

MINUTES of the **PLANNING COMMITTEE**
Council Chamber
on **Monday 18 October 2021**

Present: Janice Henwood Chairman

Graham Allen
Andrew Barrett-Miles
Peter Chapman
Matthew Cornish
Tofojjul- Hussain
Max Nielsen*

Also Present: Sylvia Neumann

(19.00)

384. [OPEN FORUM](#)

A resident from the South of Folders Lane Action Group addressed the Committee on application DM 21/331 - Land At Wintons And Wintons Fishery, Folders Land Burgess Hill, West Sussex- application to build 8 houses.

The resident expressed concerns over the unsuitable, unsustainable and could set a dangerous precedent for further development in the protected countryside to the south of Burgess Hill. If it was permitted, this application would strengthen the case for 350+ houses at SA12 & SA13 in the Site Allocations DPD, which the Town Council and local residents strongly oppose.

- The site was outside the built up boundary to the south of Burgess Hill – countryside south of Burgess Hill and was designated for protection in the Burgess Hill Neighbourhood Plan.
- This area was protected as a Countyside Area of Development Restraint by Mid Sussex District Plan policy DP12.
- The site had never been allocated for housing by MSDC. It was assessed as unsuitable in 2013 and 2016, and was not taken forward in the 2020 Site Allocations DPD assessment. Reasons given for its unsuitability included ‘incongruous encroachment into surrounding countryside’ and risk of surface water flooding.

- Any houses built on this site would be at unacceptable risk of surface water flooding – a risk acknowledged by the developers’ own survey, and cited by MSDC in 2020.
- Development would cause harm to the setting of the South Downs National Park – boundary is less than 250 metres away.
- Development would conflict with paragraphs 12 and 176 of the NPPF:
 - Paragraph 12: ‘Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’.
 - Paragraph 176: Developments should be refused where harm is caused to the setting of a National Park.
- This application was for a small proportion of a larger site which was previously proposed for up to 120 houses – this would be a “Trojan Horse” application and therefore in conflict with District Plan Policy DP6.
- At its current size, this application constituted a back garden development and conflicted with Neighbourhood Plan Policy H2.

385. [APOLOGIES FOR ABSENCE](#)

An apology for absence had been received from Cllr Max Nielsen.

386. [SUBSTITUTES](#)

There were none.

387. [DECLARATIONS OF INTEREST](#)

There were none.

388. [CHAIRMAN'S ANNOUNCEMENTS](#)

The Appeal against Walstead House, Birchwood Grove, was upheld.

24 Oak Hall Park - applicant given until April 2022 to plant a hedge. The brick wall was not listed so no need for planning permission for demolition.

[LICENCE APPLICATION BURGESS HILL TOWN COUNCIL HELP POINT, CHURCH WALK, BURGESS HILL, WEST USSEX, RH15 9AS, LI/21/1211](#)

Notification had been received of an application for a new premises licence for Burgess Hill Town Council Help Point. The deadline for comments was 12 November 2021.

OBSERVATIONS: The Committee noted the application and the Chairman of the Planning Committee would request from the CEO that this matter would be considered at the Council meeting on 22nd November 2021.

LICENCE APPLICATION JD WETHERSPOON PLC. CHURCH WALK, BURGESS HILL, WEST SUSSEX, RH15 9BQ, LI/21/1186

Notification had been received of an application for a new pavement licence for JD Wetherspoon Plc, Six Gold Martlets, 49-51 Church Walk, Burgess Hill, RH15 9BQ. The deadline for comments was 19 October 2021.

OBSERVATIONS: The Committee would review the application and advise Mid Sussex District Council their comments in view of the deadline.

389. MINUTES

The Minutes of the meeting of the Planning Committee held on 27 September 2021, having been previously circulated, were **AGREED** and signed by the Chairman as a correct record.

390. 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 27 September 2021, were considered.

391. LICENCE APPLICATION CORBETT COURT, THE BROW, BURGESS HILL, WEST SUSSEX, RH15 9DD, LI/21/1139

Notification had been received of an application for a new premises licence for Corbett Court, The Brow Burgess Hill, RH15 9DD. The deadline for comments was 3 November 2021.

OBSERVATIONS: The Committee noted the application.

392. LICENCE APPLICATION MK FOOD AND WINE, 139 LONDON ROAD, BURGESS HILL, WEST SUSSEX, RH15 8LT, LI/21/1148

Notification had been received of an application for a new premises licence for MK Food and Wine, 139 London Road, Burgess Hill, RH15 8LT. The deadline for comments is 22 October 2021.

OBSERVATIONS: The Committee noted the application.

393. Meeting terminated at 19:40 hours.

Parish: Burgess Hill

Ward: Burgess Hill - Victoria

DM/21/2495

Location: 67 Hammonds Ridge Burgess Hill West Sussex RH15 9QW
Desc: Proposed two storey rear extension. Amended Plans received 09.09.2021 and 15.09.2021 removing any front addition to the house.
Agent: Mr. Stuart Beckett
Beckett Architectural And Consultancy Services Ltd 53 Bramble Gardens Burgess Hill RH15 8UQ
Applicant: Mr and Mrs Lake
67 Hammonds Ridge Burgess Hill West Sussex RH15 9QW
Case Officer: Anna Tidey
App. Type: Householder Application

OBSERVATIONS: Recommend Approval

Parish: Burgess Hill

Ward: Burgess Hill - Dunstall

DM/21/3130

Location: 33 Coulstock Road Burgess Hill West Sussex RH15 9XH
Desc: Single storey rear extension (Day Room), Garage conversion to form Snug and replacement attached Garage (to the front of the original garage). The new garage roof is to be continued over existing front porch.
Agent: Mr John Sergi
Sussex Architectural Services Wicket View Cuckfield Lane Warninglid Haywards Heath RH17 5UB
Applicant: Mr And Mrs J Dobson
33 Coulstock Road Burgess Hill West Sussex RH15 9XH
Case Officer: Caroline Grist

OBSERVATIONS: Recommend Refusal

The committee expressed concerns over the following:

- Loss of parking spaces;
 - Proximity of the proposed development to the shed in the rear garden as the proposal was a three metre extension;
 - This was an over development of the site;
 - The proximity of the trees on the adjacent site would impact the development.
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DM/21/3311

Location: Land At Wintons And Wintons Fishery Folders Lane Burgess Hill West Sussex

Desc: Erection of 8 dwellings, alterations to site access, provision of car parking along with hard and soft landscaping.

Agent: Mr Daniel Frisby
DMH Stallard LLP Griffin House 135 High Street Crawley RH10 1DQ

Applicant: Mr Sam Watling
Remmus Designer Homes Ltd. Moore House Farm Ditchling Road Wivelsfield RH17 7RE

Case Officer: Joanne Fisher

App. Type: Full Application

For 6 or more dwellings councillors are asked to consider Section 106 contributions.

RECOMMENDATION:

Section 106 requests under Community Building and/or Community Infrastructure monies to go towards The Beehive Centre.'

OBSERVATIONS: Recommend Refusal for the following reasons:

- Not allocated in MSDC Plan – not required as MSDC can demonstrate a 5 year housing land supply.
 - Not identified in Burgess Hill Neighbourhood Plan, outside the defined built up boundary.
 - Against MSDC Plan Policies:
DP 12- Protect and Enhance Countryside does not enhance the quality of the rural and landscape character of the District.
 - DP 13- prevents coalescence between Burgess Hill and Hassocks would allow this from the SDNP – cause harm to the setting
 - DP 18 – Setting of the South Downs National Park – would be detrimental to this.
 - Also against paragraph 176 of NPPF
 - DP 41 – Flood risk – acknowledged by MSDC in 2020 and therefore not allocated in the Site Allocation DPD.
 - Burgess Hill Neighbourhood Plan against Policy H2 – which states that such development would generally not be supported.
 - Against H3 : Protect areas of townscape value, - Folders Lane listed as one.
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Parish: Burgess Hill

Ward: Burgess Hill - Franklands

DM/21/3368

Location: 24 Silverdale Road Burgess Hill West Sussex RH15 0EF

Desc: Quercus Robar - Fell

Agent: The Sussex Arborist Company
1 Unitroy Cottages Balcombe RH17 6NL

Applicant: Daniel Fitcher-Law
1 Unitroy Cottages Balcombe RH17 6NL

Case Officer: Sarah Nelson

App Type: Trees in a Conservation Area

OBSERVATIONS: No objections. The committee requested an arboricultural report.

Parish: Burgess Hill

Ward: Burgess Hill - Franklands

DM/21/3376

Location: Woodlands Nursing Home 23 Silverdale Road Burgess Hill West Sussex

Desc: Norway maple - reduce crown on NE side (overhang to Dalewood) by 2m

Applicant: Daniel Triggs
Dalewood, Dalewood Gardens Burgess Hill RH15 0JA

Case Officer: Sarah Nelson

App. Type: Trees in a Conservation Area

OBSERVATIONS: No objections. The committee requested an arboricultural report.

Parish: Burgess Hill

Ward: Burgess Hill - Meeds

DM/21/3397

Location: 33A Station Road Burgess Hill West Sussex RH15 9DE

Desc: Subdivision of flat into two flats

Agent: Simon Bareham
Lewis And Co Planning SE Ltd Lewis & Co Planning 2 Port Hall Road Brighton BN1 5PD

Applicant: Mr. Shahram Moallemi
C/o Agent

Case Officer: Stuart Malcolm

App. Type: Full Application

OBSERVATIONS: Recommend Approval

Parish: Burgess Hill

Ward: Burgess Hill - Leylands

DM/21/3410

Location: 1 Chestnut Close Burgess Hill West Sussex RH15 8HN
Desc: T1 Quercus rober - reduce by 2meters. T2 Carpinus betula -
Reduction by 3 meters and lift of canopy.
Agent: Antony Geer
AG Garden And Tree 16 Capenors Burgess Hill West Sussex RH15
9QL
Applicant: Glen Geer
1 Chestnut Close Burgess Hill West Sussex RH15 8HN
Case Officer: Irene Fletcher
App. Type: Tree Surgery

OBSERVATIONS: No objections. The committee requested an arboricultural report.

Parish: Burgess Hill

Ward: Burgess Hill - St Andrew's

DM/21/3385

Location: Land To The South Of Kings Way Burgess Hill West Sussex RH15
0XP
Desc: Erection of a 68 bedroom residential care facility, with associated
access works, car parking, servicing, private amenity space,
landscaping and boundary treatment.
Agent: Mrs Heather Lindley-Clapp
Nexus Planning Eastgate 2 Castle Street Castlefield Manchester
M34LZ
Applicant: Frontier Estates Limited
C/O Agent
Case Officer: Joseph Swift
App. Type: Full Application

OBSERVATIONS: Recommend Refusal

The following points were raised:

- DP21 – the scheme does not provide adequate parking
There were limited disabled parking spaces for residents
and staff. The scheme doesn't support MSDC's sustainable
modes of travel scheme for transport
- DP40 – no sustainable energy scheme was proposed. 4.3 of
the Design and Access Statement suggested panels could
be put in, the Town Council requests these.
- Highways Safety – The Committee expressed concern on
the distance between the bridge and the entrance point to
the site and requested Highways comments.
- Environmental – The Committee expressed concerns over
the loss of five ponds citing DP38 which protects valued
landscapes.

Parish: Burgess Hill

Ward: Burgess Hill - Franklands

DM/21/3432

Location: Rosedale House 21B Ferndale Road Burgess Hill West Sussex
Desc: T1 Sycamore - Crown lift to 1.5m and crown reduction by 3m.

Applicant: David Pitts
Rosedale House 21 Ferndale Road Burgess Hill West Sussex RH15 0HB

Case Officer: Sarah Nelson
App. Type: Trees in a Conservation Area

OBSERVATIONS: No Objections

Parish: Burgess Hill

Ward: Burgess Hill - Victoria

DM/21/3447

Location: 8 Beaconsfield Close Burgess Hill West Sussex RH15 9AT
Desc: T1 Yew - Reduce height and spread by up to 2m. T2 Hawthorn - Reduce height by up to 2m.

Applicant: Kathryn Ballard
8 Beaconsfield Close Burgess Hill West Sussex RH15 9AT

Case Officer: Sarah Nelson
App. Type: Trees in a Conservation Area

OBSERVATIONS: No Objections

Parish: Burgess Hill

Ward: Burgess Hill - Meeds

DM/21/3435

Location: Flat 1 Prospect House 11 Junction Road Burgess Hill
Desc: Extension at second floor level to provide 2 self-contained units

Agent: Mr. Aleksander Pantazis
Redwoods Projects Unit 4 Grosvenor Way London E5 9ND

Applicant: Mr Martin Oppenheimer
11 Junction Road Burgess Hill West Sussex RH15 0GS

Case Officer: Deborah Lynn
App. Type: Full Application

OBSERVATIONS: Recommend Approval

Parish: Burgess Hill

Ward: Burgess Hill - Victoria

DM/21/3493

Location: HPC Engineering Ltd Victoria Gardens Burgess Hill West Sussex
Desc: Fell 1 x Horse Chestnut
Agent: Robert Symes
6 School Cottages East Chiltington Lewes West Sussex BN7 3AY
Applicant: Steve Russell
HPC Engineering Ltd Victoria Gardens Burgess Hill West Sussex
RH15 9RQ
Case Officer: Irene Fletcher
App. Type: Tree Surgery

OBSERVATIONS: No objections. The committee requested an arboricultural report.

Parish: Burgess Hill

Ward: Burgess Hill - Dunstall

DM/21/3494

Location: Land Rear Of 17 And 19 Wisden Avenue Burgess Hill West Sussex
RH15 8TL
Desc: Reduce height of 5 Oak trees at the land to the rear of 17 & 19
Wisdom Avenue by 2 metres.
Agent: James Williams- Fuller
Colwood Land Care The Stables Hanlye House Cuckfield RH17 5HR
Applicant: Mr Jeremy Clark
17 Wisden Avenue Burgess Hill West Sussex RH15 8TL
Case Officer: Irene Fletcher
App. Type: Tree Surgery

OBSERVATIONS: No Objections

Parish: Burgess Hill

Ward: Burgess Hill - Franklands

DM/21/3507

Location: 2 Farm Way Burgess Hill West Sussex RH15 0JX
Desc: Demolition of existing rear conservatory, erection of single storey rear
extension, single storey front extension and enlarged front dormer to
1st floor front elevation.
Agent: Mr Alex Beattie
Lightbox Architecture Limited 121 Greenbank Avenue Saltdean BN2
8QP
Applicant: Evans
2 Farm Way Burgess Hill West Sussex RH15 0JX
Case Officer: Cris Lancaster
App. Type: Householder Application

OBSERVATIONS: Recommend Approval