

MINUTES of the **PLANNING COMMITTEE**
held in the Council Chamber
on **MONDAY 24 February 2020**

Present: Janice Henwood Chairman
Sarah Lawrence* Vice Chairman

Graham Allen
Andrew Barrett-Miles
Tofojjul Hussain
Max Nielsen
Kathleen Willis

Also Present: Peter Chapman
Robert Eggleston

* *Denotes non-attendance.*

(19.00)

133. **OPEN FORUM**

A member of the public spoke on application DM/20/0299. They were the owner of 4 Mill Road, and had run the business Sussex Sign Centre from this property since 1975. They objected to the proposed development on several grounds. Their yard, drive and buildings surrounded the proposed development on three sides. A 12 month construction period would make it almost impossible to run their business and continue to let garages and parking spaces to their neighbours.

They understood why the freeholder wished to develop the site, but felt there was no necessity at this location for 8 small flats with no outlook, 2 of which were undersize at less than 50 square meters. The housing needs of the town had already been allocated.

The footprint of the proposed building was almost double the size of the existing building, and the volume was almost 4 times larger.

The land fell away steeply at the back of the property and the height of the building would overshadow their site and workshops. This massing was one of the reasons for the refusal of the first smaller application and appeal in 2011-12. The overdevelopment of the site had not changed.

8 double bedroom flats could house 16 car users yet there was no provision for any parking, despite the planning guidelines which said it would need 5 spaces.

The town centre end of Mill Road was a secondary shopping area where 9 businesses operated. Any change of use to residential would undermine the existing shops and businesses in the road.

Their business site wrapped around 3 sides of the development. Mixing commercial and residential use in such close proximity would cause problems. Commercial waste from businesses was collected around 4am. Quench bar had an additional noisy glass collection.

It would be essential that no restrictions were placed on the hours and usage of the yard and buildings which had had a commercial use since the 1880s. Its purpose remained an important amenity for neighbouring businesses, many of which had rights of way across it.

It was a small, busy commercial yard, used for signwriting vehicles, business parking, garaging, deliveries, as well as their workshops. There would be no space for builders vehicles and plant, and any attempt to access and work on the site from the yard would make it impossible for Sussex Sign Centre, Quench Bar, Duffy's Estate Agents, and Stoners the Jewellers to continue to use the important facility the yard provided them.

Local planning policy committed to 'Protecting allocated and existing employment, land and premises'. It also said 'Secondary shopping frontages...which contribute to the pedestrian flow and attractiveness of the area, should be retained.' To comply with this the restaurant should not be demolished.

The building had been a restaurant since the 1960s, the Masala Club was popular and successful, employing a number of staff, and it would be a great pity to lose it and put people out of work. There was no necessity to allow change of use for this site.

The submitted plans were inaccurate in places, unclear in others, and did not properly show the relationship between the development and surrounding buildings. Cllr Hussain had visited and seen the complexity of the site. The existing building was physically joined to Sussex Sign Centre and to Keymer Haslam's property in Church Road.

This was the third attempt to overdevelop the site, the Burgess Hill Town Council and the MSDC planners had rejected it twice, and it had failed at appeal.

For all of these reasons, the member of the public asked the Town Council to object to this application and call it in to the District Council.

A second member of the public spoke on application DM/20/0299. They stated that the road heritage would be lost with this development. There were already 8 shops there – it was a business place. There were enough houses in Burgess Hill. Additionally there would be a lot of pollution in this area, as it was off the busy Church Road. There were no parking spaces in the plan.

A third member of the public spoke on application DM/20/0299. They were the manager of the Masala Club, and presented a petition signed by 360 customers who did not wish to lose the restaurant. The Masala Club was

popular.

The Committee wished to reiterate that BHTC were consultees, and would not be able to make a decision. The decision would be made by MSDC.

134. APOLOGIES FOR ABSENCE

There were none.

135. SUBSTITUTES

There were none.

136. DECLARATIONS OF INTEREST

Councillors Graham Allen, Peter Chapman and Robert Eggleston advised that with regard to any comment(s) they may make on any planning application on tonight's agenda, they reserved the right to alter their views on any application and submission should it come before the Mid Sussex District Council Planning Committees, following reading the planning officer's report, considering any verbal update the planning officer may provide and taking into account the views expressed by other members or members of the public at that meeting.

137. CHAIRMAN'S ANNOUNCEMENTS

The Chairman wished to draw attention to MSDC's consultation about improvements to St John's Park. There were paper copies of the survey available in the Town Council Help Point, as well as online. The deadline for this consultation was 3 March.

138. MINUTES

The Minutes of the meeting of the Planning Committee held on Monday 3 February 2020, having been previously circulated, were **AGREED** and signed by the Chairman as a correct record.

139. 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 3 February 2020, were considered.

140. NORTHERN ARC DEVELOPMENT

A meeting was held on Wednesday 5 February 2020 at District Council, with representatives from the neighbouring councils, to discuss street naming related to Phase 1 of the Northern Arc development at Freeks Farm from Countryside Properties, in respect DM/19/3845 which was recently granted permission, as detailed in Agenda Item 8 dated Monday 24 February 2020.

RESOLVED that:

Councillors noted the report and background documentation, and would consider these for when it was raised again in the future.

141. LICENCE APPLICATION ZAITOON, 97 CHURCH WALK

Notification had been received from Mid Sussex District Council of a licence application as detailed in Agenda Item 9 dated Monday 24 February.

RESOLVED that:

The contents of the report were noted.

142. Meeting terminated at 19.51 hours.

OBSERVATIONS

DM/20/0299

Location: 6 - 8 Mill Road Burgess Hill West Sussex RH15 8DR
Desc: Demolition of existing building and erection of eight residential apartments.
Agent: Brian Anderson
66 The Hive High Street Lewes BN7 1XG
Applicant: Mr S Tse
Case Officer: Joanne Fisher
Ward: Burgess Hill - Meeds
App. Type: Full Application

OBSERVATIONS: Recommend Refusal

The application was contrary to the Neighbourhood Plan parking guidance, which required 1.1 parking spaces per 2 bedroom flat, and WSCC guidelines for parking spaces, which required 1.2 parking spaces per 2 bedroom flat, both of which were guidelines for Town Centre development.

The design had been improved since the last application for this site, however it contravened District Plan Policy DP26, as it did not incorporate parking, and caused significant harm to the amenities of current residents and future occupants, and DP28.

The flats were small, and the building was a large mass. It was overdevelopment of the site, and not compatible with the surrounding character.

It impacted on Sussex Sign Centre being able to trade. The Masala Club wished to stay open, and the development would cause employment loss, contrary to District Plan Policy DP 1 - supporting existing businesses.

The district currently had its 5 year land supply. The current use was still viable and required.

If Mid Sussex District Council is minded to recommend approval, the Town Council's Planning Committee's recommendations with regard to Section 106 needs associated with this development are as follows:

Any Community Building or Community Infrastructure s106 monies should go towards the Beehive Centre for Community Arts.

DM/20/0074

Location: West Park House Malthouse Lane Burgess Hill West Sussex RH15 9XA
Desc: Erection of a detached single bay oak framed garage.
Applicant: Mr Geoffrey Taylor
West Park House Malthouse Lane Burgess Hill West Sussex RH15 9XA
Case Officer: Caroline Grist
Ward: Burgess Hill - Dunstall
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0185

Location: 119 Station Road Burgess Hill West Sussex RH15 9ED
Desc: Garage conversion and first floor side extension
Agent: Mr Graham Hartley
12 Petlands Road Haywards Heath West Sussex RH16 4HH
Applicant: Mr Andrew Adair
Case Officer: Caroline Grist
Ward: Burgess Hill - Meeds
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

The Committee regretted the paucity of the plans.

DM/20/0251

Location: Lynton Western Road Burgess Hill West Sussex RH15 8QW
Desc: Demolition of existing conservatory and decking and erection of a ground floor rear extension and raised patio.
Agent: Mr James Smith
Just Plans Ltd 107 Willow Way Hurstpierpoint Hassocks BN6 9TQ
Applicant: Mr Richard Scott
Case Officer: Andrew Horrell
Ward: Burgess Hill - Victoria
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0283

Location: 4 Siskin Close Burgess Hill West Sussex RH15 9DH
Desc: Proposed single storey rear extension. 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.
Agent: Mr Russell Wooden
11 Folders Close Burgess Hill West Sussex RH15 0TA
Applicant: Mr Ross Armour
Case Officer: Hamish Evans
Ward: Burgess Hill - Victoria
App. Type: Lawful Development Certificate –Proposed

OBSERVATIONS: The legal situation was noted.

DM/19/5158

Location: Forman Recruitment Ltd Americas House 273 London Road
Burgess Hill RH15 9QU
Desc: Proposed 6 no. 1 bed flats over 3 floors, including a two storey
extension to the east elevation for access.
Agent: Mr P A Gosling
78 Potters Lane Burgess Hill RH15 9JS
Applicant: Momentum Homes Ltd
Case Officer: Deborah Lynn
Ward: Burgess Hill - Victoria
App. Type: Full Application

OBSERVATIONS: Recommend Approval

Any Community Building or Community Infrastructure s106 monies should go
towards the Beehive Centre for Community Arts.

DM/20/0302

Location: 69 West Street Burgess Hill West Sussex RH15 8NY
Desc: Demolition of 3 garages and the subsequent construction of a new
detached two bedroom single storey dwelling to the rear of 69
West Street. The application includes the creation of a new
domestic curtilage, parking and turning area, bin store.
Applicant: Mr Philip Twitchen
69 West Street Burgess Hill West Sussex RH15 8NY
Case Officer: Katherine Williams
Ward: Burgess Hill - Victoria
App. Type: Full Application

OBSERVATIONS: Recommend Refusal

Back Garden developments were not welcome particularly in light of the fact the
District Council has its five year housing supply. It also contravened the
Neighbourhood Plan.

DM/20/0323

Location: Glendor 14 Silverdale Road Burgess Hill West Sussex RH15 0EF
Desc: Increasing gap between entrance pillars by 1m demolishing one
pillar and rebuilding.
Applicant: Mr Richard Moses
Burgess Hill Girls Glendor, 14 Silverdale Road Burgess Hill West
Sussex RH15 0EF
Case Officer: Deborah Lynn
Ward: Burgess Hill - Franklands

App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0372

Location: The Spinney Keymer Road Burgess Hill West Sussex RH15 0AH
Desc: Insertion of a velux window.
Agent: Mr Warren Joseph
Ascot Design Berkshire House 39-51 High Street Ascot SL5 7HY
Applicant: Spinningdale Ltd
Case Officer: Jacob Lane
Ward: Burgess Hill - Franklands
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0412

Location: Penbourne House Portland Road Burgess Hill West Sussex RH15 9RL
Desc: Magnolia Tree - reduce crown by 1.5m.
Applicant: Mrs Daphne and Beverley Ward
Penbourne House Portland Road Burgess Hill West Sussex RH15 9RL
Case Officer: Sarah Nelson
Ward: Burgess Hill - Victoria
App. Type: Trees in a Conservation Area

OBSERVATIONS: No Objections

DM/20/0419

Location: 20 Starling Close Burgess Hill West Sussex RH15 9XR
Desc: T3 Oak - Remove.
Agent: Paul Sampson
Innovation Group Environmental Services 4 Linnet Court Cawledge Business Park Alnwick NE66 2GD
Applicant: Subsidence Management Services
Case Officer: Irene Fletcher
Ward: Burgess Hill - Dunstall
App. Type: Tree Surgery

OBSERVATIONS: No Objections

DM/20/0423

Location: Land West Of 118 Junction Road Burgess Hill West Sussex RH15 0NU
Desc: Proposed 4 bed detached dwelling house.
Agent: Mr Paul Gosling
78 Potters Lane Burgess Hill West Sussex RH15 9JS
Applicant: B Williams
Case Officer: Caroline Grist
Ward: Burgess Hill - St Andrew's
App. Type: Full Application

OBSERVATIONS: Recommend Refusal

This was a front garden development. Front Garden developments were not welcome particularly in light of the fact the District Council has its five year housing supply.

This was an overdevelopment of the site. It was detrimental to the residential amenities of number 118.

The Committee requested that potential Highways safety issues should be considered, and that Highways study it. The parking was adjacent to a very busy road.

DM/20/0259

Location: 11 Franklands Way Burgess Hill West Sussex RH15 0AX
Desc: Maple Tree - cut back small spur branch by 2 metres. Cut back lowest 3 branches to main stem, and trim Hawthorne by less than 1 metre all over.
Applicant: Mrs Ann Symonds
11 Franklands Way Burgess Hill West Sussex RH15 0AX
Case Officer: Irene Fletcher
Ward: Burgess Hill - Franklands
App. Type: Tree Surgery

OBSERVATIONS: No Objections

DM/20/0283

Location: 4 Siskin Close Burgess Hill West Sussex RH15 9DH
Desc: Proposed single storey rear extension. (amended plans received 02.02.2020) 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.
Agent: Mr Russell Wooden
11 Folders Close Burgess Hill West Sussex RH15 0TA
Applicant: Mr Ross Armour

Case Officer: Hamish Evans
Ward: Burgess Hill - Victoria
App. Type: Lawful Development Certificate –Proposed

OBSERVATIONS: The legal situation was noted.

DM/20/0361

Location: 9 Pinehurst Burgess Hill West Sussex RH15 0DG
Desc: (T1) Oak - Overall crown reduction of 2.5m, thin crown by 10% and remove epicormic growth
Applicant: Mr Philip Marples
9 Pinehurst Burgess Hill West Sussex RH15 0DG
Case Officer: Irene Fletcher
Ward: Burgess Hill - Franklands
App. Type: Tree Surgery

OBSERVATIONS: No Objections

DM/20/0398

Location: Land To The Rear Of 88 Petworth Drive Burgess Hill West Sussex RH15 8JY
Desc: 3 Oak trees - reduce canopies by approximately 2 metres.
Applicant: Mrs Marian Chappell
88 Petworth Drive Burgess Hill West Sussex RH15 8JY
Case Officer: Irene Fletcher
Ward: Burgess Hill - Leylands
App. Type: Tree Surgery

OBSERVATIONS: No Objections

DM/20/0446

Location: 1 Oakmead Road Burgess Hill West Sussex RH15 9JF
Desc: Replace conservatory with single storey rear extension.
Agent: Mr Darly Gowlett
Clive Voller Associates 2 Woolven Close Burgess Hill West Sussex RH15 9RR
Applicant: Mr and Mrs Bonney
Case Officer: Hamish Evans
Ward: Burgess Hill - Meeds
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0469

Location: 65 Woodland Avenue Burgess Hill West Sussex RH15 0PD
Desc: Proposed two storey side extension and associated works.
Agent: Mr Roy Simmonds
SBH Design Ltd Gable Cottage Street Lane Ardingly West Sussex
RH17 6UB
Applicant: Mrs H Harris
Case Officer: Andrew Horrell
Ward: Burgess Hill - St Andrew's
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0494

Location: Freckborough Manor Ditchling Road Ditchling Common Ditchling
East Sussex RH15 0SE
Desc: Resubmission of planning application DM/19/0781 for the
demolition of existing garage and flat and the provision of a new
build four bedroomed detached house with garage and the
provision of new garage and store for existing dwelling.
Agent: Mr Robert Saunders
RSP Architects Ltd 1 Westbourne Grove Westbourne Gardens
Hove BN3 5PJ
Applicant: Mr and Mrs G Harding
Case Officer: Caroline Grist
Ward: Burgess Hill - St Andrew's
App. Type: Full Application

OBSERVATIONS: Recommend Approval

DM/20/0538

Location: 4 Broad Green Avenue Burgess Hill West Sussex RH15 0HA
Desc: Single storey rear extension
Agent: Mr Robert Thomas
RT Architectural Services 61 Coulstock Road Burgess Hill RH15

9XZ

Applicant: Mr and Mrs Dasey
Case Officer: Joanne Fisher
Ward: Burgess Hill - Franklands
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

DM/20/0552

Location: 15 Cants Lane Burgess Hill West Sussex RH15 0LP
Desc: (T1) Oak - reduce crown overall by 2m and crown thin by 15%.
Agent: Mr Chris Smith
16 Woodland Crescent Burgess Hill West Sussex RH15 0LJ
Applicant: Mr John Marks
Case Officer: Irene Fletcher
Ward: Burgess Hill - St Andrew's
App. Type: Tree Surgery

OBSERVATIONS: No Objections
