

## LINDFIELD PARISH COUNCIL

Minutes of the **EXTRAORDINARY MEETING** of **LINDFIELD PARISH COUNCIL** held on **TUESDAY 12 JANUARY 2016** at the United Reformed Church, Lindfield at 8.00 p.m.

**Present:**

Parish Councillors: Mr W. Blunden (Chairman)  
Mrs M. Hersey  
Mr. M. Allen  
Mr. A. Gomme  
Mr. S. Hodgson  
Mr. R. Plass  
Mr. C. Snowling

**In attendance:**

Mrs. C. Irwin (Parish Clerk)  
Mr. I McLean (Deputy Parish Clerk)  
Mr. C. Hersey, Mr. A. Lea, and Mrs. A. Lea (MSDC Councillors)  
Mr J. Jesson, Lindfield Preservation Society (LPS)  
8 members of the public.

**Not present:**

Councillors Mrs. V. Upton, Mr S. Henton, Mr S. Shortland, Mrs J. Durrant

The Chairman welcomed those present.

**96. APOLOGIES AND REASONS FOR ABSENCE.**

96.1 Apologies for absence were received from Councillors Upton, Henton, Shortland and Durrant, and the reasons were accepted.

**97. DECLARATIONS OF INTEREST.**

97.1 Councillor Hersey declared an interest as a Mid Sussex District Councillor, who sits on the District wide Planning Committee, and said that because she must reserve her position on this planning application, she would neither speak nor vote in the matter.

97.2 There were no other declarations of interest from Members in respect of the item on the Agenda.

**98. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC.**

98.1 Mr Jesson urged the Parish Council to take on board the LPS's own response to the planning application being considered below. He raised the additional issue of the school size being proposed by the applicant. A meeting had taken place between Wates and the education authority, West Sussex County Council, and it was likely that the size of the school would be doubled, as the applicant had recognised the need for a full form entry school. This will alter the traffic flow projections and analysis offered by the applicant, in terms of the additional traffic movement created by such a school, and it was noted that an official nationwide study has recorded that 42% of morning peak flow traffic is journeys relating to educational establishments. There will be further severe congestion along the Lewes Road. Councillor Blunden said that it could also have an effect on the viability of St Augustine's Primary School in Scaynes Hill, and so the proposal needs to be thoroughly researched. Mr John Ely, taking up the point, referred to the possibility (which he has relayed to the two Parishes in writing) of taking up a separate traffic study by GTA to look into the effects of the proposal, and to carry out an independent appraisal of the traffic data/information provided by the applicant.

(At this point, the Chairman asked Councillor Gomme, Chairman of the Traffic & Planning Committee, to lead on the following item, but Councillor Blunden remained in the Chair. This was unanimously agreed.)

## LINDFIELD PARISH COUNCIL

99. **Planning application DM/15/4457 – Land to the South of Scamps Hill, Scaynes Hill Road – outline application for the development of land to the south of Scamps Hill to accommodate up to 200 dwellings, a 9.5 ha Country Park and land for a ½ form entry primary school, together with associated access road, car parking, landscaping and open space. All matters reserved except for access.**
- 99.1 Councillor Gomme introduced the item, and outlined the nature of the planning application. He also referred to the schools issue, and said that it was important that the Parish Council's response included reference to this matter. Whilst the draft response had been circulated to Members, he then read out for the benefit of those attending the meeting, a summary of the draft response.
- 99.2 Councillor Plass said that even if Wates had reserved options for the provision of a school, the new proposal for a full form entry school calls into doubt all the statistical information provided by the applicant in support of the application. Councillor Snowling noted that the status of the planning application must now be questioned in view of the likely change to be proposed by the applicant. Councillor Blunden said that he thought that the Council should endorse the draft response, and that whilst this had to be based on the application that had been presented, a reference to the schools issue should be included.
- 99.3 It was therefore unanimously **RESOLVED** to endorse the draft response to Mid Sussex District Council, but with the inclusion of a reference to the schools issue as above.

The response is therefore now reproduced in full, as follows:-

“First of all, the Parish Council is concerned to note that the applicant appears to have accepted, very late on in the process, that the proposal for a ½ form entry school is not viable, and not in accordance with West Sussex County Council's (WSCC) education strategy. The Council understands that discussions between the applicant and WSCC are now ongoing, but that the applicant is minded to change its position, in order to provide for a full form entry school within the application. This would cater for 210 children and would need a much larger land allocation than the 2.1 hectares. In that event, it is clear that there would be even more road usage, particularly at peak school times, such that the accuracy of the statistical information on traffic generation, provided by the applicant, must be even further doubted. Furthermore, such a proposal could have an effect on existing school provision in Scaynes Hill, and this needs to be properly assessed. In addition, if further land is to be provided, consultees need to know where it will be, and what effect it will have on the proposed site lay out. Therefore, if there is to be such a change lodged with the Planning Authority in due course, the Parish Council submits that it will be a material variation to the application, such that the application should be re-advertised, in order to allow for a further statutory period of consultation. In the meantime, this response is based on the application as presented.

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The Parish Council strongly objects to this application on the following grounds:-

As regards the Mid Sussex Local Plan 2004:

1. The proposal will not respect the character of the locality contrary to Policy B1(a), nor will it maintain or enhance the quality of the rural character of the District at the fringes of Lindfield, and the High Weald Area of Natural Outstanding Beauty immediately to the north of the site.
2. The proposal is contrary to the objectives of Policy B6 in that the area is one of recreational, conservation, and wildlife value. This policy applies to private areas of open space.
3. The proposal does not accord with Policy C1, which seeks to protect the countryside. The area is designated as a Countryside Area of Development Restraint, and there are no exceptional circumstances, which could justify such a development. It is noted that the Policy seeks to protect the countryside for its own sake.

## LINDFIELD PARISH COUNCIL

4. The proposal does not accord with Policy C2 in that the strategic gap between Lindfield and the ancient hamlet of Walstead, which has already been severely eroded, will disappear altogether. It is clear that the Policy requires this to be specifically protected.
5. There are concerns about compliance with Policy C6 in that the land is a natural habitat for a number of animal species, and the location of a number of wildlife habitats in the area, as the applicant has acknowledged. The environmental damage that will occur as a result of further development in this area, contributes significantly to the unsustainability of this proposal. Further, it can only ever be aspirational to implement mitigation measure upon mitigation measure (having regard to the extensive development that has already taken place), and expect there to be no significant impact on the ecology of the area.

### As regards the emerging District Plan:-

1. The proposal does not meet the requirements of Policy DP4, which states that development will only be permitted if it is appropriate in scale and function to its location, including the character and amenities of the surrounding area. If Lindfield is to retain its village status and character, and if the already overstretched amenities are not to collapse altogether, the application should be refused. Furthermore, the Policy states that the proposal should be in accordance with the relevant Neighbourhood Plan. Clearly, as further stated below, it is not.
2. The proposal fails to take account of Policy DP5, which sets out an informed and strategic basis for the future delivery of housing requirements across Mid Sussex, and which acknowledges the significant contribution of Neighbourhood Plans. This policy has evolved and been developed over time by people who know the District well, in terms of the changing circumstances and needs, and in co-operation with neighbouring planning Authorities (as required by the requirements of the NPPF). The Policy proposes a comprehensive strategy for having assessed, and then delivering the acknowledged housing needs of the District in a planned, informed, and consensual way. In addition, this site has been assessed as unsuitable for development in Mid Sussex District Council's recently reviewed and updated Strategic Housing Land Availability Assessment 2015 (site reference 483 LR/07). This assessment points to a significant number of deficiencies with regard to any development of the land, and endorses many of the points set out in this response.
3. The proposal does not meet the objectives of Policy DP10, which seeks to protect and enhance the countryside (to be valued for its own sake).
4. The proposal does not meet the requirements of Policy DP11, which seeks to prevent coalescence as set out above. It is clear that the separate identity and amenity of settlements (i.e. Lindfield and Walstead in this case) will be irreparably harmed.
5. The proposal does not meet the objectives of Policy DP13 in that there can be no special justification for this development.
6. In terms of Policy DP 19, the Local road network is entirely unsuitable for a development of this size, and it is not credible to believe that there will be insignificant effects on local roads and junctions, particularly at peak times. It is also not sensible to propose to deal with whatever the possible effects and solutions turn out to be, after the event, as the West Sussex County Council Highways response seems to suggest. The proposal clearly adds to the cumulative effects of the already significant increase in the number of dwellings concentrated in this area, and will add significantly to car pollution in this rural area. It is fanciful to suggest that commuters will cycle to the station in Haywards Heath, or others to the town, or indeed walk to Lindfield village (which is already now beginning to suffer real car parking pressures). Furthermore, bus services in this rural area are pretty infrequent during the week, and either more infrequent or non-existent at weekends. It is also

## LINDFIELD PARISH COUNCIL

clear that contrary to the policy, the proposals for the existing road junction (at the triangle) will have an urbanising effect on what is a pleasant country road, as one drives out of Lindfield towards Scaynes Hill or vice versa.

7. It is debateable whether the proposal meets the requirements of policy DP22, in terms of the replacement of open countryside with an enclosed formal "Country Park", and similar policy requirements in the 2004 Local Plan. However, it is not acceptable for open space to keep being provided, taken away, and then re-provided somewhere else. It is noted that the application proposes to build on open space/recreation land, already provided in connection with the current Wates development (Heathwood Park), as itself originally moved from the open space obligation connected with the 65 house built former Kaleidoscope development (Langmore Lane). Communities should not have to wait indefinitely for planning obligations to come to fruition, or for recreation grounds to be moved even further from the developments they were mainly designed to benefit, and what guarantee can there be, if the Planning Authority keeps permitting this, that the Country Park itself won't be changed or compromised in the future.
8. There are major issues regarding meeting the requirements of Policy DP41 as regards potential flooding issues, as the application appears to acknowledge (Ground Appraisal Report). It needs to be clear, by the attachment of appropriate conditions, that if developers propose mitigation measures, such as Sustainable Drainage Systems, then if such measures do not work (as increasingly seems to be the case) the developer remains fully liable for the consequences. This needs to go further than simply ongoing maintenance for a period of time.

### As regards the National Planning Policy Framework (NPPF):

1. The proposal will not meet the requirements of paragraph 61 of the NPPF, which states that planning policies and decisions should address the connections of people and places and the integration of new development into the natural, built, and historic environment.
2. As regards the potential for flooding, the proposal does not meet the objectives of paragraphs 100 to 103 of the NPPF for the reasons stated above. It is submitted that the flooding risk is not capable of being fully and properly addressed, until the effects of all the current developments in this area have been fully and properly assessed.
3. The proposal does not meet the objectives of paragraph 109 of the NPPF in that the natural environment will be neither conserved nor enhanced.
4. The proposal does not accord with paragraphs 165 and 166 of the NPPF in that it fails to take into account the need to meet the demands of the natural environment. As is acknowledged in the SHLAA, the proposal represents a significant incursion into open countryside, and does not benefit from natural screening and containment within the landscape.

### As regards the Lindfield and Lindfield Rural Neighbourhood Plan (LLRNP):

- The proposal does not accord with the principles of Lindfield and Lindfield Rural Parish Council's Neighbourhood Plan, the importance of which is supported by the District Plan in Policy Code and Policy DP5, and by the stated intentions of the NPPF regarding the localism agenda, which is a core planning principle set out in paragraph 17 of the NPPF. In line with recent statements from both the District Council and the Department for Communities and Local Government, the Plan must be accorded significant and real weight, particularly now that it has been formally submitted under Regulation 15 of the Neighbourhood Planning Regulations 2012 to the Planning Authority, Mid Sussex District Council. Indeed, the Plan has been approved by Mid Sussex District Council for referendum, and this is confirmed to take place on 28<sup>th</sup>

## LINDFIELD PARISH COUNCIL

January 2016. A letter from the then Planning Minister, Nick Boles, MP (dated 27<sup>th</sup> June 2013), states “*The Government has been clear that local plans, drawn up in consultation with local people, should determine where development should and shouldn’t go.*” This letter is placed in the public domain. It has also now been said by Government that even where there is no District Plan in place, or 5 year housing land supply, a Neighbourhood Plan should still be accorded sufficient weight depending on its progress. The LLRNP is significantly far advanced, and could be formally made and adopted within weeks.

- As above, the area is outside the current built up area boundaries of recognised settlements, and so in addition to the LLRNP, the proposal runs counter to a number of Mid Sussex District Council’s own planning policies.

### General comments:

- The applicant in its submissions, comments extensively on the “prematurity” issue. However, in the Parish Council’s submission, it is simply a matter of common sense, given that the District Plan is so far advanced, and so much work has gone into it, to enable the well documented and acknowledged housing need, to be delivered in a well thought out and planned way. The painstaking process of “getting it right” for the benefit of both current communities (and residents of the District), and as concerns future inhabitants, which is encouraged by the NPPF, should not be undermined by having piecemeal development imposed on inappropriate locations across the District. One should not override the other. Accordingly, the needs of Mid Sussex should be spread across the district in a way which reflects “the needs of future generations, without impacting on the needs of existing generations, towns and villages.”
- It undermines the diligent process of communities developing Neighbourhood Plans, if decision makers at any level are simply to set them aside on the basis that the absence of a District Plan or a 5 year housing land supply trumps everything. The planning authority should not be swayed by conjecture about the future status of Plans and policies. In any event, as has been stated above, MSDC has made considerable strides in both areas, and due process should now be allowed to take place towards Plan adoption, in the interests of natural justice for all sides.
- The proposal does not address the infrastructure deficit of providing more and more housing in Mid Sussex, other than by agreeing to allocate money to the problems. This does not help the aspirations and objectives of Policy DP18 of the District Plan. It is contended that s.106 monies (and/or CIL monies in the future) are simply not delivering the level of infrastructure requirements and improvements that are needed to make such developments anything like sustainable. Infrastructure requirements must be properly addressed before any further large scale housing development is permitted, and indeed many objectors have referred to the severe pressures on existing services. Developers should not be able to cover these issues simply as a tick box exercise. These are very real concerns. For example, the provision of land for a ½ entry form school has not been thought through, and could be unviable. What evidence is there that WSCC has been properly consulted or has inputted the proposal?
- It is submitted that the requirements of the NPPF, allow decision makers not just to consider a planning application in isolation, but to consider the cumulative effects of all building within an existing community, in the light of previous substantial developments in the area. This is in terms of increased traffic generation and pollution, infrastructure deficits, and community cohesion and welfare. To quote from the Feniton enquiry held by the Planning Inspectorate “*planning applications can be refused if the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan making process by predetermining decisions about the scale, location, or phasing of new development that are central to an emerging Local Plan, and that the emerging Plan is at an advanced*

## LINDFIELD PARISH COUNCIL

*stage.”*

For all of the above reasons, the Parish Council concludes that the proposal is not sustainable, and that it is clear on any objective analysis, that the adverse impacts of approving the application, significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. **The application should therefore be refused.”**

The meeting concluded at 8.29 p.m.

(Note: After the conclusion of the meeting, Councillor Blunden reminded those present about the Neighbourhood Plan referendum on 28<sup>th</sup> January 2016, and the two pop-in sessions regarding the Neighbourhood Plan on 16<sup>th</sup> January 2016.)