

LINDFIELD PARISH COUNCIL

Minutes of the meeting of the Planning and Traffic Committee held on 19 January 2010 at the King Edward Hall, Lindfield.

The meeting commenced at 8.00pm.

Present: Mr A Gomme (Vice Chairman and Chairman for this meeting)  
Mr W Blunden  
Mrs M Hersey  
Mr M Leach  
Mrs M Nicolle  
Mrs V Upton  
Mr S Willcox

Also Present: MSDC Cllr Mr C Hersey  
7 members of the public

In Attendance: Mr P Hemsley

375. WELCOME AND EMERGENCY ANNOUNCEMENTS

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

376. APOLOGIES FOR ABSENCE

376.1 Apologies were received from Councillor C Snowling and the reason accepted.

377. DECLARATIONS OF INTEREST

377.1 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 Upton declared a personal interest in Item 5(viii), 09/03905/FUL, at 49 Luxford Road as she was a neighbour.

378. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE HELD ON 22 DECEMBER 2009

378.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 22 December 2009. It was AGREED to APPROVE the Minutes and the Chairman SIGNED the Minutes as a true record of that meeting.

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

379.1 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.

379.2 09/03808/FUL – 36 HIGH STREET  
NEW 2-BED SINGLE STOREY DWELLING (RE-SUBMISSION OF 09/01400/FUL) (Cllrs Snowling and Gomme).

Mr Slater, owner of 34 High Street and the access drive to the property under examination, said that almost all the points he had to raise had been covered by the Councillors' remarks. He questioned how the site could be enhanced by such overdevelopment. He believed that it was a requirement of the planning process that guidance should be given (in the application) as to how materials would be delivered. As the result of serious congestion on Lewes Road, the exit from the proposed property was very dangerous and MSDC had instructed Nos 36 and 38 High Street to put their refuse bins out on the High Street rather than at the end of his drive on Lewes Road.

Mr John Jesson, Lindfield Preservation Society (LPS), said that he would underscore everything said by the Councillors, but would add that the proposal was excessive as it represented a density of 50 dwellings per hectare.

Mr Neil Kerslake said that there were two key issues: amenity; and outlook, especially for No 46 and for Masters & Son. There would be an impact on the daylight that Masters gained for the window to their office accommodation on the north elevation near ground level as the new building would lie just 1.2 metres from them and was 3 metres high at that point. He said that the ridge of the new dwelling would be up to 5 metres high. Although the building had been brought further back from the fence (than in the earlier proposal), it would still be 5 metres from the living accommodation of No 46; their outlook and amenity would be severely depressed. In addition to No 46, there would also be significant harm done to nearby properties at Nos 34 and 38 High Street with respect to Policy B3, which should be added to the comments. Finally, he said that planning regulations do require that the planning submission must say how materials would be delivered. The Planning Officer should add that as a Condition before the application was determined as it would be too late to do so later.

Members then gave their views:

Cllr Nicolle said she supported Mr Kerlake's final point.

Cllr Willcox said that the response had been clearly spelt out by Cllrs Snowling and Gomme.

Cllr Hersey said that B3 was important.

Cllrs Leach and Upton agreed.

The Chairman said that B3 and reference to the Masters office window should be added to the comments and the Committee were insistent upon a construction plan being presented before determination.

AGREED RESPONSE: "Although the new building line is further away from No 46 High Street, we still believe all our comments relating to the previous application (09/01400/FUL) remain valid.

The following comments subsume our earlier points made in July 2009 as well as including others. Our objections focus on the following policies:

- i. B1: the proposal for a bungalow fails to demonstrate a sensitive approach to urban design and respect the character of the locality; it disregards the sense of place. Moreover, the size of the proposed dwelling would lead to overdevelopment, resulting in a very restricted site with a small courtyard garden.
- ii. B3: we believe that significant harm would be created to the amenities of nearby residents, in particular No 46 High Street and Masters & Son, as the proposals would impact on privacy, outlook and lead to a reduction in daylight. For example, the new plans indicate that the building would be a mere 1.2 metres from the office window in Masters & Son which is near to ground level and the sole opening on the north elevation. Moreover, although the plans show the north elevation of the new building to have been drawn back from the northern boundary with No 46, nevertheless the new bungalow would lie within 5 metres of that resident's living accommodation.
- iii. B10: there is no regard to protecting the setting of a Listed Building, the site being within the former garden and hence curtilage of the Listed Building at No 36 High Street.
- iv. B12: there appears to have been no regard to protecting the special character of the Conservation Area, nor to safeguarding the setting of the Grade II Listed Buildings at No 36 and 38.

v. T5: access to the site is limited and will not permit motor vehicles to gain entry; hence, there would be greater pressure on on-street parking.

We have additional concerns: if the application were to be approved, there are significant issues of access, including for emergency vehicles and for the weekly collection of refuse on Lewes Road (such that Nos 36 and 38 High Street must already place their refuse bins at the front of their properties on the High Street).

Finally, as there could be considerable disruption to traffic flow on Lewes Road/High Street during construction, we would expect a full construction and management plan - to include how materials would be delivered to the site - to be submitted before determination. In sum, we object strongly as this application is a gross overdevelopment of the site, representing as it does a density of 50 dwellings per hectare."

379.3 Three members of the public left at this point, four remained.

379.4 09/03905/FUL – 49 LUXFORD ROAD  
FIRST FLOOR EXTENSION OVER PART EXISTING REAR/SIDE SINGLE STOREY EXTENSION  
(Cllrs Nicolle and Leach).

Cllr Upton sat back from the examination and discussion.

Mr Jesson said that he had two concerns: first, that the extension would stand out as such as there had been no attempt to integrate it into the design, that is, it would be a carbuncle rather than a growth. Second, despite the presence of a driveway between them, there would be an adverse effect on the neighbours as the extension was very large and on two storeys; permission should not be granted in its present form.

Mr Einat Buchalter, the applicant, said that the aesthetics of the proposals was a subjective point. He had had two options. The property had been pebble-dashed in the 1920s and he had considered trying to match that; however, his architect said that it would never look the same. Alternatively, he could use hung-tile which he now proposed. At no point would hung-tile and pebbledash lie adjacent; the intersections would all be perpendicular. There would be a most pleasing outlook for neighbours. He said he was building on two-thirds of the existing extension and there would be no change in the footprint. The windows for the bathroom on the south side would be obscured glass. He had consulted his neighbours and there had been no objections.

Members then gave their views:

Cllr Nicolle said she did not wish the extension to be disguised.

Cllr Gomme said that a clear definition between old and new had been a feature of recent applications. He added that relatives had lived there when the extension had been built (2004/05).

Cllr Blunden said that he had lived in the property 45 years previously.

Cllr Nicolle added that the matching of materials would be achieved as the single storey was already brick and what was about to be built would also be in brick.

AGREED RESPONSE: "No objection, provided that matching materials used. It was noted that no certificate was displayed on the house front."

379.5 09/03422/FUL – 64 MEADOW LANE  
SINGLE STOREY EXTENSION TO FRONT. AMENDED BLOCK PLAN RECEIVED 16.12.09  
SHOWING FRONT EXTENSION AT No 63 (Cllrs Blunden and Upton).

Mr Jesson reiterated what he had said when the application appeared in December: this was a significant forward extension to the property, whilst the roof slopes were all different. With a little thought, he felt improvements could have been made. Meadow Lane had all sorts of shapes but that should not be reason not to examine each application on its own merits. It was a pity that there was not more attention paid to detail.

There were no comments from Members.

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AGREED RESPONSE: "No objection, subject to materials matching existing."

- 379.6 09/03634/FUL – 74 MEADOW LANE  
FRONT PORCH AND SIDE EXTENSION (Cllrs Blunden and Upton).

AGREED RESPONSE: "No objection, as long as matching materials used."

- 379.7 09/03753/LBC – FROYLS, 125 HIGH STREET  
REPLACE THE EXISTING CRITTALL WINDOW (WITH LEAD LIGHT DETAIL) AND ASSOCIATED  
IRONMONGERY AND UNDERTAKE INTERNAL ALTERATIONS TO THE EXISTING BATHROOMS/  
BEDROOM ON THE FIRST FLOOR (Cllrs Blunden and Upton).

AGREED RESPONSE: "No objection."

- 379.8 09/03763/TCA – THE PAVILION, FRANCIS ROAD  
FELL ONE SILVER BIRCH (Cllrs Blunden and Upton).

Cllrs Blunden and Upton said that the tree was visible from Francis Road, which was at odds with the report from the MSDC officer. However, as there was the possibility of it causing damage to this important village building, they did not object to the felling. Councillors were alarmed to learn that the application appeared to have been determined before the meeting as a decision date had been posted on the MSDC website.

Mr Kerslake said that the determination was well within the usual 6-week deadline, whilst Mr Jesson said that the Council should write to MSDC on the matter of 'working days' for applications over the holiday period.

AGREED RESPONSE: "No objection. We were concerned to note that the MSDC website shows that the application was determined 'No objection' on 15 Jan 10, that is, prior to the Parish Council meeting and well within the usual 6-week deadline."

- 379.9 09/03885/FUL – 27 WEST COMMON  
SINGLE STOREY REAR EXTENSION TO PROVIDE LARGER KITCHEN/FAMILY ROOM (Cllrs  
Snowling and Gomme).

A letter had been received from the applicant, Mr Brown. The Chairman said this was a Turner house with a modest kitchen extension. The Committee had no objections and agreed to quote from the applicant in their response to MSDC.

AGREED RESPONSE: "No objection, subject to materials matching, ie, brick matching that in original house and traditional hang-tiles on externally visible roofing, details outlined in the applicant's letter to the Parish Council dated 11 Jan 10."

- 379.10 09/03788/FUL – 45A PELHAM ROAD  
DROPPED KERB AND HARDSTANDING FOR VEHICULAR ACCESS (Cllrs Nicolle and Leach).

Mr Jesson said that his comments were very much in the same vein as those for Meadow Lane. There were very many houses in Pelham Road that had lost their front gardens in favour of parking. Therefore, there was precedent. However, this was one of the last remaining with planting in the front and it would be a great shame if the Council were too relaxed about the loss of such. It would not increase the parking but he accepted that it would widen the road.

Cllr Nicolle said she could appreciate Mr Jesson's point of view but they had to be realistic.

Cllr Hersey said that the hardstanding should be of a type which was porous to allow soak away.

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AGREED RESPONSE: "No objection, provided the hardstanding meets the latest standards for porosity. This is a narrow road and this application/work will assist traffic passing."

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

380.1 The list had been circulated. NOTED:

§ That papers relating to the Commons Act 2006 Section 38, concerning various applications made by Lindfield Cricket Club since 2005 for restricted works on The Common, would be addressed at the Full Council on 21 January 2010, the latest planning application having been examined by the Planning and Traffic Committee in 2009.

380.2 Mr Kerslake believed Members would wish to be aware of action he had personally taken with regard to this matter on The Common: he had challenged Mr David Harper at MSDC to get their solicitor, Mr Tom Clarke, to release the full documents for public scrutiny. Mr Kerslake believed that the Lindfield Full Council would wish to be privy to these documents at their meeting on 21 January. Moreover, he questioned why the closing date for comments was 12 February when the MSDC Full Council meeting at which it would be addressed was not until 24 March. He said that the Lindfield Cricket Club had sought landlord's consent on the assumption that MSDC would approve the scheme; he felt that this was an improper sequence. There were two issues: did the Planning Inspector believe that the application passed the Commons Act; and if so, then the matter of landlord's consent should follow.

380.3 Cllr Nicolle supported Mr Kerslake's actions for the Council to have all information.

### 381. TO CONSIDER THE COMMITTEE'S RESPONSE TO A CONSULTATION DOCUMENT RELATING TO THE BARRATT CONSTRUCTION MANAGEMENT PLAN FOR THE NEWTON ROAD DEVELOPMENT

381.1 The Newton Road development had received Planning Permission under LF/08/02903/FUL on 14 January 2009. The document before Members related to the proposed construction plan, including: matters of entry and exit to the site for construction vehicles; and the repositioning of spoil on site.

381.2 Mr Jesson, who had written to MSDC in response to the consultation document, said that the LPS objected strongly to the idea of access at the head of Eastern Road. The whole purpose of limiting such access in perpetuity was to protect the Local Nature Reserve (LNR). He said that the developer had written to residents in Dukes Road/Newton Road – Councillors noted that this letter had not been copied to the Parish Council – and he emphasised that the LNR had recently been upgraded as it had been recognised by Natural England. In sum, the matter was quite unsatisfactory.

Mr Kerslake said that another issue relating to the LNR was the safety of children, elderly and dog walkers who used it and who would need to run the gauntlet of very heavy vehicles in that area.

The Deputy Clerk reminded Members of the 35 Conditions agreed with the Planning Permission, in particular Condition 12 relating to vehicle routing, details of which had been omitted from the consultation document. The Chairman said that there were concerns about both routing and spoil resiting, the latter needed to be supervised by the MSDC Officer, while in regard to parking, he was very concerned that the practice that had happened at Hickmans Court recently, where builders' vehicles were parked on the grass verge on the corner of Denmans Lane and Hickmans Lane for some weeks, was not allowed to happen in Newton Road.

Cllr Blunden said that there was already a problem as the developer was on site whilst Cllr Willcox said that there was a significant facility for vehicle washing suggesting that the developer knew there was a problem. Cllr Nicolle said that the entrance in Newton Road should be wide enough to accommodate two-way construction traffic, whilst Cllr Hersey was concerned about the issue of wildlife at the eastern end of Newton Road.

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The Chairman believed it was prudent to examine, in addition to Condition 12, many of the Conditions relating to Permission that Mr Jesson had highlighted in the LPS response. Cllr Leach said that the Council needed to hold a meeting as soon as possible with the appropriate MSDC officer, Mr Steve Ashdown.

With a view to their comments being included in the response to MSDC, Members then examined Conditions 9, 15, 17, 19, 21, 24 (Cllr Leach left after discussion of Condition 24), 26, 29, 30, 32, 33 and 35. Comments were made on a number including: Condition 15 – Cllrs would not wish to see developer's vehicles or indeed materials (Condition 16 relates) parked off site; Condition 17 – the Deputy Clerk said that this specifically excluded construction vehicles from use of the Eastern Road access, as it dealt with use for 'emergency or for maintenance' only; and Condition 19, landscaping, where Cllrs wished to receive copies of all plans thereto - similar comments were expressed on Conditions 21 and 24.

Cllr Blunden asked that, prior to the response to MSDC, the Deputy Clerk contact Hassocks Parish Council to determine whether similar problems had occurred on the Barratt's development in Mackie Avenue, a site for which planning permission had earlier been granted to Gleasons, that is, with a planning history on a par with Newton Road. He said that the Chairman and Cllr Snowling should have a meeting with the Deputy Clerk to agree the response.

382. ANY OTHER BUSINESS

382.1 There was no other business.

The meeting concluded at 9.19pm.