

**MINUTES** of the **PLANNING COMMITTEE**  
held virtually  
on **Monday 9 November 2020**

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**Present:** Janice Henwood Chairman

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

**Also Present:** Peter Chapman  
Matthew Cornish  
Robert Duggan  
Robert Eggleston  
Anne Eves  
Lee Gibbs  
Sylvia Neumann

\* *Denotes non-attendance.*

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(19.00)

233. **[OPEN FORUM](#)**

A member of the public addressed the Committee on DM/20/3953. They commented that at the last planning meeting the Council had recommended refusal on an application to fell three oaks. DM/20/3953 was another example where the resident would like to see the Council question the reasoning for felling an oak tree. The oak trees were an amenity and a community asset, and contributed to the character of the community. The resident understood that the tree was potentially causing issues to a property, but it should be a last resort to fell the tree.

A second member of the public spoke on DM/20/3953. The tree was on their property. The member of the public had recently spoken to Councillor Anne Eves, this was the first they had heard there was an issue with the tree. They understood that the neighbour was having issues with subsidence on their conservatory, and previously an ash tree on the industrial estate behind the properties had been felled to try and resolve this. The tree was an amenity on the property, and blocked an unattractive view of the neighbouring industrial estate. The resident had been looking at alternatives, and there was a suggestion that trimming the tree could help with the issue. The resident was concerned that this was not looked at, and that the insurance company had

jumped straight to felling the tree, which was what had previously happened to the ash tree and this had not helped the subsidence issue. The resident appealed to the Committee to support preserving the tree.

A third member of the public addressed the Committee on DM/20/3953. They were the property owner of the neighbouring property having issues with subsidence. They had been having ongoing issues with the subsidence. The resident would wish that the oak tree could remain, and had previously requested that the oak tree be kept when the ash tree was felled. The insurance company had said that the oak tree was causing the issue. They noted that once the subsidence was dealt with, their insurance cost would decrease, so the resident was keen for the issue to be resolved. They would favour underpinning the building and saving the tree if possible.

A member of the public addressed the public on application on DM/20/3780. The application was important for the future of Ote Hall and they were hoping that it would be approved.

234. **APOLOGIES FOR ABSENCE**

An apology for absence had been received from Councillor Kathleen Willis.

235. **SUBSTITUTES**

Councillor Robert Eggleston substituted for Councillor Kathleen Willis.

236. **DECLARATIONS OF INTEREST**

Councillors Robert Eggleston and Graham Allen 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.

Councillor Graham Allen declared an interest in DM/20/3704 as the applicant was his neighbor.

237. **CHAIRMAN'S ANNOUNCEMENTS**

Councillor Sarah Lawrence had stepped down from the Planning Committee and a ward representative for Victoria Ward was sought.

238. **MINUTES**

The Minutes of the meeting of the Planning Committee held on Tuesday 1 September 2020, having been previously circulated, were **AGREED** and signed by the Chairman as a correct record.

239. **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 19 October 2020, were considered.

**240. LICENCE APPLICATION - LI/20/1152 LOST PIER BREWING LTD, UNIT 14 SHEDDINGDEAN BUSINESS CENTRE, MARCHANTS WAY, RH15 8QY**

Notification had been received from Mid Sussex District Council on 20 October 2020 of an application for a new premises licence.

**RESOLVED that:**

The Committee noted the application.

241. Meeting terminated at 19.53 hours.

## OBSERVATIONS

DM/20/3953

Location: 6 Shotters Burgess Hill West Sussex RH15 9QE  
Desc: Oak T2 - Fell  
Agent: Vicki Harrison  
MWA Arboriculture Ltd Bloxham Mill Business Centre Barford  
Road Bloxham Banbury OX15 4FF  
Applicant: Mr Mihalev  
Case Officer: Sarah Nelson  
Ward: Burgess Hill - Victoria  
App. Type: Tree Surgery

### **OBSERVATIONS: Objections**

This was a healthy oak and had been there before any of the buildings concerned were built. The Committee understood that there was a subsidence issue with the conservatory, however the owner of the property which housed the tree did not know about this issue, and the loss of the oak would be a loss of amenity to the family. The oak was also visible from the street, so was an amenity to the community.

District Plan Policies DP37 and DP38 were relevant in understanding the importance of the tree, the application contravened these policies.

There were concerns that removing the oak would remove shade for the neighbouring office in the industrial estate which was South facing.

Developers should take account of expected future growth of trees when building, this had not been considered in this development. The developer should take responsibility, and if there was a cost to resolving the issue the developer should cover this, rather than the property owner.

Cutting the tree back would not solve the problem, as this would stimulate growth and the problem would recur in several years.

There was an alternative solution, underpinning the conservatory, and this was the preference of the Committee, as well as the property owner.

It was noted that the insurance company wished to remove the tree as this was cheaper than underpinning the conservatory.

The documentation stated that the insurance company were going to look at whether the conservatory had been properly built. The homeowner of the conservatory commented on this, and noted that the insurance company had concluded that the conservatory was built properly and in accordance with procedures.

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DM/20/3780

Location: Ote Hall Farm Janes Lane Burgess Hill West Sussex  
Desc: Erection of farm shop and cafe/tea room building and car park.  
Agent: Mr Andrew Hodgson  
Pegasus Group Suite 4, Pioneer House Vision Park Histon  
Cambridge CB24 9NL  
Applicant: Ote Hall Farm

Case Officer: Joseph Swift  
Ward: Burgess Hill - St Andrew's  
App. Type: Full Application

**OBSERVATIONS: Recommend Approval**

This application was a welcome addition to Burgess Hill.

The Committee would wish that the applicants use some form of renewable energy scheme, in line with District Plan Policy DP39.

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DM/20/3643

Location: 56 St Peters Road Burgess Hill West Sussex RH15 8JL  
Desc: Proposed extension of existing dormer to front elevation.  
Agent: Mr Daryl Gowlett  
Clive Voller Associates 2 Woolven Close Burgess Hill RH15 9RR  
Applicant: Mr and Mrs Tancred  
Case Officer: Deborah Lynn  
Ward: Burgess Hill - Leylands  
App. Type: Householder Application

**OBSERVATIONS: Recommend Approval**

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DM/20/3677

Location: 20 Manor Road Burgess Hill West Sussex RH15 0NL  
Desc: Proposed loft conversion with dormer on south west elevation.  
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 P A Gosling  
78 Potters Lane Burgess Hill RH15 9JS  
Applicant: Mr J Rollinson  
Case Officer: Hamish Evans  
Ward: Burgess Hill - St Andrew's  
App. Type: Lawful Development Certificate –Proposed

**OBSERVATIONS: The legal situation was noted.**

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DM/20/3684

Location: Roselands 3 Upper St Johns Road Burgess Hill West Sussex RH15 8HB  
Desc: Construction of a single-storey extension to the front elevation, along with amendments to the fenestration.  
Agent: Mr Toby Gosling  
George Baxter Associates 3 Lucastes Mews Paddockhall Road Haywards Heath West Sussex RH16 1HE  
Applicant: Mr and Mrs Bridge  
Case Officer: Katherine Williams  
Ward: Burgess Hill - Leylands  
App. Type: Householder Application

**OBSERVATIONS: Recommend Approval**

The Committee regretted the loss of a garage.

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DM/20/3704

Location: 61 The Ridings Burgess Hill West Sussex RH15 0PL  
Desc: Garden annexe to rear of property.  
Agent: Mr Brian Connellan  
The Green Room Unit 4 Station Road Uppingham Oakham LE15 9TX  
Applicant: Mr and Mrs Ballard  
Case Officer: Deborah Lynn  
Ward: Burgess Hill - Franklands  
App. Type: Householder Application

**OBSERVATIONS: Recommend Approval**

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DM/20/3719

Location: Wybunbury House Malthouse Lane Burgess Hill West Sussex RH15 9XA  
Desc: Oak Tree(T1) - Remove lower left limb viewed from house when looking towards the road back to main stem  
Agent: Sean O'Connor  
Southern Tree Works 1 Valley Road Peacehaven East Sussex BN10 8AE  
Applicant: Mr Sean O'Connor  
Case Officer: Irene Fletcher

Ward: Burgess Hill - Dunstall  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/3725

Location: 7 Highlands Drive Burgess Hill West Sussex RH15 8JH  
Desc: 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 Robert Thomas  
RT Architectural Services 61 Coulstock Road Burgess Hill West Sussex RH15 9XZ  
Applicant: Mr and Mrs Pillbeam  
Case Officer: Anna Tidey  
Ward: Burgess Hill - Leylands  
App. Type: Lawful Development Certificate –Proposed

**OBSERVATIONS: The legal situation was noted.**

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DM/20/3733

Location: 27 The Brooks Burgess Hill West Sussex RH15 8TR  
Desc: Oak Tree - raise canopy by 2-3 metres and thin crown by 20%.  
Agent: Simon Bimby  
Sussex Tree Surgeons The Complete Garden Service Erringham Farm Mill Hill Shoreham West Sussex BN43 5FA  
Applicant: Mr Paul Craig  
Case Officer: Irene Fletcher  
Ward: Burgess Hill - Dunstall  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/3741

Location: 2 The Oaks Burgess Hill West Sussex RH15 9XP  
Desc: T1 and T2 Oak - cut by 3 metres.  
Applicant: Mr Martyn Chapell  
2 The Oaks Burgess Hill West Sussex RH15 9XP  
Case Officer: Irene Fletcher  
Ward: Burgess Hill - Dunstall

App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/3743

Location: Between 50 And 51 Foxglove Close Burgess Hill West Sussex RH15 8UY  
Desc: Reduce the crowns on 6 oak trees by up to 3 metres.  
Applicant: Mr Andrew Bowen  
5 The Oaks Burgess Hill West Sussex RH15 9XP  
Case Officer: Irene Fletcher  
Ward: Burgess Hill - Dunstall  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/3525

Location: 4 Grange Close Burgess Hill West Sussex RH15 0RZ  
Desc: Two storey front extension. Garage roof changed from flat to pitched. Rear single storey extension.  
Applicant: Mr Neil Maclean  
4 Grange Close Burgess Hill West Sussex RH15 0RZ  
Case Officer: Hamish Evans  
Ward: Burgess Hill - St Andrew's  
App. Type: Householder Application

**OBSERVATIONS: Recommend Approval**

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DM/20/3706

Location: Keymer Brick & Tile Co Ltd Claypits And Tileworks Nye Road Burgess Hill West Sussex RH15 0LZ  
Desc: Deed of variation to a Section 106 Agreement. 09/03697/OUT  
Agent: Mr Mathew Jones  
Gowling WLG (UK) LLP Two Snowhill Birmingham B4 6WR  
Applicant: Ms Julia Tamlin  
Case Officer: Stephen Ashdown  
Ward: Burgess Hill - St Andrew's  
App. Type: Mod. / Discharge of Planning Obligation

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**OBSERVATIONS:**

The Committee expressed concern that the affordable housing quota should stay as in the original agreement.

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DM/20/3749

Location: 48 St Andrew's Road Burgess Hill West Sussex RH15 0PH  
Desc: 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 Tony Rogers  
Tony Rogers Building Consultants 40 Dawn Crescent Upper Beeding BN44 3WH  
Applicant: Mr J Meehan  
Case Officer: Hamish Evans  
Ward: Burgess Hill - St Andrew's  
App. Type: Lawful Development Certificate –Proposed

**OBSERVATIONS: The legal situation was noted.**

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DM/20/3819

Location: Walstead House Birchwood Grove Road Burgess Hill West Sussex RH15 0DL  
Desc: Detached dwelling and associated access and gardens.  
Agent: Mrs Julia Exley  
Elizabeth Lawrence Ltd Woodend, Water Lane Water Lane Storrington RH20 3LY  
Applicant: Mrs Julia Pyper  
Case Officer: Rachel Richardson  
Ward: Burgess Hill - Franklands  
App. Type: Full Application

**OBSERVATIONS: The application was invalid.**

The Committee noted that there were serious highways issues as the property was opposite Birchwood Grove School. A highways report was needed given the location of the property. This would be considered when the application came to the Committee.

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DM/20/3827

Location: Prospect House 11 Junction Road Burgess Hill West Sussex RH15 0GS  
Desc: Conversion of part of ground floor from A1 (retail) to C3 (residential).  
Agent: Mr Kieran Rafferty  
Applicant: KR Planning 183 Seafield Road Bournemouth BH6 5LJ  
Case Officer: Mr R Parkinson - Quinata Ltd  
Case Officer: Joseph Swift  
Ward: Burgess Hill - Meeds  
App. Type: Prior Not. - Retail/Takeaway to Dwelling

**OBSERVATIONS: Recommend Refusal**

The flats did not meet minimum space standards. The Committee were concerned that the energy efficiency standards would not be met.

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DM/20/2801

Location: 235 London Road Burgess Hill West Sussex RH15 9QU  
Desc: Erect fence along Portland Road side of property boarder  
Applicant: Mr Chris Evans  
Applicant: 235 London Road Burgess Hill West Sussex RH15 9QU  
Case Officer: Deborah Lynn  
Ward: Burgess Hill - Victoria  
App. Type: Householder Application

**OBSERVATIONS: Recommend Approval**

It was contrary to the Planning procedure to consider a retrospective application.

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DM/20/3835

Location: 6 Nightingale Lane Burgess Hill West Sussex RH15 9JJ  
Desc: 2 x Oak trees - Reduce sides and top by 1.5m  
Applicant: Mr F C Jones  
Applicant: 6 Nightingale Lane Burgess Hill West Sussex RH15 9JJ  
Case Officer: Sarah Nelson  
Ward: Burgess Hill - Meeds  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/3922

Location: 10 Station Road Burgess Hill West Sussex RH15 9DQ  
Desc: Change of use of two upper floors of office space into two separate flats and four new roof windows..  
Agent: Mr Stuart Beckett  
Beckett Architectural & Consultancy Services Ltd 53 Bramble Gardens Burgess Hill West Sussex RH15 8UQ  
Applicant: Mr J Walden  
Case Officer: Anna Tidey  
Ward: Burgess Hill - Meeds  
App. Type: Full Application

**OBSERVATIONS: Recommend Approval**

The Committee would expect that the flats met the minimum space standards.

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DM/20/3944

Location: 23 Park Road Burgess Hill West Sussex RH15 8EU  
Desc: T4 Japanese Thuja - Fell.  
Applicant: Henry Otley  
23 Park Road Burgess Hill West Sussex RH15 8EU  
Case Officer: Stuart Malcolm  
Ward: Burgess Hill - Meeds  
App. Type: Trees in a Conservation Area

**OBSERVATIONS: No objections**

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DM/20/3981

Location: 30 Wheelwright Lane Burgess Hill West Sussex RH15 0QL  
Desc: To reduce Oak back to old points, approximately 1 - 1.5m all over  
Agent: Mrs Nicola Maidman  
KPS Contractors Ltd KPS House Ham Lane Scaynes Hill Haywards Heath RH17 7PR  
Case Officer: Sarah Nelson  
Ward: Burgess Hill - Franklands  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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DM/20/4004

Location: Castor House 54B Folders Lane Burgess Hill West Sussex RH15  
0DX  
Desc: T1 Oak - All over crown reduce by 1.5 metres.  
Agent: Mrs Nicola Maidman  
KPS Contractors Ltd KPS House Ham Lane Scaynes Hill  
Haywards Heath West  
Sussex RH17 7PR  
Case Officer: Sarah Nelson  
Ward: Burgess Hill - Franklands  
App. Type: Tree Surgery

**OBSERVATIONS: No objections**

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