

LINDFIELD PARISH COUNCIL

Minutes of the meeting of the Planning and Traffic Committee held on 1 December 2009 at the King Edward Hall, Lindfield.

The meeting commenced at 8.00pm.

Present: Mr C Snowling (Chairman)  
Mr A Gomme (Vice Chairman)  
Mr W Blunden  
Mrs M Hersey  
Mrs M Nicolle  
Mrs V Upton  
Mr S Willcox

Also Present: 7 members of the public

In Attendance: Mr P Hemsley

357. WELCOME AND EMERGENCY ANNOUNCEMENTS

357.1 The Chairman welcomed those present and announced the emergency procedure for the King Edward Hall.

358. APOLOGIES FOR ABSENCE

358.1 Apologies were received from Councillor Leach and the reason accepted.

359. DECLARATIONS OF INTEREST

359.1 Cllr Hersey stated that she reserved the right to express a different opinion from that given at this meeting, when present at meetings of Mid Sussex District Council's Central Area Planning Committee or at any other meeting which subsequently considered any matter discussed at the present meeting, having seen the Officers' reports and heard representations from members of the public and fellow members.

Cllr Blunden declared a personal interest in Item 5(iii) (09/03350/FUL) at 19 Eastern Road, as his father lived at No 17.

360. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE HELD ON 9 NOVEMBER 2009

360.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 9 November 2009. It was AGREED to APPROVE the Minutes and the Chairman SIGNED the Minutes as a true record of that meeting.

361. PLANNING APPLICATIONS AND OTHER MATTERS REFERRED TO THE PARISH COUNCIL BY MID SUSSEX DISTRICT COUNCIL FOR CONSIDERATION

361.1 For each application, the observations of the members who had specifically studied the plans, and whose names are shown in the heading, were read out before any public comments and discussion by the Committee.

361.2 09/03208/LDC – 7 BACKWOODS CLOSE  
SINGLE STOREY REAR EXTENSIONS AND REAR DORMER WINDOW. 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 (Cllrs Hersey and Willcox).

Mr John Jesson, Lindfield Preservation Society (LPS), said that he was aware that the LDC did not take into account issues of appearance. However, he had been moved to examine General Permitted Development Order (2008), Regulation No 2, which required that materials should match in order that permitted development criteria be met. There was no such apparent undertaking in this application and he recommended that it not be granted.

Ms Sue Rickett, the applicant, said that she was not sure to which materials Mr Jesson referred, whilst Mr Glen Adams said that all drawings had been raised by professional architects and that this was the only building without a similar extension. Ms Rickett stated that they had taken account of all other buildings in the area in terms of their setting and even seen inside some. They felt that this application was rather more aesthetically pleasing than some.

The Chairman said that it was not within the competence of Members to comment upon the legalities. He asked that the response to MSDC reflect the comments of both Mr Jesson and Ms Rickett.

AGREED RESPONSE: "No comment as this is a request for a certificate of lawfulness for the proposed development. Notwithstanding, we note that, in order to meet the needs of permitted development, the General Permitted Development Order 2008, Regulation No 2 indicates that materials should match. The plans do not appear to give such an undertaking and we recommend that they do so."

361.3 09/03209/FUL – BETWIXT COTTAGE, 2 EASTERN COTTAGES, LEWES ROAD  
NEW GATES ACROSS SHARED ACCESS (Cllrs Hersey and Willcox).

Mr Jesson, LPS, said that his comments focussed on appearance and the right of access. He felt that it was a matter of judgment whether or not the gates were of adverse appearance. The application made no reference to the right of access to South Malling Lodge and hence the application may have misled the Highways Authority as statutory consultees. If these gates were to be locked, there would be implications for access.

Mrs Jacquelin Johnson, resident of Tile Croft, said that the location of the proposed gates was not at Betwixt Cottage but rather outside a garage owned by the applicant immediately adjacent to her property and some distance from the applicant's. The garage and land directly in front used to be owned by Tile Croft and was transferred to Betwixt Cottage with a restrictive covenant. She confirmed that consent for this application had not been sought from her and would not be forthcoming if it had been sought. Putting aside legal issues (which would not be of immediate concern to the Planning and Traffic Committee), she said that the proposed gates would be on the same line as their own set of gates and, consequently, would give the appearance of a barricade within the setting of the Conservation Area. She questioned the purpose and the siting of the gates in this application. They appeared to open inwards but there would seem to be insufficient room for them to do so. If they were to open outwards, they would do so onto Common land, thereby restricting access to others. She stated that no apparent consideration had been given to South Malling Lodge.

Members then gave their views:

The Chairman said that, as a planning committee, they should not address private rights' matters. He felt that the application was an infringement not only of Policy B12 but also B15, in that it neither preserved nor enhanced the character or appearance of the Conservation Area. He said that he was unsure as to whether the Committee ought to comment with respect to rights of access to South Malling Lodge.

Cllr Hersey said that it was a civil matter which the residents would have to address.

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Cllr Nicolle said that South Malling Lodge might feel more secure with these gates.

Cllr Blunden said that the points regarding the Conservation Area were relevant, but that the other matters were not within the Committee's jurisdiction.

Noting that the owner of South Malling Lodge, Mr G T Robinson, was present, the Chairman asked for his views. Mr Robinson said that he had a right of access over the ground but did not own it and he had no tangible reasons for objecting to the proposal.

The Members were unanimous for the response to include reference to Policies B12 and B15.

AGREED RESPONSE: "We object on the grounds that the proposed gates would not be in keeping with and would have an adverse affect upon the street scene in this important part of the Conservation Area (CA), contrary to District Planning Policies B12 and B15 wherein the proposed development would neither preserve nor enhance the character or appearance of the CA."

Four members of the public withdrew at this point; three remained.

361.4 09/03422/FUL – 64 MEADOW LANE  
SINGLE STOREY EXTENSION TO FRONT (Cllrs Snowling and Gomme) .

Mr Jesson suggested that the block plan for this application was incomplete: the front of No 63 was not shown and it was therefore difficult to judge the impact of the proposal for No 64 on the street scene. Moreover, he said that the roof slope did not match the slope of the main house and neither matched the canopy of the porch. He said that it would be quite straightforward for the roof slopes to match if that were felt desirable. He said that the external architecture would be quite prominent in the street scene and with some reluctance he raised objections.

Members then gave their views:

Cllr Gomme said that it could be better designed but in that location it was not for councillors to comment.

Cllr Blunden said that there were so many different exteriors that there was no uniformity.

AGREED RESPONSE: "We note the recent extension to 63 but do not think that this should affect this application for 64, although revised drawings should be requested by MSDC's Planning Officer, to show the extension at 63. No objection, subject to matching materials."

361.5 09/03350/FUL – 19 EASTERN ROAD  
TO ERECT A WHITE UPVC DOUBLE GLAZED CONSERVATORY TO THE REAR OF THE  
PROPERTY (Cllrs Hersey and Willcox).

AGREED RESPONSE: "No objection."

361.6 09/03413/TCA – ROACHES, 104 HIGH STREET  
FELL THREE APPLE TREES AND A SMALL CONIFER (Cllrs Hersey and Willcox).

AGREED RESPONSE: "No objection."

361.7 09/03416/TREE - ROACHES, 104 HIGH STREET  
GROUP OF THREE YEWS – REDUCE LATERAL BRANCHES BY 1.5 – 2.0 METRES (Cllrs Hersey  
and Willcox).

AGREED RESPONSE: "No objection."

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361.8 09/03437/TCA – ROMANY COTTAGE, 131 HIGH STREET  
REDUCE OVERALL CROWN OF HORSE CHESTNUT BY ONE THIRD (Cllrs Blunden and Upton).

AGREED RESPONSE: "No objection."

361.9 09/03511/TCA – THE OLD FARMHOUSE, HIGH STREET  
COPPICE AN AREA OF SILVER BIRCH AND OAK SAPLINGS. COPPICE TWO INDIVIDUAL SILVER  
BIRCHES (Cllrs Snowling and Gomme).

AGREED RESPONSE: "No objection."

362. REPORTS ON ANY SIGNIFICANT PLANNING DECISIONS MADE BY MSDC AND THE PLANNING INSPECTORATE

362.1 The list had been circulated. NOTED:

- § Appeal by Mansell McTaggart (APP/D3830/E/09/2116263/NWF) against the refusal by MSDC of application LF/09/00775/FUL relating to a replacement window at 53A High Street. The Chairman asked the Deputy Clerk to write to the Planning Inspector to repeat the comments made by the Parish Council on the original application made in April 2009.
- § The Chairman reported that Natural England had supported the designation of the Eastern Road Nature Reserve as a local nature reserve.
- § Cllr Hersey reported that, at the Central Area Planning Committee, MSDC had raised no objections to the WSCC application for a floodlit synthetic turf pitch at Oathall Community College. Cllr Gomme confirmed that he would speak on the matter at the WSCC planning meeting scheduled for 12 January 2010, raising objections on behalf of the Parish Council and the Scrase Valley monitoring group; it was expected that there would also be objections from Haywards Heath Town Council.

363. ANY OTHER BUSINESS

363.1 There was no other business.

The meeting concluded at 8.35pm.