

LINDFIELD PARISH COUNCIL

Minutes of the meeting of the **Planning and Traffic Committee** held on **20 October 2009** 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
Mrs M Nicolle
Mr S Willcox

Also Present: Lindfield Parish Council Cllrs Allen, Davies and Pickett
WSCC Cllr Mrs C Field
Cllr J Dumbleton, Chairman Lindfield Rural Parish Council
14 members of the public

In Attendance: Mr P Hemsley

337. WELCOME AND EMERGENCY ANNOUNCEMENTS

337.1 The Chairman welcomed those present and announced the emergency procedure for the King Edward Hall. He said that he knew there was interest in a recent planning application by West Sussex County Council (WSCC) for a floodlit synthetic turf pitch at Oathall Community College but, as this matter was not on the agenda, it would be addressed at the next Planning and Traffic Committee meeting on Monday 9 November 2009.

338. APOLOGIES FOR ABSENCE

338.1 Apologies were received from Councillors Snowling, Leach and Upton and the reasons accepted.

339. DECLARATIONS OF INTEREST

339.1 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 stated that, as he was a resident of Pondcroft Cottages, he would abstain from voting on the tree applications at: Item 5(v), 09/02873/TCA - Eldon Lodge, Pondcroft Road; and Item 5(vi), 09/02919/TREE - Land at Pondcroft Road.

Cllrs Allen, Davies and Pickett were not members of the Planning and Traffic Committee and hence could speak on any matter but could not vote.

340. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC

340.1 The Chairman indicated that there would be the usual opportunity to speak on planning applications as they arose and a separate period would be allowed for any comments relating to Item 8, traffic at the junction of Lewes Road and High Street.

340.2 Mr N Kerslake referred to the Route Speed Management Scheme which he said had been a very expensive scheme costing £100K that would allegedly make things safer and reduce speed. However, he felt that the County Council was duty bound to have records both before and after implementation to ensure the money was well spent. The Parish Council should ask the County Council Highways Authority what they were doing to provide empirical data on this matter.

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341. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE HELD ON 29 SEPTEMBER 2009

341.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 29 September 2009. It was **AGREED** to **APPROVE** the Minutes and the Chairman **SIGNED** the Minutes as a true record of that meeting.

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

342.1 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.

342.2 09/02819/FUL – 13 MEADOW LANE
REPLACEMENT SINGLE STOREY EXTENSION TO SIDE OF PROPERTY, NEW REAR SINGLE STOREY EXTENSION AND REPLACEMENT BOUNDARY WALL WITH NEW PORCH (Cllrs Snowling and Gomme).

AGREED RESPONSE: “We were initially concerned about the front porch element of the proposed extension but on viewing other similar pairs of semis in the lane, we noted that the fronts of many had been changed over the years. So we have no objection, subject to the usual condition about matching materials.”

342.3 09/02856/TREE - LAND AT FINCHES GARDENS
HORSE CHESTNUT – FELL (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

342.4 09/02867/TCA - TOWNLANDS, 143 HIGH STREET
RAISE CANOPY OF AN OAK BY 1.5 METRES (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

342.5 09/02937/TREE - TOWNLANDS, 143 HIGH STREET
COPPER BEECH (T9) – LIFT CANOPY BY 1.5 METRES (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

342.6 09/02870/TREE – COMPTON ROAD
POLLARD 22 LIMES (T1 – T22) (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

342.7 09/02873/TCA – ELDON LODGE, PONDCROFT ROAD
CHERRY – CUT BACK TO PREVIOUS CUT POINTS (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

342.8 09/02919/TREE – LAND AT PONDCROFT ROAD
YEW (T2) – LIFT CANOPY ON NORTHEAST SIDE BY 1 METRE (Cllrs Nicolle and Leach).

AGREED RESPONSE: “No objection.”

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342.9 09/02926/FUL AND 09/02927/LBC – 53A HIGH STREET
PROPOSED NEW SHOP FRONT TO REPLACE EXISTING WINDOW (Cllrs Hersey and Willcox).

Mr J Jesson, Lindfield Preservation Society, said that the application was just about right, earlier comments (on previous applications) having been justified. He now had no objections to the present application. However, he still had a problem with the plate glass window in the right hand flank to the left of the entrance, which needed addressing.

Mr N Kerslake said that he would just about support the enlarged bow window but he was also concerned about the solid, plate glass window. The installation of this feature was a flagrant breach as no planning application had been submitted. The owners had been reminded of the failure to refer to this side window on two previous occasions when applications had been submitted for the front window. The Parish Council should not allow the owner to ignore such reminders. There had been ample opportunities to remedy this and the owners should now be told enforcement action was about to be taken.

Cllr Allen said that an estate agent should set an example.

Cllr Hersey said that she and Cllr Willcox had discussed the matter of the side door being changed into a plate glass window and had agreed that they would bring it to the attention of the Committee.

AGREED RESPONSE: “No objection to the work in this application being undertaken. However, concerns were expressed by the Parish Council about the solid plate glass window in the right hand flank of the building, previously an entrance door that has been replaced without planning permission. This feature does not form part of the current application and the Council believes the matter has been brought to the attention of the owner, Mansell McTaggart Estate Agents, on a number of occasions but without any action being taken by them. Accordingly, the Parish Council believes that the District Council should now take enforcement action on the matter of this plate glass window.”

The Chairman tasked the Deputy Clerk to write to the District Enforcement Officer asking him to consider taking enforcement action.

342.10 09/02983/TCA – WHITE GATES, BLACK HILL
TWO CONIFERS - FELL. BEECH - LIFT CANOPY BY APPROXIMATELY 1.5 METRES (Cllrs Hersey and Willcox).

AGREED RESPONSE: “No objection to raising the canopy on the young beech (on the rear lawn) and felling the conifer adjacent to the horse chestnut; however, we feel that the remaining conifer would benefit from more space and light and should be retained.”

The Chairman asked the Deputy Clerk to ensure that the correct conifer was identified for felling.

342.11 09/02984/TREE – 21 PORTSMOUTH WOOD CLOSE
OAK (T64) – THIN CANOPY BY 20% (Cllrs Hersey and Willcox).

AGREED RESPONSE: “No objection.”

342.12 09/02985/TCA – DIX’S, BLACK HILL
STRAWBERRY TREE –REDUCE CANOPY BY ONE THIRD (Cllrs Hersey and Willcox).

AGREED RESPONSE: “No objection.”

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

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

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- 09/02609/TCA – 42 Compton Road. The Council had objected to the felling of a willow tree but the District Council had voiced no objections; the tree had been felled.
- Mid Sussex District (Lindfield No 2) Tree Preservation Order 2009. The TPO had been confirmed as modified on 30 September 2009; one of the trees in Savill Road previously identified as an oak was redesignated a sycamore.

344. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC: TRAFFIC AT THE JUNCTION OF LEWES ROAD AND HIGH STREET

344.1 The Chairman said that, in the first instance, he would allow 15 minutes for comments from the public on Item 8.

344.2 Mr J Jesson said that this was a very important issue on which he had the following points to make:

- Capacity: rat-running would continue with or without a mini roundabout because drivers would still gain time by avoiding the junction.
- Visibility: all parties accepted that inter-visibility was an issue at the junction. It was bound to have an impact on either capacity or safety. The key concern of the Lindfield Preservation Society (LPS) was that a mini roundabout would encourage drivers to exit Lewes Road with less thought. Increased capacity would come only with a more frequent exit rate. That would not be consistent with safety, particularly for vulnerable users like cyclists, who had been involved in 75% of the Personal Injury Accidents (PIAs) recorded at this junction.
- Safety: FMW Consultants Limited had found four accidents in the Sussex Police records at or within 20 metres of the junction over the 7 years 9 months period since 2001. The data were in LPS's June submission (to the Council). At 0.516 per year, the rate was 8% higher than COBA predictions (0.479) for an optimum mini roundabout. That margin was insufficient and they concluded that the sub-standard mini roundabout would not be appropriate. By June 2009, when the LPS offered further comment, the accident record of the current junction had moved to being 1% better than an optimum mini roundabout. At this time, it was 8% better (0.455). The current priority junction had a good safety record (no PIAs since November 2005). It was simply not possible to claim a neutral "no safety benefits" for installing a mini roundabout. Even if it met national standards it would make things worse. With the sub standard arrangement the village would have to accept, not only would the use of public money be inappropriate, the safety of people would be compromised. Regrettably for traffic, the existing narrowness of the approach, the restricted visibility and the resultant limited capacity would likely be the factors which had sustained the current safety record.
- Mr Jesson went on to address the issue of a zebra crossing. He said that the Committee would have noted that FMW had stated that this crossing in conjunction with a mini roundabout "would complicate matters possibly to the detriment of highway safety", so nothing would be gained by such action. Additionally, he said that the LPS had made it clear to the Parish Council (PC) that it must protect the Conservation Area and Heritage assets. It was self-evident that a mini roundabout scheme with its road markings and prominent signs would not preserve or enhance, indeed it would cause harm.
- In short, Mr Jesson said that there was no case to change what we had, except a single 'Stop' sign to replace a 'Give Way', the only identifiable benefit.

344.3 Councillor J Dumbleton, Chairman Lindfield Rural PC, said that he was astonished that the issue was on the agenda. It had been discussed *ad nauseam*, including in the LPS, and had been approved by the Working Party (WP) and the PC. He said that a democratically approved organisation had agreed it.

344.4 Responding to Cllr Dumbleton, Mr N Kerslake said that the Traffic WP was just a WP, an advisory group; it was the Parish Council which had reached the decision. Usually, the Council took advice from the WSCC Highways Department. However, there were 3 written reports - those of Frank Graham (FG), the Denis Wilson Partnership (DWP) and FMW, the latter consultants to the LPS - and the community had ample grounds not to be guided by the CC Highways Authority. He said that the PC had a clear policy in relation to any traffic measure in the village, well argued before any study had taken place:

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- Pedestrian safety was the first priority; anything that compromised it would be rejected.
- Vehicular safety was the second priority and anything which compromised that would be rejected.
- Finally, there was traffic flow.

Mr Kerslake made the following comments on the three priorities:

- There were three reports that had dealt with pedestrian safety: FG had been concerned; DWP had argued both in writing and orally (to the Mellor hearing) that it was essential to put a controlled crossing with the mini roundabout; and FMW. The WSCC had offered the PC a zebra crossing but it had been turned down. All 3 reports had indicated that such a crossing would worsen pedestrian safety.
- On vehicular safety: FG would not install a mini roundabout due to visibility issues; FMW had been categorical that a mini was sub-standard in terms of visibility - they took the national standard (for example, at the roundabout outside The Dolphin public house in Haywards Heath) for the accident record, ie, they took the best - Lewes Road beat the best.
- The only argument in favour of a mini roundabout was for traffic flow; a maximum wait of 5 minutes would be reduced to 4 minutes, but it would not stop rat running.

On balance there was a weak argument for a mini roundabout, there was no case to answer for it.

Finally, Mr Kerslake made a point regarding Roger Harper, formerly a private consultant to WSCC, but now employed by the CC: when an individual had developed a project, it was difficult later to sit back and no longer support it. Mr Harper's arguments had got weaker and weaker, in trying to develop the indefensible.

344.5 Mr R Marshall said that he had been a resident for 30 years and that he was a traffic engineer who had installed mini roundabouts and had acted as an expert witness in court. He said he could only support Messrs Jesson and Kerslake and the argument for change was very weak, indeed flawed. There were many ways to improve matters that were better than a mini roundabout, eg, a 20-mph speed limit. The PC should not support it.

344.6 Mr R Bryant questioned whether FG was initially against the mini roundabout as early papers they had presented to WSCC had supported a mini. Cllr Nicolle said that was correct; she felt pressure had been put on consultants and the mini had been just one of the options looked at as a compromise.

344.7 Mr Kerslake stated that he had been a parish councillor at the time and was adamant that the PC did not influence FG, where there had been massive expense. He challenged the suggestion that professional traffic engineers would change their findings in this way.

345. TRAFFIC AT THE JUNCTION OF LEWES ROAD AND HIGH STREET

345.1 The Chairman reminded the meeting of the two matters on which the Committee would need to reach a decision, i) whether the PC should continue to support the provision of a mini roundabout at the junction of Lewes Road and the High Street; and ii) whether the PC should support the provision of a zebra crossing adjacent thereto:

- Cllr Pickett said that the village did not need a mini roundabout, but if the answer was 'yes' the community would need a zebra crossing.
- Cllr Allen said he had nothing to add.
- Cllr Willcox said that the Full Council decision had been unanimously to support a mini roundabout. However, he did not support it at this point.
- Cllr Mrs Hersey said that she felt much as Cllr Willcox and agreed fully with Mr Kerslake and would be voting against.
- Cllr Nicolle said that the meeting had looked at some negative aspects thus far but there were pluses. In 1996, the PC had wanted to put in a mini roundabout but the idea was rejected by the LPS, not on safety grounds but on aesthetics in the Conservation Area. In the first draft of the FG

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report, the option of a mini roundabout was included. In the Village Plan, the Traffic and Transport Working Group addressed the difficulty of crossing the High Street both opposite Somerfields and opposite the King Edward Hall. The right turn onto the High Street at the B2028/B2111 junction needed to reduce pedestrian/vehicular conflict in Lewes Road. A huge amount of time and expertise had been spent on this matter by the Joint Traffic Working Party and their recommendations to the PC had been to support a mini roundabout. Cllr Nicolle said that she supported what Cllr Pickett had said and gave her support to a zebra crossing.

- Cllr Davies said that he did not want to change his original support for the issue. He was not over-persuaded by the recent arguments. As Cllr Nicolle had been saying, starting from the Parish Plan, there was clear overwhelming evidence for doing something. In the traffic survey, there had been 55 comments regarding bottlenecks and 46 of these had supported a mini roundabout at the Post Office. He reminded the meeting of the process: to get the issue authenticated and approved. At that time the LPS had been in favour of the mini. He was not over-persuaded by the swing against it. Safety must be paramount. He was not convinced a mini would make it less safe. If the community were to put traffic and safety first, the village would have traffic lights at Lewes Road and Hickmans Lane, set back with single file traffic. However, he fully recognised it would be unacceptable on aesthetic grounds. He had a gut feeling that a mini roundabout would be preferable. If the answer was 'yes' to a mini, then the village would need a zebra, a proper crossing.
- Cllr Blunden said that Cllr Davies had stolen his thunder! FG had not said that the village should not have a mini roundabout. Cllr Blunden was quoting from FG (Para 6.13) which said that there could be confusion. The only really safe solutions would be traffic lights. For example, the best ever occasions for vehicular movement had been during separate repairs to the pond and to the post office. He had heard nothing during the meeting that would make him change his mind.
- In summarising before the vote, Cllr Gomme said that there were three points: safety, congestion and rat running. His view had changed. No one had demonstrated to him that that the mini roundabout would be as safe as the current situation. The argument was marginal and congestion could be worse, including up the High Street. Rat running would not change. The whole scheme was flawed and he could no longer support it. However, whatever the outcome, the village must have a zebra crossing.

345.2 The Committee **RESOLVED** to recommend to Full Council that support for a mini roundabout should now be withdrawn (the vote being 2 for and three against the motion).

345.3. The Committee **RESOLVED** unanimously to recommend to Full Council that, regardless of the solution at the Lewes Road/High Street junction, support should be given to a zebra crossing outside Somerfields.

345.4 Cllr Davies said that there was also a legal issue that had not been addressed regarding Policy SSH/12, which placed a planning condition on the developer of Newton Road. The Chairman said that the PC would learn of the position before the next Full Council.

346. BUDGET FOR FY 2010/11

346.1 The Committee reviewed the budget in the current Financial Year (FY09/10) of £10,000 for Professional Fees and £200 for Miscellaneous items and **AGREED** to recommend to the Finance and General Purposes Committee the same figures for FY10/11.

347. ANY OTHER BUSINESS

347.1 There was no other business.

The meeting concluded at 8.54pm.

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348. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC

- 348.1 Referring to the budget with respect to Item 8, traffic at the post office corner, Mr D Macmillan asked the Committee to put pressure on WSCC to do something about pedestrian safety at this corner, where the pavement was at the same level as the road and was regularly overrun. The pavement needed two or three bollards and the kerb to be lifted from the post office steps as far as Masters & Sons. There needed to be enough room for pushchairs. It was ridiculous that WSCC was unwilling to undertake works; they would certainly act if a vehicle hit a pushchair/child. That issue was more important than a pedestrian crossing.
- 348.2 Referring to Item 8, traffic at the Lewes Road/High Street junction, Mr Kerlake drew the meeting's attention to the reminder made by Mr Nick Rogers, MSDC Principal Planning Officer, of the planning condition (on the Newton Road developer). At the hearing, when DWP were with Mr Mellor, the issue was all about throughput at the morning peak. DWP had said that it had to have a controlled crossing to protect pedestrians. The junction was safer now without a mini than it would be with one. Mr Rogers would need to reconsider the planning conditions. If there were empirical data, there might be a case for reconsideration of that planning condition. It was important to concentrate on facts and data; these were pre-eminent for decision-making. With the Village Plan, what the community would like to have done was an emotional reaction and was no way to reach decisions. People should not start with emotions and attack the data.
- 348.3 Mr Bryant said that, if the Full Council were to follow the decision on the mini roundabout made that evening, there would be consequences for the PC in its standing with WSCC. There was then an exchange between Messrs Bryant and Jesson about the qualifications and quality of the reports of the various consultants that had been referred to during the discussion.

The meeting concluded at 9.01pm.