates that weight should now be given to the Plan and that it should be treated as a material consideration in the evaluation of planning applications.

On the 22<sup>nd</sup> September 2015 the Parish Council held an extra- ordinary meeting to consider recommendations from the Neighbourhood Plan Working Group (which includes non-parish councillor members of the community) on Housing Need, the allocation of Housing Sites and the allocation of Local Green Space. Subsequently on the 8<sup>th</sup> December 2015 the Parish Council resolved to adopt the Regulation 14 Draft Plan.

The Regulation 14 Plan contains a full range of policies formulated after very intensive public involvement. Since September 2014 three separate consultation events have been held including public meetings attended by several hundred people.

The community was asked to express an order of preference for development sites. The site of this application was ranked 14 out of 15 by 1,045 respondents and also by Parish Councillors when resolving the allocation of sites.

#### **Housing Policy**

The District Council is requested to pay special notice to Policy 13 of the Plan which sets out the sites which have been allocated in order to meet the resolved need, these are:-

Hassocks Golf Club – up to 130 dwellings

Land to the North of Clayton Mill – up to 140 dwellings

National Tyre Centre - 20 dwellings.

These sites, together with unidentified ‘windfall sites’, which have equated to an average of 10 dwellings p.a. over the last 5 years, will deliver the assessed need for housing in Hassocks over the plan period.

**There is therefore no need to release this site to meet the housing requirement of the Neighbourhood Plan.**

#### **Local Green Space Policy**

The Parish Council also resolved that a substantial proportion of the application site should be allocated as Local Green Space. Policy 3 of the Plan designates the majority of this site as LGS2

**This application is contrary to Policy 3 of the Neighbourhood Plan.**

#### **Local Gap Policy**

The Pre- Submission Draft of the District Plan rescinds the Countryside and Gap Policies of the 2004 Local Plan. Policy DP11 – Preventing Coalescence states, inter alia:-

“ Local Gaps can be identified in Neighbourhood Plans ..... , where there is robust evidence that development within the Gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. Evidence must demonstrate that existing national and local policies cannot provide the necessary protection.”

The Parish Council considers that there is a wealth of evidence to support the inclusion of Local Gap Policies in the Neighbourhood Plan. Policies 1 and 2 of the Plan propose the definition of Local Gaps between Hassocks and Burgess Hill and between Hassocks and Hurstpierpoint and Hassocks and Ditchling.

Policy 2 states that a Gap will be defined on the Proposals Map between Hassocks and Hurstpierpoint. This Policy stipulates that development will be supported in the Gap if it is required for agriculture or other use which has to be located in the countryside. Will make a valuable contribution to the landscape and amenity of the Gap and would not compromise the integrity of the Gap.

The planning history of this site, and evidence gathered during the consultation exercise clearly demonstrates that this site is vulnerable and that large scale housing on it would erode the Gap.

**This application is also contrary to Policy 2 of the Neighbourhood Plan.**

**The Parish Council therefore contends that the above information clearly shows that the Neighbourhood Plan is now a material planning consideration and that this application is in conflict with the relevant policies of this Plan.**

### **5 Consideration of the application against the National Planning Policy Framework**

At the Inquiry into the previous application the Appellants argued that the Parish Council had taken no account of the NPPF before resolving to object to the application.

The National Planning Policy Framework (NPPF) was adopted in March 2012 and sets out the Government's planning policies. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. At the heart of the NPPF is a presumption in favour of sustainable development.

Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to sustainable development. Para 14 states that the achievement of sustainable development is a "golden thread" running through the decision making process. It identifies, Para 7, that there are three dimensions to sustainable development: economic, social and environmental and that the planning system must therefore perform a number of roles:

An economic role – contributing to building a strong, responsive and competitive economy;

A social role – supporting strong, vibrant and healthy communities.

An environmental role – protecting and enhancing the environment.

Another paragraph upon which the applicants place great reliance is Para 47 which requires Local Planning Authorities to identify a five year supply of deliverable sites against their housing requirements. MSDC cannot demonstrate this supply although revisions to the Pre- Submission Draft District Plan aim to achieve this.

In any event the Parish Council have ensured that careful account has been taken of the NPPF throughout the preparation of the Regulation 14 Neighbourhood Plan and that this Plan provides sufficient housing to meet local need and achieve sustainable development.

**For the reasons already set out above the Parish Council are strongly of the view that this application conflict with the Policies of the Neighbourhood Plan and also fails the test set by the NPPF**

**DM/15/4597 64 Church Mead, Hassocks, West Sussex, BN6 8BW.** Side and rear single storey extension.

**Response:** Recommend Approval

**DM/15/4602 25 Chestnut Drive, Hassocks, West Sussex, BN6 8AZ.** Single storey rear extension and part garage conversion to habitable accommodation.

**Response:** Recommend Approval

**DM/15/4603 8A Woodland Road, Hassocks, West Sussex, BN6 8HE.** Pitch to gable loft conversion to create bedroom and bathroom.

This is an application to establish whether the development is lawful.

This will be a legal decision where the planning merits of the proposed use cannot be taken into account.

**Response:** Noted

**DM/15/4619 12 Highlands Close, Hassocks, West Sussex, BN6 8LD.** Rear extension and loft conversion.

**Response:** Recommend Approval

**DM/15/4622 CCHF All About Kids, Stafford House, 91 Keymer Road, Hassocks, West Sussex, BN6 8QJ.** 1x Indian Bean/Foxglove Tree by Library to cut back lower canopy from the library.

**Response:** Recommend Approval

**DM/15/4632 8 The Crescent, Hassocks, West Sussex, BN6 8RB.**

(T1) and (T2) Macra Carpa - Reduce top of trees by 7.6 metres and cut back to driveway boundary. (T3) Sycamore - Fell. (T4) Ash - Fell. (T5)

Ash Reduce top by 3.1 and cut back to boundary wall. (T6) Holly - Cut back to boundary wall.

The committee agreed to accept the Tree Wardens recommendations as follow:

T1 and T2 these are 2 large mature Cupressus macracarpa, commonly known as Monterey Cypress, approx 75 feet in height. In my opinion a reduction of 25 feet, or roughly one third, would be excessive and be very much to the detriment of the appearance and health of the trees. 10-15% would be more reasonable.

**Response:** Recommend Approval of 10-15% reduction in height.

T3 From a site visit it seems that the applicant does not wish this tree to be felled. In my opinion it should not be touched at all, but at most a 10% trim would be all that is required to meet the applicant's wish.

**Response:** Recommend Refusal to felling.

T4 There is no need to remove this relatively small multi -stemmed tree.

**Response:** Recommend Refusal

T5 This ash tree is in the twitten bordering the back garden of Number 8 and Silverdale. As such it provides a partial "green barrier" between this property and the houses in Silverdale. Cutting back to the boundary seems fine, but I question the desirability of reducing the height of this tree. **Response:** Recommend Approval to cutting back to boundary.

T6 – Holly. **Response:** Recommend Approval

**DM/15/4633 60 Friars Oak Road, Hassocks, West Sussex, BN6 8PY.** Proposed porch with shower room.

**Response:** recommend Approval

**DM/15/4691 1 Archway cottages, Woodsland Road, Hassocks, West Sussex, BN6 8HQ.** Proposed second storey extension and new canopy to front elevation.

**Response:** Recommend Approval

**DM/15/4721 1 Willowbrook Way, Hassocks, West Sussex BN6 8LB.**

Retrospective application for timber framed garden shed and adjacent decking.

**Response:** Recommend Approval

**DM/15/4733 4 Abbots Close, Hassocks, West Sussex BN6 8PH.**

Front ground floor extension for a new porch and ground floor w.c.

**Response:** Recommend Approval

**DM/15/4789 28 Queens Drive, Hassocks, West Sussex, BN6 8DF.**

Conversion of roof space to provide 2 bedrooms, bathroom and w.c. This is an application to establish whether the development is lawful.

**Response:** Noted

**DM/15/4832 11 Stafford Way, Hassocks, West Sussex, BN6 8QG.**

Rear single storey extension and existing garage conversion to habitable room. This is an application to establish whether the development is lawful.

**Response:** Noted

**DM/15/4841 Communal Land At 2 To 18, Orchard Lane, Hassocks, West Sussex.** Norway Maple (T2) - Fell. Beech (T3) - Fell. Sycamore (T4) - Fell. Sycamore (T6) Fell. The committee considered a report from the Tree Warden.

**Response:** T2, T4 Recommend Refusal until the presence of honey fungus is confirmed by a specialist qualified tree surgeon AND that it will have fatal consequences for the affected trees (some can live with it). T2, T3 & T4 these trees are all very visible from the main road and to remove them is a concern.

T5, T6 Recommend Approval

**DM/15/4842 Adastra Park, Keymer Road, Hassocks, West Sussex, BN6 8QE.** Oak tree - Remove first 7 lower limbs and crown lift approximately 3.5 - 4 metres.

**Response:** Recommend Approval

**AP/15/0067 Garage Northeast of Hassocks Lodge, Keymer Road, Hassocks.** Conversion and extension of existing garage to form a dwelling.

**Response:** Recommend Refusal. This is not a suitable site for conversion, and the proposal would be detrimental to the character of the area, and there are concerns that the access would be dangerous. The council also recommends that the two mature oak trees on the side of the property should be protected by a TPO

15/188

**RESOLVED** that the observations on the planning issues above be submitted to the relevant Planning Authority for consideration.

**DECISION NOTICES.**

The following APPROVALS were noted:

DM/15/3940 7 Newlands Close, Hassocks BN6 8BG

DM/15/3307 Former HSBC Bank, 31 Keymer Road, Hassocks

DM/15/3834 3 Reed Close, Hassocks BN6 9FG

SDNP/15/05267/HOUS Holm Oak, Brighton Road, Hassocks BN6 9PD

DM/15/4509 1-4 The Beacons, Hassocks

DM/15/4171 13 Kings Drive, Hassocks BN6 8DX

DM/15/4293 Swallowfield Cottage, Keymer Road, Hassocks

**JACK MILL UPDATE:** It was noted that the cap (with the ability to rotate) is expected to be back on by May 2016, with the intention to reinstate the sweeps and repair the tower within three years.

**Date of Next Meeting.** Monday 11<sup>th</sup> January 2016 at 7.30pm.

There being no other business the Chairman closed the meeting at 8.45pm

Chairman.....

Date.....