

LINDFIELD PARISH COUNCIL

Minutes of the meeting of the Planning and Traffic Committee held on 7 July 2009 at the King Edward Hall, Lindfield.

The meeting commenced at 8.00p.m.

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

Also Present: Cllr M Allen  
17 members of the public

In Attendance: Mrs C Irwin, Mr P Hemsley

297. WELCOME AND EMERGENCY ANNOUNCEMENTS.

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

298. APOLOGIES FOR ABSENCE.

298.1 Apologies were received from Councillors Nicolle and Willcox and the reasons accepted.

299. DECLARATIONS OF INTEREST

299.1 Councillor 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.

Councillor Allen said that he might have a prejudicial interest at Item 5(vii).

300. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE HELD ON 16 JUNE 2009.

300.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee held on 16 June 2009. It was AGREED to APPROVE the Minutes and the Chairman SIGNED the Minutes as a true record of that meeting.

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

301.1 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. It was AGREED, for the benefit of members of the public present at the meeting, to rearrange the order in which the planning applications were to be considered.

301.2 09/01585/FUL & 09/01586/CON – 104 HIGH STREET  
REPLACING OLD CONSERVATORY WITH ORANGERIE AND REAR EXTENSION (Cllrs.Blunden and Upton).

Mrs Pontifex, neighbour at 106, stated that aspects of the drawings were incorrect although the ridgeline was correctly shown. She was concerned that all the new windows, being substantially higher than currently, would overlook their garden. Additionally, the wall would be half a metre higher than at present. She considered the application would result in over development. Mrs Pontifex added that the County Architect had stated that the building could take a modest 2-storey wing, but that was already in place.

Mr Connock, neighbour at 100, said that he had a very small courtyard garden abutted by an 8 foot Victorian garden wall. This proposal would present an orangerie 13 feet high along the whole length of his garden and more than 5 feet above the existing wall. He would feel imprisoned by such a structure as the orangerie presented; moreover his light would be affected.

Mr Jesson, Lindfield Preservation Society, suggested that the Committee reconsider the remarks of Mr Freeman (who was unable to attend) on the previous proposal.

Councillor Blunden stated that he and Councillor Upton had spent some considerable time before the visit to 104 examining the application and believed the proposal would have an adverse effect on the neighbouring properties and the surrounding area. The structure was a huge bulk and unneighbourly. Councillor Upton agreed. There were no further comments from the Committee and it was unanimous in support of the comments of Councillors Blunden and Upton.

AGREED RESPONSE: "We feel that we cannot support this planning application because of the huge bulk of the extension overpowering the neighbouring properties. The proposal would unbalance the building. Also the proposal would have adverse effects on neighbouring properties from light being diminished."

301.3 09/01761/FUL – 107 HIGH STREET  
PROPOSED CONSTRUCTION OF 2 BEDROOM SINGLE STOREY HOUSE (Cllrs. Hersey and Gomme).

Mr Higgins, neighbour at 109, stated that he had lived in Lindfield for 20 years; he said that the application was almost identical to the previous one rejected in September 2008 as being contrary to planning policies, particularly B12 of the Mid Sussex Local Plan. He considered it was overdevelopment of the site and would not safeguard the settings of 107, 105 and 109, all Listed Buildings. He said that the MSDC Planning Officer had also rejected it on the grounds that it was unacceptable in principle due to its impact on the historical character of the area. Further, he stated that that fundamental principle remained. Because the site could not be seen from Hickman's Lane, the applicant would appear to assume it was acceptable. Mr Higgins considered that it was essential to protect not only 107 but other Listed Buildings. He urged the Committee to oppose this application.

Mr Kerlake said that, in addition to the comments of the last speaker, he did not believe that development at the back of properties in the High Street was acceptable and he considered that the proposal would be detrimental to the Conservation Area. Referring also to the previous proposal, he said that it was a matter of planning policies and not about personal views.

Mr Jesson echoed these sentiments. He had inspected the rear garden of 109 and he considered there were insubstantial differences between this application and the earlier one. He commended the policy notes. The proposed rear boundaries to the south of the site would be breached for car parking. There would be a substantial increase in the number of traffic movements into Hickmans Lane, where there was poor visibility and a cursory inspection sufficed to show that there would be traffic exit issues.

## LINDFIELD PARISH COUNCIL

Mr Eldred, agent for the applicant, stated that development could be sympathetic and he was not creating a precedent as the High Street had developed over 600 years. The revised application addressed all the issues MSDC had raised: the volume of the property had been reduced by 16%; the building was further from the boundary of 109; it would not overlook any neighbours; it would be screened by walls and trees; the materials would be local and hand made; the structure would fit in with the adjacent Listed Buildings and comply with the policies of the Local Plan.

The Chairman said that a letter of opposition had been received from Mr B Staynes of 8 Shenstone. Councillor Gomme stood by his comments made after the visit to the site. Additionally, Councillor Hersey was concerned that the planning notice had been posted in the wrong place, in an inconspicuous position in Hickmans Lane where there was no footpath, and should have been placed in the High Street outside 107. The Committee endorsed the councillors' comments unanimously.

AGREED RESPONSE: "We consider that this new application is still unacceptable as it is considered out of keeping with the surrounding development and harmful to the historic character of this part of the Conservation Area. It is therefore contrary to policies DEV1, CH1 and CH4 of the West Sussex Structure Plan 2001-16 and Policies B1, B12 and H3 of the Mid Sussex Local Plan. We also consider that the close proximity of the dwelling to the boundary of 109 High Street will result in a prominent and overbearing feature when viewed from 109. This is contrary to Policy DEV 1 of the West Sussex Structure Plan 2001-16 and Policy B3 of the Mid Sussex Local Plan."

### 301.4 09/01624/ LBC – STABLE LODGE, LEWES ROAD PROPOSAL TO DEMOLISH OLD LODGE BUILDING AND CONSTRUCT TWO NEW SEMI-DETACHED DWELLINGS OVER 4 FLOORS INCLUDING AN "ECO BASEMENT" LEVEL AND ROOM IN THE ROOF (Cllrs.Snowling and Leach).

Mrs Batten, neighbour at Pelham House, 6 High Street, said that, as this application lay within the Conservation Area, there was a special architectural and historic interest. The proposal was disrespectful of both history and nature. It would have a dramatic effect on Pelham House as the structure would rise some 2 metres above the latter and only 15 metres from it. It would be disrespectful of a chestnut and three yew trees which would probably be damaged by the works. The Victorian Society apparently supported the application which seemed odd. Finally, the proposal was disrespectful to people who live, work and visit Lindfield. It was being constructed for profit.

Mr Lyons, neighbour at 16 High Street, said that the approach to the property was through his access to 16 High Street over which he had easements, which could be exercised on foot or by private motor vehicle. He did not believe that Stable Lodge has a Right of Way going onto the garden of 14 High Street. The application would cause aggravation to him and others who used the Common. He also offered a letter from his Planning Consultant and there was a further letter of objection from Mrs Allen of Old School Court. Mr. Lyons also expressed concern about the increase in traffic and the aggravation to users of the Common during construction.

Mr Jesson said there were legal issues in addition to planning considerations. Although there were beguiling and interesting features of this application, which was an environmentally friendly concept, it failed as far as the Preservation Society were concerned through its bulk and height. The roof dormers would overlook the rear boundary towards the Common. He would argue that the old Victorian stables were no longer in evidence and was surprised that they were thought to be a Listed Building in their own right. Policies B1, B12 and B13 were all breached by this proposal.

Councillor Allen added that he had also lodged a letter of objection, as a resident of Old School Court.

The Chairman agreed with Mr Jesson, that there were some interesting and well designed features, but it was the principle of the proposed development that was causing concern. Councillor Allen stated that granting access over Common land would create a precedent but the Chairman responded that private land issues were not matters for discussion at this meeting as they were not planning considerations. Councillor Gomme considered the proposal totally unacceptable with respect to the view from the Common. He felt policies B1 and B13 should be added to B12 already in the comments. Councillor

LINDFIELD PARISH COUNCIL

Blunden felt that it was a good design in the wrong place which would have an adverse effect on a sensitive part of the Common. Councillor Gomme said he was concerned that MSDC had accepted the proposal as a Listed Building application without a FUL plan application also. Councillor Hersey added that, as Pelham House was a Listed Building, this proposal lay in the curtilage of a Listed Building as the site was until recently part of Pelham House. Hence, it would also be appropriate to quote policy B10; however the Chairman suggested that reference to policies B1, B12 and B13 would be sufficient. Finally it was noted that the Horse Gate leading from the Common had been changed in the past 12 months.

AGREED RESPONSE: "We object on the following grounds:

- i. The access proposed would involve cutting through a wall which we understand is listed.
- ii. The impact on the proposed building would undoubtedly be adverse to the amenities of the neighbouring properties.
- iii. The intensification of use of the private access would be detrimental to the amenities of the neighbouring properties.
- iv. The intensification of use of the access to the Common would be detrimental to the amenities of the properties abutting it.
- v. The intensification of use of the access to the Common would adversely affect the enjoyment of users of the Common.
- vi. The proposed development would be contrary to Policies B1, B12 and B13 in that it would neither enhance nor preserve the character of the Conservation Area.

We note that the original 'Horse Gate' constructed of close-boarding has been replaced by a wrought-iron gate. Apparently planning permission has not been sought for the change. Finally, we were surprised to note that there was no accompanying FUL application."

- 301.5 09/01584/FUL – 33 BACKWOODS LANE  
CONVERSION OF GARAGE TO FORM FAMILY ROOM, FIRST FLOOR EXTENSION WITH PITCHED ROOF OVER GARAGE TO FORM ENSUITE BATHROOM AND ENLARGED BEDROOM AND INTERNAL ALTERATIONS TO FORM NEW KITCHEN WITH ROOFLIGHT (Cllrs. Blunden and Upton).

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

- 301.6 09/01801/TREE – 4 PORTSMOUTH WOOD CLOSE  
THIN CANOPY OF ASH (T127) BY 25% AND RAISE BY 2M (Cllrs. Gomme and Hersey).

AGREED RESPONSE: "No objections."

- 301.7 09/01858/TREE – 56 SUNTE AVENUE  
HORSE CHESTNUT (T2) – REDUCE LATERAL BRANCHES ON SOUTHERN SIDE BY 3M (Cllrs. Hersey and Gomme).

AGREED RESPONSE: "No objection to work on the tree concerned. We note that the other tree (T3) appears to have died."

- 301.8 09/01681/LDC – 30 NOAHS ARK LANE  
PROPOSED REAR CONSERVATORY AND FRONT ENTRANCE PORCH. 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. Snowling and Leach).

AGREED RESPONSE: "From the evidence available to the Parish Council, there seems to be no reason not to accept the Applicant's opinion that she does not need planning permission."

LINDFIELD PARISH COUNCIL

301.9 09/01838/FUL – 2 MEADOW DRIVE  
CONVERSION OF GARAGE TO FORM NEW STUDY AND UTILITY, PLUS FIRST FLOOR  
EXTENSION TO FORM NEW BEDROOM AND ENSUITE. ADDITIONAL DETACHED GARAGE,  
MODIFIED DRIVEWAY AND NEW PORCH ROOF (Cllrs. Snowling and Leach).

AGREED RESPONSE: "No objection."

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

302.1 The list had been circulated. NOTED:

- 08/02741/FUL – 51 Compton Road: the Chairman was pleased to report that the Planning Inspector had supported the views of the Parish Council and had allowed the appeal and granted planning permission for this loft conversion.
- 09/01206/FUL – 16 Compton Road: the District Council had approved this application for an extension to which the Parish Council had objected.
- 09/01528/TREE – 5 Denmans Close: the District Council had refused permission for this tree application which the Parish Council had supported.

303. ANY OTHER BUSINESS.

303.1 There was no further business.

The meeting concluded at 8.57pm.