

## LINDFIELD PARISH COUNCIL

Minutes of the meeting of the **Planning and Traffic Committee** held on **14 June 2011** at the King Edward Hall, Lindfield.

The meeting commenced at 8.00pm.

**Present:** Mr C Snowling (Chairman)  
Mr A Gomme (Vice Chairman)  
Mr M Amor  
Mr W Blunden  
Mrs J Chatfield  
Mr L Corp  
Mrs M Hersey  
Mr S Hodgson  
Mrs V Upton

**Also Present:** 58 members of the public

**In Attendance:** Mr P Hemsley

### 11. WELCOME AND EMERGENCY ANNOUNCEMENTS

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

### 12. APOLOGIES FOR ABSENCE

12.1 There were no apologies for absence.

### 13. DECLARATIONS OF INTEREST

13.1 Cllr Hersey stated that she reserved the right to express a different opinion from that given at this meeting, when present at meetings of the Mid Sussex District Council's (MSDC's) Central Area Planning Committee (CAPC) 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 Snowling stated that, if he were called upon to substitute at the CAPC, he reserved the right to express a different opinion from that given at this meeting should the CAPC agenda include any matter discussed at the present meeting, having seen the Officers' reports and heard representations from members of the public and fellow members.

13.2 Cllr Hodgson stated that he had a personal interest in Items 6 and 9 where there would be references to planning applications and an Appeal at 5 Portsmouth Wood Close, as he was an immediate neighbour.

### 14. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC

14.1 The Chairman stated that, because it was evident that some 50 members of the public were present for the matter, the Committee would first address Item 8, that is, consider a number of proposals by residents for traffic flow in Hickmans Lane and environs. He would allow a discrete 15 minutes for questions/comments from the public on this topic, and thereafter a further 15 minutes for other matters.

14.2 The Deputy Clerk gave an overview of the origin of the current proposals: the temporary road closure in Hickmans Lane caused by works at Doodie Stark, 99 High Street, had stimulated Mrs Christina Baker of 40 Hickmans Lane to write in April 2011 to the PC suggesting permanently stopping up the Hickmans Lane junction with the High Street or introducing a constraint on traffic movements there by limiting access to buses and emergency vehicles; additionally, Cllr Gomme had been approached by a resident suggesting a one-way flow in Compton Road south and Denmans Lane west, which would require the barrier in Denmans Lane to be removed; finally, another resident believed that the risk to pedestrians at

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the junction with High Street and Hickmans Lane argued for signage or road markings. Cllr Gomme added that historically there had been two issues: speeding on Hickmans Lane; and pedestrian safety at the junction. The West Sussex County Council (WSSCC) Highways manager had been a member of the Joint Traffic Working Group (WG) then and Cllr Gomme thought it would be wise to invite him back to re-examine the issues at the junction of Hickmans Lane/High Street.

- 14.3 A number of objectors to the proposals had contacted the office before the meeting, two in person (Mr & Mrs Collinge of 9 Denmans Close) and one by email (Mr Colin Tyler of 35 Compton Road).
- 14.4 The core of the residents' objections at the meeting was that there was no problem to solve and consequently they felt changes were not justified. Many present were alarmed that the matter had been raised in response to a very small number of residents who had aired the various issues, they believed that the arguments had been visited thoroughly in the past and the *status quo* was satisfactory. Further, they felt that raising the matter at all with the WSSCC Highways now might create an opportunity for change which was not welcomed. Despite reassurances from the Chair and Members that nothing would be done by the CC without very protracted public consultation, there was strong feeling that the matter should be ignored, hidden even, expunged from the record and certainly no action should be taken by the LPC. Members pointed out that the public could write direct to the Highways Department without involving the PC.
- 14.5 The matter was debated at some length by the Committee. It was felt that the issues had been examined exhaustively in the past and there was little support for setting up a WG again. The outcome was that the Committee agreed to take no further action except to raise, at the next County Council Liaison Meeting, again the matter of pedestrian safety at the High Street/Hickmans Lane junction which they felt was an obligation on the PC.
- 14.6 Forty-eight members of the public left; ten remained.
- 14.7 A further period of 15 minutes began for other comments from the public.
- 14.8 Mr John Jesson, Lindfield Preservation Society (LPS), in referring to Item 9 the exchange of correspondence between MSDC and the PC relating to DC planning administration, said that, with regard to the pairing of FUL and LBC/CON applications, the LPS had also written to the DC on 10 May 2011. He remarked that their response was deficient. In certain circumstances, FUL and LBC are required: in that case, he felt the Planning Officer should insist on parallel applications as there would be essential differences in the responses to the two. It had been unsatisfactory that the CAPC had been directed by officers that if one application had been given consent, the other application should also be approved. He believed that Ms Claire Tester, MSDC, should attend the CAPC.
- 14.9 With reference also to Item 9, Mrs Vivienne Hodgson, 3 Portsmouth Wood Close, said that both she and several of her neighbours felt very let down by the DC's handling of the application at 5 Portsmouth Wood Close (10/03827/FUL). She said that residents had been required to undertake research and comment in far more detail than should have been necessary had DC Officers done their job properly. She felt that Ms Tester's response to the PC was unsatisfactory, as it avoided the issue because Ms Tester had said the PC letter was not specific with regard to the correspondence in question. It was a fact that specific documents had been unavailable on, or were late in being loaded to, the website. Mrs Hodgson went on to state that it was ridiculous to have an internal system that required documentation to be prepared two weeks in advance if that meant the LPA were unable to adhere to statutory legal obligations regarding the 21-day consultation period. She said that there was case law that showed that the LPA could be open to challenge if they did not observe the period and thereby prejudice the decision.
- 14.10 Mrs Hodgson continued by saying that, in the case of 5 Portsmouth Wood Close, the Officer's report was written before the deadline and before the end of the statutory period. She felt it was unsatisfactory for the DC to say that representations received later would be fed into the update sheet for the CAPC (on the day of the meeting). In her view, it became evident that, having drafted the report and published

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it on their website, the DC was determined not to change its recommendation even though a significant number of responses had raised important issues within the consultation period. She ended by saying that the summary of responses was biased towards the applicant's position.

- 14.11 Again with regard to Item 9, Mr Neil Kerslake said that he would take a different line and hoped to be more helpful. There had been several exchanges on the matter between the DC and the PC: first with Mrs Sarah Sheath and then with Ms Tester. The law was that the two (FUL and LBC/CON) did not have to come together; determination must be within 8 weeks. The DC could ask but could not require the applicant to submit both together. He believed it was now time for Ms Tester, Mr Nick Rogers and Mr Tom Clark to meet with the PC and discuss the issues. He said there were two matters: first, the applicant might not include all documents and missing papers might only be evident at a site visit - the DC could not change that; second, there were genuine errors and when things went wrong, they should be identified as those due to the actions of the DC and those of the applicant. The latter scrutiny was not happening and the DC should be held to account.
- 14.12 With respect to Item 8, proposals for traffic flow on Hickmans Lane, he said that the reality was that it was a pedestrian safety issue. It would be necessary to raise it again with WSCC for the PC to protect itself. If changes such as road closures were proposed, there would be wide consultation.

### 15. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE HELD ON 24 MAY 2011

- 15.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 24 May 2011. It was **AGREED** to **APPROVE** the Minutes and the Chairman **SIGNED** the Minutes as a true record of that meeting.

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

- 16.1 For each application, the observations of the members who had specifically studied the plans were read out before any public comments and discussion by the Committee.

16.2 11/01058/FUL – 37 COMPTON ROAD  
LOFT CONVERSION WITH ALTERATIONS TO FIRST FLOOR, REAR LEAN TO DEMOLISHED AND REBUILT AND SMALL SINGLE STOREY EXTENSION TO UTILITY ON NORTH FLANK.

Mr Jesson, LPS, said that this was a commendable application. Most of the changes were at the rear and had little affect on the street scene. The two roof lights in the front were set within the roof slope; there were other properties already in the road with two although there was generally only one per dwelling. He said his only comment would be to offer the alternative of one.

Members then discussed the matter. The Chairman and Cllr Corp who had examined the application said that there was precedent as other properties already had two lights. Cllr Corp added that some were architecturally built in and others installed more recently. The Chairman felt therefore that it was not a matter to warrant refusal. The applicant, Mrs Elizabeth Leen, was present and said that they were conscious of their property lying in the Conservation Area and the lights would be flush with the roof. She added that there were indeed properties with two lights already.

**AGREED RESPONSE:** "No objection."

16.3 11/01344/FUL – 4 GRAHAMS COTTAGES, SPRING LANE  
REAR SINGLE STOREY EXTENSION.

**AGREED RESPONSE:** "No objection."

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16.4 Four members of the public left; six remained.

16.5 11/01541/LBC & 11/01540/FUL – 88 HIGH STREET  
MODIFYING EXISTING STAND ALONE SUNROOM.

The Committee examined both the LBC and the FUL applications relating to 88 High Street although the FUL papers had not been received until 13 June. However, the descriptions were identical.

Mr Jesson, LPS, said that he had several concerns. This was a Grade II\* Listed Building (LB) and hence everything within the curtilage should respect that status. It was not a significant issue for the Conservation Area as visibility from the street was limited. The double-glazed window units had large panes with dummy bars set inside which were quite different from the extant timber frame windows and larger than the current panes. As for the roof, it was not just a matter of the materials but also the design. The current decorative moulding was entirely consistent with the house proper. This would be replaced by square and rectangular features which in his view would be unattractive and not in sympathy with the LB.

Members then addressed the matter. The Chairman said that the sunroom was some distance from the house. Cllr Hersey, who with Cllr Chatfield had examined the application, felt the windows would be an improvement; however, she was unsure about the roof. Cllr Gomme felt the proposals were substantially different; however, if it were not an LB he believed they would not be discussing the issue at all. Cllr Hodgson believed it would be a shame to lose the existing moulding features at the corners. Cllr Blunden said that he was uncertain; he felt sympathy with the owners as the present structure was falling down and he was sure they wanted to complement the LB. He added that it was a difficult one to determine. Because of the differences of views, the Chairman moved to not support the application; Cllr Gomme seconded him. However, at the vote, the result was two for the motion but seven against, ie, to support the initial comments from councillors and offer no objections.

**AGREED RESPONSE:** “No objection, but with matching materials.”

16.6 11/01566/TREE – 21 SUMMERHILL GRANGE  
FELL 3 CONIFERS. TRIM HOLLY TO MAINTAIN SIZE. FELL 5 POPLARS. LIFT CANOPY OF OAK BY 2 METRES. FELL WILLOW. CUT BACK CEDAR TO CLEAR HOUSE BY 2 METRES.

The Deputy Clerk referred to a report from the DC Tree and Landscape Officer, Mr David Saunders: he had said that only the Oak was the subject of the Tree Preservation Order. The applicant, Mrs Helen Waugh, was present but did not wish to speak as the councillors' views had been favourable.

**AGREED RESPONSE:** “No objection.”

17. **TO RECEIVE REPORTS ON ANY SIGNIFICANT PLANNING DECISIONS MADE BY MSDC AND THE PLANNING INSPECTORATE AND TO AGREE ANY FURTHER ACTION WHICH MAY NEED TO BE TAKEN BEFORE THE NEXT MEETING.**

17.1 The list had been circulated. **NOTED:**

- That the **APPEAL** against non-determination by MSDC of planning application 10/03827/FUL for installation of a SteppIR Yagi antenna for Amateur Radio at 5 Portsmouth Wood Close had been withdrawn by the appellant, Mr Peter Emmerton.
- That application 11/01013/FUL at the Toll House had been **PERMITTED** on 31 May 2011 with three Conditions, including: the timings of use of the outside seating; and the setting of a maximum number of 16 covers.
- That **PERMISSION** had been granted on 24 May 2011 to application 10/03179/FUL, relating to *inter alia* the erection of a new contemporary residence at 17-19 Denmans Lane, with 12 Conditions. The Reason for the Decision included the text: “would make a positive contribution to the character of the area and preserve the setting of the conservation area.” The Committee expressed surprise at such a description.

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### 18. TO CONSIDER ACTIVITY ON THE LIMES DEVELOPMENT, ANY DOCUMENTS RELATING THERETO AND AGREE ANY ACTION WHICH MAY NEED TO BE TAKEN BEFORE THE NEXT MEETING

18.1 The Deputy Clerk said that, following a report by a resident of Dukes Road of Japanese knotweed within the Wilderness Field, the DC had accepted responsibility for the problem (although ownership of the land was still subject to discussion) and had agreed to deal with it in August.

### 19. TO CONSIDER THE MSDC RESPONSE DATED 3 MAY 2011 TO THE LPC LETTER DATED 18 APRIL 2011 RE PC CONCERNS RELATING TO DC PLANNING ADMINISTRATION

19.1 Cllr Blunden proposed that the Committee maintain a watching brief on the matter for three months and, if the situation remained unsatisfactory, to then arrange for a meeting with the DC. The Chairman said that he and Cabinet colleagues were meeting with Ms Tester and he believed no further action was needed at this point. Hence, the Committee agreed to take no action.

### 20. ANY OTHER BUSINESS

20.1 The Chairman was content to accept two matters for noting:

- The Deputy Clerk announced that the meeting scheduled for 16 August 2011 would be a 'Plans only' meeting, when it was previously advertised as a Full; consequently, the meeting on 6 September 2011 would now be a 'Full' meeting.
- He also announced that a policy letter dated 7 June 2011 concerning the District Plan for Mid Sussex, received from DC Cllr Gary Marsh, Cabinet Member for Planning and Regeneration, would be addressed by the Consultation Group of Cllrs Blunden, Upton, Snowling and Gomme. Their draft response would be examined by Full Council on 23 June to meet the DC deadline of 8 July.

On conclusion of this part of the meeting, a further 15 minutes was set aside to allow members of the public to ask questions/make comments.

Mr Kerslake said that he did not wish to withdraw any of his comments made earlier regarding the Hickmans Lane issue. With respect to the erection of the cricket nets on the Common, he said that the applicant would need to submit an amended application. It was a technical matter needing a retrospective application. It was a very unusual situation, as the DC was the landlord. A private landlord could act in a draconian manner. He felt it was wrong that the DC was allowing it to be dealt with only under planning laws, where a stop notice had only 28 days effect, whereas a private landlord could stop *sine die*. He hoped the PC would remind the DC of their powers in a letter.

The meeting concluded at 9.15pm.

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