



BURGESS HILL TOWN COUNCIL

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30 January 2008

To: **MEMBERS OF THE PLANNING & TRANSPORT COMMITTEE**

A **MEETING** of the **PLANNING & TRANSPORT COMMITTEE** will be held in the Council Chamber on **MONDAY, 4 FEBRUARY 2008** at **19.00 hours**, when your attendance is required.

David Carden
Town Clerk

A G E N D A

1. **OPEN FORUM**

Members of the public are invited to put questions or to draw relevant matters to the Council's attention, prior to the commencement of business. This is for a period of up to fifteen minutes and shall be limited to three minutes per person.

2. **APOLOGIES FOR ABSENCE**

3. **SUBSTITUTES**

4. **DECLARATIONS OF INTEREST**

In respect of any matter on the agenda.

Members of the Planning & Transport Committee – Tony Balsdon, Simon Hicks, Denis Jones, Sue Knight, Jacqui Landriani, Ronnie Paulsen and Ian Simpson.

5. **CHAIRMAN'S ANNOUNCEMENTS**

6. **MINUTES**

To consider the Minutes of the meeting of the Planning & Transport Committee held on Monday, 21 January 2008 (copy previously circulated).

7. **TOWN & COUNTRY PLANNING ACT 1990 - PLANNING APPLICATIONS**

8. **PUBLIC FOOTPATH 21 (BH) – OAKMEEDS COMMUNITY COLLEGE**

9. **BUS PASSENGER BODY CONSULTATION**

10. **TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78 APPEAL**

7. **TOWN & COUNTRY PLANNING ACT 1990 - PLANNING APPLICATIONS**

Applications (as set out in the accompanying schedule) under the Town & Country Planning Act, 1990 received by Mid Sussex District Council and forwarded for observations since Monday, 21 January 2008 to be considered.

NOTE: The Committee are reminded that when considering these applications they should bear in mind the implications of the Town Council's Environmental Charter.

8. **PUBLIC FOOTPATH 21 (BH) – OAKMEEDS COMMUNITY COLLEGE**

8.1 Notification has been received from West Sussex County Council that an application has been made for extinguishments of part of footpath 21 where it passes through Oakmeeds Community College. The path passes close to the buildings and, it is felt, presents the school with quite serious security and safety problems which could be alleviated if it were to be extinguished. A plan of the proposal is available in the planning trolley and will be displayed at the meeting.

8.2 **RECOMMENDATION**

The Committee's views are sought.

Environmental Charter Implications – None.

Financial Implications – None.

Implications to Partner Organisations – Notification by a partner organisation.

9. **BUS PASSENGER BODY CONSULTATION**

9.1 As decided at the last meeting of the Planning & Transport Committee (Minute 201 refers) Simon Hicks has prepared a draft response to the consultation document "Options for strengthening bus passenger representation" which is set out below for Members' consideration.

9.2 "The proposals for strengthening national representation for bus passengers are welcomed.

Option 2 – a stand alone statutory bus passenger champion body is the preferred option; it needs an independent voice for consumers of bus services that is independent and able to lobby nationally.

However, such a body should work closely with existing lobby groups and attempt to use their regional focus to ensure that grass root contact with bus users is a key focus of the new organisation. Much bus transport is local and therefore there should be strong links with local authorities and other organisations at county or regional level.

The new authority should have the power to deal with complaints in the same way as the rail passenger authority, including the level of fares. It is by dealing with individual issues that the authority will build up its expertise on the real issues affecting bus transport.

Representation on the new body should ensure a regional spread and allow not just for direct users but for others who may be able to represent bus users, given that bus use is concentrated among groups of people who might find it hard to provide input into a national body.”

9.3 RECOMMENDATION

The views of the Committee are sought.

Environmental Charter Implications – Considered in the draft response.

Financial Implications – None.

Implications to Partner Organisations – Consultation from the Department of Transport.

10. TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78 APPEAL

10.1 Notification has been received that the following Appeal against Condition 2 has been made to the Planning Inspectorate.

BH.07.01979.COU

Appeal by: Anita Hayman

Land at: **Sunnydale, 43 Silverdale Road**

Proposed Development: Change of use from an existing Physio/Natural Therapy Treatment Room to a combined Domestic TV room and consulting room giving specialist one to one private tuition together with relocating the current Physio/Natural Therapy Treatment Room.

Appeal Ref:APP/D3830/A/08/2060974/NWF

10.2 Mid Sussex District Council's conditions were:-

“1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission. (Reason: to comply with Section 91 of the Town and Country Planning Act 1990.)

2. The use hereby permitted shall not be operated on Sundays or Public Holidays or at any time otherwise than between the hours of 09:00 – 17:00 on Monday to Friday. (Reason: To safeguard the amenities of neighbouring properties and to accord with Policy B3 of the Mid Sussex Local Plan.)”

10.3 The Town Council's comments were as follows:-

“Recommend Approval.”

10.4 **RECOMMENDATION**

The Committee is recommended to:-

- A) note the reason for the appeal; and,
- B) request copies of the appeal decision letter.

Environmental Charter Implications – These were considered with the original applications.

Financial Implications – None.

Implications to Partner Organisations – The Town Council was consulted on the original applications.

SCHEDULE OF APPLICATIONS

NOTE: The closing date for comments on the following applications to Mid Sussex District Council is 8 February 2008.

07.03893.FUL (MR) LEYLANDS WARD
50 St Wilfrids Road (Mr N R Graham)

Conversion of roofspace with rear dormer.

NOTE: The previous history is as follows:

BH.136.95 - an application for a room in the roof with a dormer to rear was considered by this Council in August 1995 when NO OBJECTIONS were raised.

Mid Sussex District Council APPROVED this application in September 1995.

07.03956.FUL (MR) VICTORIA WARD
27 Albert Drive (Plasson (UK) Ltd)

Relocate office entrance doors 8 metres along same elevation.

NOTE: The previous history is as follows:

BH.06.00652.FUL - an application for replacement of all 41 windows with white plastic frames, clear laminated glass and roto shoot bolt multi locking systems was considered by this Council in April 2006 when APPROVAL was recommended.

Mid Sussex District Council APPROVED this application in May 2006.

08.00056.FUL (MR) ST ANDREWS WARD
17 Janes Lane (Mr Hewlett)

Erection of a white UPVC double glazed conservatory to the rear of the property.

08.00081.FUL

(SK)

VICTORIA WARD

Unit 1 Edward Way & Unit 2 York Road

(Icon Live Ltd)

Construction of glazed bridge linking Unit 1 Edward Way and Unit 2 York Road together with new entrance canopy to Unit 2 York Road.

NOTE: The previous history is as follows:

BH.06.02663.FUL - an application for construction of glazed bridge linking Unit 1 Edward Way and Unit 2 York Road, together with new entrance canopy to Unit 2 and internal alterations to Unit 2 was considered by this Council in January 2007 when APPROVAL was recommended.

Mid Sussex District Council APPROVED this application in February 2007.

08.00108.FUL

(MR)

FRANKLANDS WARD

9 Oakwood Road

(Mr. & Mrs. P. Harrison)

Single storey rear extension.

NOTE: The previous history is as follows:

BH.201.95 - an application for a ground floor extension was considered by this Council in January 1996 when NO OBJECTIONS were raised.

Mid Sussex District Council APPROVED this application in January 1996.

BH./218.99 - an application for a conservatory to the rear of the property was considered by this Council in September 1999 when NO OBJECTIONS were raised.

Mid Sussex District Council APPROVED this application in October 1999.

08.00144.TCA

(DS)

MEEDS WARD

4 & 6 Park Road

(Michael Madden)

Fell one Cupressus Macrocarpa.

NOTE: The Trees & Landscape Officer of Mid Sussex District Council has concerns about the work being carried out and his comments are as follows:

“Visited following receipt of Notice of Intent to fell the large Macrocarpa on the front boundary.

I am aware that the owner of No 4, Mr Madden, has wanted to fell this tree for some time!

This proposal follows Mr Madden’s receipt of a letter from the Highway Authority stating that the large root which is lifting the tarmac of the adjacent pavement has got to be removed because it presents a safety hazard. This, in turn, will destabilise the tree thus necessitating its complete felling.

This is a very prominent and attractive tree. Having inspected it I note that the back edge of the pavement has, indeed lifted, and could, by some be seen as a hazard. Because of the tree’s importance I have taken the unprecedented step of writing to the Highway Authority to see if there is another way that this problem can be dealt with.

This Council has the option to make the tree the subject of a Preservation Order to prevent its felling. However, it would not be appropriate to do this if another way to deal with the hazard cannot be found.

I await a response from the Highway Authority.”

NOTE: The closing date for comments on the following applications to Mid Sussex District Council is 15 February 2008.

08.00156.FUL

(HM)

VICTORIA WARD

Land Adjacent Ansley, Portland Road

(Louis Arnall Homes Ltd)

New 3 bedroom bungalow.

NOTE: The previous history is as follows:

BH.07.01815.FUL - an application for a new 3 bedroom chalet house was considered by this Council in July 2007 when the following

comments were made:

“Recommend Refusal – this would be an overdevelopment of the site, unneighbourly to residents of the adjacent terrace and out of keeping with the street scene as it is in close proximity to the Conservation Area. Concern was expressed about surface drainage in this area.”

This application was WITHDRAWN in August 2007.

08.00215.OUT (SM) ST ANDREWS WARD

49 Manor Road (Hazel MacQueen & Brian Blaber)

Proposed 2 no. 2 bed houses and 2 no. 3 bed houses with ancillary garaging and car parking.

NOTE: The previous history is as follows:

BH.154.93 – an outline application for one detached house and garage was considered by this Council in August 1993 when the following comments were made:

“Objection. The proposed development will actually lie within the “Development of Countryside” area (Strategic Gap), and therefore contravenes the policy and aims of the Local Plan – Env. 2.5 (c) and (d) in particular.

If Mid Sussex District Council were to approve the application consideration should be given to the proposal in relation to the neighbouring properties in the area, which are all bungalows. In addition, the Committee questions whether the site is large enough for such a development and the need of an access directly opposite Northway?”

Mid Sussex District Council REFUSED this application in September 1993.

An Appeal was lodged in April 1994 and DISMISSED in June 1994.

BH.155.93 - an Outline application for four pairs of semi-detached houses and garages was considered by this Council in August 1993 when the following comments were made:

“Strong Objections. The proposed development is deeper within the Strategic Gap than BH.154.93, and is, once again, in contravention of the Local Plan aims and policies. The Council feel very strongly that no development should take place in this area. The Committee draw the attention of Mid Sussex District Council to the comments made by the

Inspector - concerning this area on the conclusion of the Local Inquiry – which inter alia referred to the area as “very much the countryside very much the break”.”

Mid Sussex District Council REFUSED the application in September 1993.

An Appeal was lodged in April 1994 and DISMISSED in June 1994.

BH.04.01225.OUT - an application for the erection of a chalet-style dwelling was considered by this Council in June 2004 when the following comments were made:

Recommend Approval. The applicant has stated that she does not intend to have a new vehicular or pedestrian access to the highway constructed. It is recommended that a condition is placed on this application that the access is not constructed as the property is opposite Northway and an additional access point at this location is likely to create traffic problems.

Mid Sussex District Council APPROVED this application in September 2004.

BH.04.01225.OUT.AP - an application for erection of a chalet-style dwelling; Amended Plans received showing a turning area on site enabling cars to leave in forward gear was considered by this Council in September 2004 when the following comments were made:

“Recommend Approval. The applicant has stated that she does not intend to have a new vehicular or pedestrian access to the highway constructed. It is recommended that a condition is placed on this application that the access is not constructed as the property is opposite Northway and an additional access point at this location is likely to create traffic problems.”

“It was agreed that the Committee would **Recommend Refusal** for the amended plans application. At a previous meeting held in June 2004, the Committee had recommended approval for the original application provided that the applicant did not intend to have a new vehicular or pedestrian access to the highway constructed. The proposed turning area in the Amended Plans was felt to be inappropriate as the property was opposite Northway and an additional access point at this location was likely to create traffic problems. It was also noted that neighbouring properties did not have a similar access point. (Minute 355 refers)”

Mid Sussex District Council APPROVED this application in September 2004

BH.06.00039.FUL - an application for erection of a chalet-style dwelling was considered by this Council in February 2006 when the

following comments were made:

“Recommend Refusal – the previous objections were reiterated which were:

“The proposed development will actually lie within the “Development of Countryside” area (Strategic Gap), and therefore contravenes the policy and aims of the Local Plan – Env. 2.5 (c) and (d) in particular.

If Mid Sussex District Council deem to Approve the application consideration should be given to the proposal in relation to the neighbouring properties in the area, which are all bungalows. In addition the Committee question whether the site is large enough for such a development and the need of an access directly opposite Northway?””

Mid Sussex District Council APPROVED this application in February 2006.

BH.07.02751.OUT - an application for proposed 3 no. 4 bed houses with ancillary garaging and car parking; demolition of existing dwelling was considered by this Council in October 2007 when the following comments were made:

“Recommend Refusal – It appeared from the plans that this application and BH.07.02752.OUT should be considered together as although they were two separate applications a total of seven houses would be built on the site should both applications be approved.

The proposed development would lie within the “Development of Countryside” area (Strategic Gap), and contravene the policy and aims of the Local Plan – Env. 2.5 (c) and (d) in particular.

This would be overdevelopment of the site and out of keeping with the area. The site was on the watershed for Worlds End and the development would exacerbate the problems of drainage in the Worlds End area. The tree line should be protected. This site should be considered in conjunction with the adjacent small scale housing site.”

This application was WITHDRAWN in November 2007.

BH.07.02752.OUT - an application for proposed 2 no. 2 bed houses and 2 no. 3 bed houses with ancillary garaging and car parking was considered by this Council in October 2007 when the following comments were made:

“Recommend Refusal – It appeared from the plans that this application and BH.07.02751.OUT should be considered together as although they were two separate applications a total of seven houses would be built on the site should both applications be approved.

The proposed development would lie within the “Development of Countryside” area (Strategic Gap), and contravene the policy and aims of the Local Plan – Env. 2.5 (c) and (d) in particular.

This would be overdevelopment of the site and out of keeping with the area. The site was on the watershed for Worlds End and the development would exacerbate the problems of drainage in the Worlds End area. The tree line should be protected. This site should be considered in conjunction with the adjacent small scale housing site. .”

This application was WITHDRAWN in November 2007.

08.00234.OUT (SM) ST ANDREWS WARD

49 Manor Road (Hazel MacQueen & Brian Blaber)

Proposed 3 no. 4 bed houses with ancillary garaging and car parking. Demolition of existing dwelling.

NOTE: The previous history is as for application 08.00215.OUT above.
