



BURGESS HILL TOWN COUNCIL

MINUTES of the **PLANNING & TRANSPORT COMMITTEE**
held in the Council Chamber
on **MONDAY 3 SEPTEMBER 2007**

Present: Tony Balsdon* - Chairman
Ian Simpson Vice-Chairman

Simon Hicks
Denis Jones*
Mrs Sue Knight*
Mrs Jacqui Landriani
Ronnie Paulsen

Also Present: Mrs Kathy Dumbovic

* *Denotes non-attendance.*

(19.03)

88. OPEN FORUM

Richard Walker, Chartered Town Planner, was invited by the Chairman to address the meeting on BH.07.01814.FUL. The Chairman explained that Mr Walker was a Chartered Town Planner who had been instructed by the Town Council to carry out an independent planning assessment of this planning application.

Mr Walker stated that he had considered the principle of allowing residential development on this site and whether the proposal constituted an acceptable form of development. He had concluded that the application was contrary to current planning policy because the location was a Greenfield site. In addition a recent Inspector's Report had noted that it had "significant locational attributes" and should only be released for development through the Development Plan process. Mid Sussex District Council were looking to allocate this site through the Small Scale Housing DPD and the Inspector would not report on this until the end of the year. It was also recognised that Burgess Hill has exceptional infrastructure needs and these need to be

addressed before any development takes place. The District Council's land supply was only marginally short of government requirements and the suitability of this site for housing was in doubt. The amount of traffic generated by this site would add to existing traffic problems on this road and subsequent roundabouts.

The form of the proposed development was tall and bulky. There was a large swathe through the middle which would have three storeys or large pitched roofs. This bulk would be out of keeping with the surroundings and out of keeping with Birchwood Grove Road and Folders Lane. The loss of trees on the site frontage and the proximity of the housing behind them would have an adverse impact on the Conservation Area. The mix of houses with 39% either 4 or 5 bedroom was against planning policy. In addition inadequate space had been retained for a replacement landscaping scheme on the Folders Lane frontage. All these points would need to be resolved before any development could take place.

Mrs C Daw, Birchwood, Birchwood Grove Road, addressed the meeting on BH.07.01814.FUL. Mrs Daw stated that she was representing the Folders Meadow Action Group 2007. The Group objected to the application as it was premature in light of the Town Wide Master Plan which would be announced at the end of the year. There were also infrastructure deficits to be addressed in this area where there were problems with water supply, overflowing sewage and a lack of recreational space. The detail and design of the application was inappropriate with too many dwellings on too small a plot. The Conservation Area abutted the proposed development and was not respected by the plans which included the felling of trees. Folders Meadow was a Greenfield site that was not essential for housing development as there were many applications in Burgess Hill that were in production and development at the moment.

Graham Bentley, 18 Folders Lane, also spoke on behalf on the Folders Meadow Action Group and addressed the meeting on BH.07.01814.FUL. In 2003 an appeal by Westbury Homes was dismissed by a Planning Inspector on a number of counts. Mr Bentley stated that the Town Wide Master Plan and the Small Scale Housing DPD would address these issues and reports were expected later this year. It was therefore important that the Inspector's report be available before any decisions were made on this application. The proposed development would increase demands on infrastructure, especially in the Folders Lane area where the impact of building 90 houses at Folders Farm had yet to be evaluated. There were problems in this area with water supply, surface water drainage and sewerage. The east side of town was deficient in Doctors' Surgeries and formal open space. This application should be declined as it was premature. The Town Wide Master Plan should be awaited and the infrastructure deficit addressed.

Mr Peter Rainier of DMH Stallard addressed the meeting on BH.07.01814.FUL as the agent acting for the applicant. Mr Rainier explained that the land was owned by Mr Munroe and in 1982 a quarter of the land was given to the National Playing Fields Association and that land

did not form part of this application. A previous application was dismissed but some positive comments were made such as the site had good locational attributes. The appeal was dismissed because there was no current need for housing and an open space study had not been undertaken. There was planning guidance regarding this type of site which should be considered favourably and not refused on grounds of prematurity. An open space study had now been completed. Seventy five thousand pounds would be allocated to improve the play area, an additional seventy five thousand would provide formal sport provision and a further seventy five thousand would be given to the southern part of the district for leisure. Mr Rainier encouraged the District and Town Councils to ensure access could be provided to the play area. An Inspector could ask for an increase in the number of houses on this site as the Small Scale Housing Inquiry had queried how many could be provided.

Mr John Fouraker, Oakleigh, Birchwood Grove Road addressed the meeting on BH.07.01814.FUL. He stated that it was inappropriate to plan a development in a field that acts as a green lung to the immediate area.

Mr Geoff Leader, 16 Folders Lane addressed the meeting on BH.07.01814.FUL. He supported the objections to the application which was premature. He expressed concern about the development process.

Mr Peter Clark, 13 The Spinney, Hassocks addressed the meeting on BH.07.02470.FUL and explained that he was speaking on behalf of his son, the applicant. The applicant had addressed all points raised in the objection to the previous application. The rooms in the roof had been taken out, the velux at the front had gone and it was no longer overdevelopment of the site. Now only two rooms were being created. The roof had been lowered to allow more light to a neighbour's property. There was room for 7 vehicles to park on the site and on road parking would not be required. This application would shelter the main part of the house from light and noise pollution from a nearby roundabout and the extension would balance the appearance of the house. It was hoped that the application would be approved as great efforts had been made to address the Council's previous comments.

89. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Tony Balsdon, Denis Jones and Mrs Sue Knight.

90. **SUBSTITUTES**

Mrs Kathy Dumbovic substituted for Denis Jones.

91. **DECLARATIONS OF INTEREST**

Mrs Kathy Dumbovic individually declared a personal interest in every planning application on the agenda in her capacity as a District Councillor and member of the South Area Planning Committee. She stated that any

views she expressed were purely preliminary comments. Mrs Jacqui Landriani individually declared a personal interest in every planning application on the agenda in her capacity as a District Councillor and as a potential substitute member of the South Area Planning Committee. She stated that any views she expressed were purely preliminary comments.

Ian Simpson declared a personal interest in planning application BH.07.01814.FUL as he was acquainted with the landowner as they were both trustees of the Bluebird Community Partnership.

92. **CHAIRMAN'S ANNOUNCEMENTS**

There were none.

93. **MINUTES**

The Minutes of the meeting of the Planning & Transport Committee held on Monday 20 August 2007, having been previously circulated, were **AGREED** and signed by the Acting Chairman, Ian Simpson, as a correct record.

94. **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 20 August 2007, were considered.

95. **PROPOSED 30 MPH SPEED LIMIT TRO FOR FOLDERS LANE**

Members considered a report from West Sussex County Council on the decision, following consultation, to implement a Traffic Regulation Order to reduce the speed limit from 40mph to 30mph on Folders Lane, as set out in Agenda Item 9, dated 3 September 2007.

RESOLVED that:

The contents of the report be noted.

96. **MID SUSSEX DISTRICT COUNCIL DELEGATED DECISIONS**

A delegated decision taken by Mid Sussex District Council Planning Officers in the last month, which differed from the recommendations made by this Committee was considered, as set out in Agenda item 10, dated 3 September 2007.

RESOLVED that:

The contents of this report be noted.

97. **ST WILFRID'S CATHOLIC PRIMARY SCHOOL – SCHOOL SAFETY ZONE (SSZ)**

The Committee received notification from West Sussex County Council that they were proposing to create a School Safety Zone outside St Wilfrid's Catholic Primary School as set out in Agenda Item 11, dated 3 September 2007.

RESOLVED that:

The contents of this report be noted.

98. Meeting terminated at 20.12 hours.

OBSERVATIONS

BH.07.01814.FUL

(RL)

FRANKLANDS WARD

Land at Folders Meadow, Folders Lane

(Charles Church South East Ltd - Mr Julian Curry)

Application for 69 dwellings including vehicular access, associated infrastructure, open space and landscaping.

OBSERVATIONS: **Strongly Recommend Refusal.** The Council's views are summarised as follows –:

- a. The key documents to consider were those supporting the application, The Mid Sussex Local Plan, Mid Sussex Land Availability Assessments, Planning Policy Statement 3, the Mid Sussex Small Scale Housing Allocations Submission Document, the appeal decision on the application site dated December 2003, and the MSDC Open Space Assessment 2006.
- b. The site was not allocated for residential development in a Development Plan and there remains a presumption against permission.
- c. The site has “significant locational attributes” but should not be released for development other than through the Development Plan process.
- d. Burgess Hill was singled out in paragraph 4.14 of the Small Scale Housing DPD, together with Hassocks, as being an area where there were “exceptional infrastructure needs” and it would be incorrect to grant permission whilst the strategic and collective suitability of proposed allocations in Burgess Hill was still to be decided by an independent Inspector.
- e. The council's land supply was only marginally short of government requirements and the suitability of the site for housing was very much in doubt. Therefore, the council were not compelled to grant permission to satisfy the requirements of PPS3 in respect of Land Availability.
- f. Further development should not be allowed off Folders Lane until existing traffic problems have been resolved.
- g. Access to adjoining play facilities must be secured.

- h. The proposal was well supported by a Design and Access statement (DAS) and the detailed proposals for building materials and design of individual house types were acceptable.
- i. Paragraph 16 of PPS3 requires that development is *“well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of density, layout and access”*
- j. A substantial proportion of the development was relatively tall and bulky with relatively less space between buildings and the development did not satisfy these important criteria.
- k. Adequate space would not be retained between the substantial dwellings on plots 22-26 facing Birchwood Grove Road, and 7 trees along the site frontage were to be removed. The proposal would adversely affect the setting of the adjoining Conservation Area.
- l. Since only 15 (22%) of the dwellings were small (1 or 2 bed) there was not an appropriate mix of dwellings types and sizes.
- m. The proposal should be refused because inadequate space had been retained for a replacement landscaping scheme on the Folders Lane frontage in accordance with the wishes of the Inspector in the December 2003 appeal decision.
- n. There were deficiencies in respect of the arrangements for access to the adjoining Folders Meadow play area and there was an imbalance in proposed parking provision.
- o. The development was premature in light of the Town Wide Master Plan and building on a Greenfield site was to be deplored.

BH.07.01079.FUL

(HM)

VICTORIA WARD

Gems Newsagents, 135 Royal George Road

(R S Patel)

Installing Roller Shutters.

OBSERVATIONS: Recommend Approval.

BH.07.02130.FUL

(TM)

DUNSTALL WARD

66 West Street

(Ms Rigg)

Convert cottage into 2 cottages and erect an additional dwelling

OBSERVATIONS: Strongly Recommend Refusal – the layout of the bathrooms downstairs and the bedrooms upstairs was not ideal for access. The Committee reiterated their previous comments which were:

“**Recommend Refusal** – this would be an overdevelopment of the site, a parking hazard would be created and there would be nowhere to put rubbish bins”.

BH.07.2170.FUL

(GG)

DUNSTALL WARD

33 Clifton Road

(Mr Scott)

Proposed loft conversion including rear dormer.

OBSERVATIONS: Strongly Recommend Refusal - this would overlook a number of other properties and to build into the roof would be unneighbourly and out of keeping with other properties in the area.

BH.07.02233.FUL

(KH)

DUNSTALL WARD

7 Robin Road

(Mr and Mrs Tasker)

Rear extension and partial conversion of garage.

OBSERVATIONS: Recommend Approval.

BH.07.02394.FUL

(EC)

FRANKLANDSWARD

Batchelors Farmhouse, Keymer Road

(Mr and Mrs Bennett)

Proposed two storey rear extension.

OBSERVATIONS: Recommend Approval.

BH.07.02430.TREE (DS) VICTORIA WARD

Land Adjacent To 11 Payton Drive (Mr N W Tester)

Hazels and Field Maples - trim back to boundary to clear house by 2m.

OBSERVATIONS: No Objection - provided the work is carried out to the appropriate British Standard.

BH.07.02470.FUL (EC) MEEDS WARD

11 Clayton Drive (Mr T Clarke)

Side extension (resubmission of BH.07.00559.FUL).

OBSERVATIONS: Recommend Approval.

BH.07.02493.TCA (DS) MEEDS WARD

34 Park Road (Mrs S A Warmisham)

Bay - reduce/reshape canopy by 25%. Ash - remove two leaning stems on western and northern sides.

OBSERVATIONS: No Objection - to the Bay tree application.

Objection - to the Ash as removal of the stems would affect the street scene.

BH.07.02308.FUL (LW) FRANKLANDS WARD

Southlands, Keymer Road (Mr G Martin)

Amendments to velux windows, dormers and other fenestration.

OBSERVATIONS: Recommend Approval.

BH.07.02345.FUL

(TM)

MEEDS WARD

111a Lower Church Road

(Drs D and G DeLacey)

Replacement garage to same format as existing, in same position.

OBSERVATIONS: Recommend Approval.

BH.07.02374.FUL

(SM)

VICTORIA WARD

Hammonds Barn, London Road

(Mr P Bunn)

Erection of a new building for use as a home office

OBSERVATIONS: Recommend Approval. It was recommended that a condition be imposed that the new building may only be used as a home office.

BH.07.02544.TREE

(DS)

ST ANDREWS WARD

12 Rolfe Drive

(Sue Shaw)

Fell Horsechestnut (T60).

OBSERVATIONS: Objection - the Tree Warden made the following comments:

No evidence could be seen of Pytophthera (sic). The tree appeared to have a cosmetic problem, possibly caused by Cameraria ohridella, and this was not a reason to fell. With good housekeeping the leaves could grow back healthily in the Spring. No safety concerns were apparent as it was young branches overhanging the bridleway. It was important that the tree backdrop to Rolfe Drive was maintained.

BH.07.02609.TCA

(DS)

FRANKLANDS WARD

26 Silverdale Road

(Trees Understood – Carlos Davy)

Fell 1 Lawson Cypress.

OBSERVATIONS: Objection – the Tree Warden could see no reason for this tree to be felled.

BH.07.02610.TCA

(DS)

MEEDS WARD

35 Park Road

(J S Watkins)

Fell Purple Prunus.

OBSERVATIONS: **No Objection** - a replacement native tree should be planted in its place.

BH.07.02611.TREE

(DS)

ST ANDREWS WARD

Land adjacent to 10 Kings Way

(Mr and Mrs Jones)

Southernmost Oak - remove one lower branch. All others - trim back to boundary of 10 Kings Way.

OBSERVATIONS: **Objection** - the Tree Warden felt that the lowest branch was very high and that there was no need for it to be removed.
