



BURGESS HILL TOWN COUNCIL

MINUTES of the **PLANNING & TRANSPORT COMMITTEE**
held in the Council Chamber
on **MONDAY, 5 NOVEMBER 2007**

Present: Tony Balsdon - Chairman
Ian Simpson Vice-Chairman

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

Also Present: Mrs Pru Moore

* *Denotes non-attendance.*

(19.03)

130. OPEN FORUM

Alan Lacey, 4 Marlborough Drive addressed the meeting on BH.07.02916.FUL. He was concerned about public safety and access. The access route to the proposed development was a bridleway and used by people to access the railway station and the town centre. It was used by dog walkers, pupils going to school and by mobility motorised scooters. A petition opposing the application had been signed by sixty three people who objected on the grounds of public safety. The bridleway was used by light and heavy commercial vehicles which accessed the business located at the Farm. There had been accidents, for example, recently panels in a neighbours fence had been demolished by a commercial vehicle en route to the Farm. The proposed development would add to the existing traffic on an already unsafe route. Mr Lacey was concerned that if an accident did happen there could be legal implications for the Town and District Councils.

Tony Reynolds, 187 Leylands Road addressed the meeting on BH.07.03165.COND.AMEND. He was concerned about the existing construction traffic to the site. Recently three lorries had been parked on Leylands Road for over an hour. They all had to park on the main road, they

blocked the pavement and made it dangerous for cars and pedestrians. To improve safety he asked if a system could be established to enable the lorries to be unloaded in turn and for there to be somewhere for them to wait.

Graham Smith, 11 Sheddingdean Close addressed the meeting on BH.07.03165.COND.AMEND. He was amazed that an amendment should be considered so soon on such an important matter.

Debbie Maslen, Wivelsfield Parish Council addressed the meeting on LW.07.0732.AP. She stated that the Environment Agency and West Sussex County Council had withdrawn their objections to the plans. She had met Norman Baker MP at the weekend and he was concerned about this. There were still issues of access and she understood that East Sussex County Council planned to undertake a safety audit. The West Sussex County Council response had not taken the Haywards Heath relief road into account and the impact of extra traffic at Worlds End. The design brief had been ignored and three storey flats and houses were inappropriate for this site.

Mrs Sue Coote, 51 Marlborough Drive addressed the meeting on BH.07.02916.FUL. She represented the Mid Sussex Area Bridleways Group. The access was Bridleway BH48 and the main east/west route from Ditchling Common to Hurstpierpoint. If any development was undertaken the Rights of Way people would need to be contacted as horses needed a non slip surface and the path would need to be kept wide enough to accommodate horses. She also mentioned that Theobalds Road was a bridleway too (LW.07.0732.AP).

Joan Betsworth, 9 Marle Avenue addressed the meeting on BH.07.03165.COND.AMEND. She objected to the application which would be unfair. Her property was in close proximity to the site and she would be unable to use her garden because of the increased noise and traffic.

131. APOLOGIES FOR ABSENCE

There were none.

132. SUBSTITUTES

There were none.

133. DECLARATIONS OF INTEREST

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.

Mrs Pru Moore declared a personal interest in BH.07.03165.COND.AMEND as a neighbour. Denis Jones declared a personal interest in BH.07.03165.COND.AMEND as he was a member of the Patient Participation Group at the Park View Surgery.

134. **CHAIRMAN'S ANNOUNCEMENTS**

TOWN & COUNTRY PLANNING ACT 1990 – AMENDED PLANNING APPLICATION BIRCHWOOD GROVE ROAD SCHOOL

The Chairman informed the Committee that amended plans had been received for Birchwood Grove Road School (BH.07.03016.C3REG refers) from West Sussex County Council. The amended plans reduced the extent of rooflights to prevent solar gain to the corridor area, whilst maintaining suitable natural daylight. Elevations had also been amended to reflect a realistic ground line. Externally, the playground and car parking area had been rotated 90 degrees to allow the continuation of the education within the existing premises during construction of the new school. Proportions of the playground had also been amended to allow a wider soft landscape strip to the eastern boundary. Additionally, the hard edge treatment to the soft and hard play areas had been curved in response to school requests. Comments were required by 12 November 2007.

Mrs Jacqui Landriani declared a personal interest in BH.07.03016.C3REG as she had a daughter at the school. Mrs Sue Knight declared a personal interest in BH.07.03016.C3REG as a County Councillor and as a potential substitute member of the Planning Committee. She stated that any views she expressed were purely preliminary comments.

RESOLVED that:

The amended plans be approved and West Sussex County Council be informed accordingly.

135. **MINUTES**

The Minutes of the meeting of the Planning & Transport Committee held on 15 October 2007, having been previously circulated, were **AGREED** and signed by the Chairman as a correct record.

136. **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, 15 October 2007 were considered.

137. **REVIEW OF MID SUSSEX DISTRICT COUNCIL PLANNING COMMITTEE ARRANGEMENTS**

The Committee considered a request from Mid Sussex District Council for comments on their current planning arrangements which were being reviewed as set out in Agenda Item 8, dated 5 November 2007.

The Committee welcomed the relationship that they had with the Development Control team and requested a visit from the Team Leader South as part of new Members development. It was agreed that the structure

of three Area Committees and three dedicated officer teams to serve them had worked well and should be retained. In terms of customer service these committees were valued by residents as they were held locally and Members from the area were involved who understood the issues. Members also suggested that a Call-in system should be introduced for town and parish councils as there needed to be greater trust and joint working over planning issues.

RESOLVED that:

Mid Sussex District Council be informed accordingly.

138. **ROAD NAMING**

Notification had been received from Mid Sussex District Council that the road names previously agreed by this Council had been confirmed as set out in Agenda Item 9, dated 5 November 2007.

RESOLVED that:

The contents of this report be noted.

139. **TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 78
APPEAL DECISION**

Notification had been received from the Planning Inspectorate that the Appeal in respect of the following application had been allowed as set out in Agenda Item 10, dated 5 November 2007.

BH.06.02638.FUL

Appeal by: (K Macpherson)

Land at: **134 Lower Church Road**

Proposed Development: Conversion of house into 2 no. 2 bed flats.

Appeal Ref: APP/D3830/A/07/2042006

RESOLVED that:

The contents of the report be noted.

140. **TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78
APPEAL HEARING**

Details of the hearing for the Appeal lodged by Fitzhardings Estates in respect of "Land Rear of Mellow Cottage, Freshfields and Holford, Keymer Road (BH.06.01031.FUL)" were considered, as set out in Agenda Item 11, dated 5 November 2007.

RESOLVED that:

The contents of the report be noted.

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

Delegated decisions taken by Mid Sussex District Council Planning Officers in the last month, which differed from the recommendation made by this Committee, were considered, as set out in Agenda Item 12, dated 5 November 2007.

RESOLVED that:

The contents of the report be noted.

142. **EXCLUSION OF PUBLIC AND PRESS**

In view of the confidential nature of the business that was about to be transacted, it was proposed that, in the public interest, the public and press be temporarily excluded and they be requested to withdraw from the meeting.

144. Meeting terminated at 20.37 hours.

OBSERVATIONS

BH.07.03165.COND.AMEND

(SK)

LEYLANDS WARD

**Sidney West Recreation Ground,
Leylands Road**

(GPG No 3 & Dr RF Miarkowski & Dr D L Wells)

Amend condition 19 of planning permission BH.07.00200.COND. to read 'the premises shall not be open to patients except between the hours of 08:00 hours to 21:00 hours Monday to Friday and 08:00 hours to 17:00 hours on Saturdays'. (The current condition states that "the premises shall not be open to patients except between 08.00 hours to 19.00 hours Monday to Friday and 08.00 hours to 13.00 hours on Saturdays.)

OBSERVATIONS: Recommend Approval – providing that adequate screening is in place to protect nearby residents from noise and light pollution.

Development has started on this site and Mid Sussex District Council may wish to clarify the parking conditions for construction traffic to the site. Residents have reported that lorries (often three at a time) have to park on the main road for over an hour whilst waiting to unload. This blocks the pavement and is dangerous to traffic and pedestrians. In addition since work has started residents have noticed diesel fumes hanging in their gardens.

Members voted on the amendment to the planning condition 19 as set out in the application. Three were for amending the condition, three were against and one abstained. The Chairman's casting vote was for the amendment.

Mrs Pru Moore left the room at the end of this item.

LW.07.0732 AP

(PB)

WIVELSFIELD PARISH

At Land off Theobalds Road

(George Wimpey South West Thames Ltd)

Residential development comprising seventy-two dwellings, associated parking and landscaping, together with access via the Downscroft estate following the demolition of 25 and 26 Downscroft. Revisions to layout and design, including reduction in height of flattened block and selected other plots.

OBSERVATIONS: Strongly Recommend Refusal – concern was expressed that Highways objections had been withdrawn. The route in is a residential road with three right hand bends. It was understood that East Sussex County Council were proposing to undertake a safety audit and Burgess Hill Town Council would be willing to contribute to this. There was little evidence that the impact of the traffic onto Valebridge Road

from the Haywards Heath relief road had been taken into account. The application was premature in light of the Town Wide Master Plan for Burgess Hill.

The previous comments were reiterated as follows:

“Strongly Recommend Refusal – This application is premature. The outcome of the small scale housing inquiry (which includes the Keymer Tile Works and Manor Road sites) and the Town Wide Master Plan should be awaited before decisions on this site are made. There is a need to avoid piecemeal development, the consequences of which are illustrated by this application, which needs to demolish 25 and 26 Downscroft in order to provide access to the site. In addition, any development of this size must include consideration of the impact it will have on the future sustainability of the community. The development of this site will have a major impact on the infrastructure and services provided in Burgess Hill.

The proposed development would exacerbate existing flooding problems in Downscroft and the Worlds End basin, which have been well documented and are evidenced by the developer in the application. In addition, the capacity of this area to take additional sewage and surface water is low. The proposals in the application for drainage using underground water storage with break systems would cause problems down stream with the flow rate proposed. There is a need for a drainage master plan for the Worlds End basin. This has been identified by West Sussex County Council during recent interim drainage works in the area.

Concern was expressed that the impact on traffic flows of the Haywards Heath Relief Road on Rocky Lane had not been taken into account in the application. This plus the traffic from the development could only compound the situation at the junction from Valebridge Drive onto Valebridge Road, which was near to or over capacity when the previous application was submitted. The traffic from the development would also have an impact at the roundabout at Worlds End, which is also at capacity. It is essential that the traffic assessment goes beyond 2008 and takes into account the relief road, other small scale housing sites and traffic from the proposed Theobalds development. The developer should be requested to provide an up to date, accurate transport assessment of the area that would include public transport and the increase in traffic generated from the new Bolnore Roundabout on the Haywards Heath relief road.

On Page 7 of the 2005 transport assessment it is stated that “the road layout (of the existing estate) is one with wide carriageways and good quality footways which are suitable to

support additional development.” The Downscroft estate is residential and the roads were not designed to be “through roads”. Currently, cars illegally park on the pavements to leave sufficient room for vehicles on the narrow carriageways. This situation is problematic for emergency vehicle access and increased traffic flows will compound this. The additional traffic flows generated by the proposed development would have an adverse effect on the existing residents.

Concern is also expressed about the effect of the development on the badgers, trees and the bio diversity of the area.

BH.07.02916.FUL (SM) FRANKLANDS WARD

Burdocks Farm, Marlborough Drive (Fitzharding Estates Ltd)

Proposed residential development of two new detached dwellings.

OBSERVATIONS: Recommend Refusal – the access road was not wide enough for pedestrians and cars to use it together. It would be an overdevelopment of the site. The loss of vegetation would be unneighbourly as there would be a loss of visual amenity. If Mid Sussex District Council were minded to approve this application there would need to be sufficient room for on site parking to avoid use of the bridleway.

BH.07.02558.FUL.AP (LW) FRANKLANDS WARD

Derwen, 34 Folders Lane (Belmont Design)

Proposed three no detached dwellings with garages - minor amendments.

OBSERVATIONS: The amendments to the plans were noted. Concern was expressed at the loss of the hedge the removal of which should be monitored and replacement planting provided.

BH.07.02813.FUL (TM) FRANKLANDS WARD

Riffams, Keymer Road (Mr & Mrs M Richards)

Proposed re-submission of lapsed approval for extension to side of property.

OBSERVATIONS: Recommend Approval

BH.07.03035.FUL

(CB)

MEEDS WARD

79 Potters Lane

(Mr & Mrs G A Caston)

Front porch.

OBSERVATIONS: Recommend Approval

BH.07.03081.FUL

(AW)

LEYLANDS WARD

23 Leylands Park

(Mr & Mrs Kelly)

Construct second storey rear extension.

OBSERVATIONS: Recommend Approval

BH.07.03124.FUL

(TM)

DUNSTALL WARD

6 Coulstock Road

(Mr & Mrs Roberts)

First floor extension over existing utility room and rear of garage enlarging existing bedroom.

OBSERVATIONS: Recommend Refusal – the plans submitted indicate a window to the side which would overlook a neighbour.

Recommend Approval – an amended plan was provided by the owner during a site visit which we understand is with the District Council. In this plan the window has been moved to the front of the house, which is acceptable.

LW.07.1194.AP

(AH)

DITCHLING PARISH

St Georges Retreat, Ditchling Road

(Augustinian Care)

Erection of three nursing homes (Amendment to approval LW.04.2480 amending layout and design).

OBSERVATIONS: The amendments were noted.

BH.07.02954.FUL

(TM)

FRANKLANDS WARD

48 Wheelwright Lane

(Mr W Terry)

Demolition of existing conservatory and erection of replacement single storey extension to rear and new single storey to side.

OBSERVATIONS: Recommend Approval

BH.07.02966.FUL

(AW)

VICTORIA WARD

209 London Road

(Mr & Mrs Westgarth)

Rear dormer and front rooflights in connection with a loft conversion and ground floor rear extension.

OBSERVATIONS: Recommend Approval – Mid Sussex District Council may wish to establish that there is sufficient parking for the increase in floorspace.

BH.07.03220.LDC

(AW)

ST ANDREWS WARD

4 Woodland Crescent

(Mr J Bruce)

Two storey side extension and front entrance porch. This is an application to establish whether the proposed development is lawful: this will be a legal decision where the planning merits of the proposed development cannot be taken into account.

OBSERVATIONS: The situation regarding a legal decision was noted.

BH.07.03221.FUL

(TM)

VICTORIA WARD

58 Western Road

(Mr B Ashdown)

New conservatory.

OBSERVATIONS: Recommend Approval

BH.07.03249.TCA (DS) MEEDS WARD

48 Park Road (Sarah Duckworth)

Re-pollard line of Willows.

OBSERVATIONS: No Objections

BH.07.03250.TCA (DS) MEEDS WARD

31A Park Road (U H Bond)

Eucalyptus - Lift canopy on western side approximately 2m.

OBSERVATIONS: No Objections

BH.07.03251.TREE (DS) DUNSTALL WARD

23 Foxglove Close (Mrs S Martirosian)

Oak (T9) - Trim back canopy on eastern side to previous cut points.

OBSERVATIONS: No Objections providing work is carried out to the appropriate British Standard.
