

LINDFIELD PARISH COUNCIL

Minutes of the **PLANNING AND TRAFFIC COMMITTEE** held on **TUESDAY 12 AUGUST 2014** in the King Edward Hall, Lindfield.

The meeting commenced at 8.00 p.m.

Present: Parish Councillors: Mr A. Gomme (Chairman)
Mrs M. Hersey (Vice Chairman)
Mr W. Blunden
Mrs J. Chatfield
Mr S. Hodgson
Mrs V. Upton
Mr M. Amor

Also present: Mr J. Jesson, Lindfield Preservation Society (LPS). Councillor C. Hersey (MSDC)
8 members of the public (until conclusion of Minute 483.2)

In attendance: Mrs. C. Irwin (Clerk).

Absent: Councillor Mr C. Snowling

The Chairman opened the meeting, welcomed those present, and announced the emergency procedure for the King Edward Hall.

480. APOLOGIES FOR ABSENCE.

480.1 An apology for absence was received from Councillor Snowling and the reason was accepted.

481. DECLARATIONS OF INTEREST

481.1 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 Planning Committee B, or at any meeting which subsequently considered any matter discussed at the present meeting, having seen officers' reports and heard representations from members of the public and fellow Members.

482. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE (PLANS ONLY) HELD ON 22 JULY 2014.

482.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 22 July 2014. It was **AGREED** to **APPROVE** the Minutes and the Chairman **SIGNED** the Minutes as a true record of that meeting.

483. PLANNING APPLICATIONS AND OTHER MATTERS REFERRED TO THE PARISH COUNCIL BY MID SUSSEX DISTRICT COUNCIL (MSDC) FOR CONSIDERATION

483.1 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. It was agreed to alter the order of the Agenda for the benefit of those persons present with interest in a particular application.

483.2 14/01448/COU – THE BOOKSTOP, 44A HIGH STREET
CHANGE OF USE FROM A1 (SHOP) TO MIXED A3 (RESTAURANT/CAFÉ) AND A5 (HOT FOOD TAKEAWAY) USES.

Mr. Jesson stated that the application was confusing, superficial and inadequate with very poor drawings, particularly as the shop is within the Conservation Area for which a full detailed application was a requirement. The exact position for the flue was not clear from the plans and there was no drawing to illustrate the internal layout, WC, hand washing and waste facilities and how the 20-24 covers would be accommodated. LPS had concerns about the effect on the courtyard from queuing people if the take away service proved to be

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successful. The proposed opening hours were extensive and the noise generated by the business would affect the nearby residents. There was no parking and no indication in the plans as to how the associated vehicles would affect the High Street. LPS was in favour of the continuation of the existing retail use unless a good reason could be given for the change. Mr. Jesson stated that he would like to see a new application, properly detailed to address these issues and that they should not be dealt with as reserved matters.

Residents present at the meeting raised further objections on the following grounds:

- (Resident of adjacent house) noise affecting bedroom which was next to the dining area of the proposed restaurant. The proposal was unacceptable and in the wrong location.
- Fire risk - adjacent to a derelict building
- Two other applicants were understood to have been interested in the premises: a physiotherapist and a hairdresser, which would have been more acceptable
- There were already restaurants with take away service in the village
- Increased antisocial behaviour – focal point for gathering
- Increased litter, including on the Common
- The High Street did not lend itself to short term parking
- The High Street had a unique and diverse character, which could be spoiled by the introduction of the types of businesses prevalent in many other shopping areas
- Noise and fumes from the extractor
- Concern about possible blocking of the access from the footpath connecting Chaloner Road with the High Street, particularly for disabled buggy users.
- Likelihood of parking in Chaloner Road which was at full capacity with residents' parking.

The applicant, Mr. Goksu, stated that his career was in production management for restaurants, bars and public houses and he had recently been the temporary manager at The White Horse in Lindfield. He made the following points in support of his application:

- The old building would be upgraded and structural problems with the roof and wall dealt with
- There would be more emphasis on the restaurant aspect of the business and the take away service would not be as for traditional fish and chip shops: people would order from home and collect.
- The take away meals would be for consumption at home and would not generate litter
- The seating area would measure 50sq metres which would be adequate for the proposed 20-24 diners
- A disabled toilet would be installed within the premises
- The extractor hood would include a silencer and multiple filters to eliminate noise and smells
- The business was to be aimed at local people, most of whom would walk rather than drive.
- The business would provide permanent jobs for four people
- Mr. Goksu was keen to work together with the community and guaranteed that all the issues raised would be addressed.

The Chairman read out the retained Policies S 6 and S 7 of the Mid Sussex Local Plan and Members discussed the application in terms of its compliance with the conditions to be met for change of use to be permitted:

- That it could be shown that the existing use was no longer viable
- That adequate parking facilities were available
- That the proposal would not have an unacceptable impact on the amenity of the area.

During discussion the following points were made:

- Surprise that the application was validated, on account of the scant information and poor drawings
- Concern that there was no drawing to show the internal arrangements
- No detail about how waste was to be disposed of
- Possible risk of vermin if suitable arrangements were not made for waste matter
- Members shared the concerns raised by Mr. Jesson and members of the public at this meeting, regarding noise and smells
- It had not been proven that the current A1 (retail) use was not viable
- The draft Neighbourhood Plan contained a policy to resist losing A1 class shops - Lindfield still had a vibrant village centre, unlike many others
- The proposal was unneighbourly in terms of the possibility or likelihood of noise, smells from cooking and waste, parking and litter.

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AGREED RESPONSE: “The application documentation lacks adequate detail and does not provide convincing evidence to demonstrate that the proposal meets the three conditions set out in the saved Policy S7 of the Mid Sussex Local Plan.

- Continuation of A1 use of this building should not be deemed to be unviable without clear evidence to support such a judgement.
- There is no dedicated parking for this building and parking in the High Street is limited. There is concern therefore about the effect of parking, particularly associated with the take-away aspect of the business.
- The plan documents do not show the proposed internal layout and it is impossible to envisage how the applicant will be able to accommodate 20-24 seated diners, as stated in the application letter; cooking equipment; dishwashing facilities; sink and food preparation area; food and crockery/utensil storage; WC; hand washing facilities and waste bins in the space available to them.
- There is no indication of the arrangements for storing waste awaiting collection. There is a high risk of noisome smells and vermin if this is not properly contained.
- There is concern about increased litter in the area from consumption of take away meals.
- Although the application does provide details about the proposed extractor canopy, as this is a single storey building and the proposed flue would appear to be relatively short, we are not confident that all cooking smells would be eliminated. Smells from frying would have an unacceptable impact on the amenity of nearby residents and the surrounding area..
- The hours of opening are long and extend late into the evening with a greater risk of prolonged cooking smells and noise disturbance, particularly in and around the courtyard if people have to queue to collect take-away orders.
- If change of use is granted for the property, there is no certainty that the takeaway aspect of the business would not intensify on subsequent change of ownership, with consequential impact on the amenity of the area.
- The application letter refers to renovation, improving the appearance of the building inside and out. Whilst improvement of this somewhat neglected building is welcomed, it should be noted that it is in the Conservation Area and any structural changes may need separate planning approval.

For the above reasons, Lindfield Parish Council has strong objections to this proposed change of use to A3 and A5, believing it to be unneighbourly, with significant harm to the amenities of nearby residents, some of whom are in very close proximity, and would have an unacceptable impact on the amenity of this sensitive part of the Lindfield Conservation Area, conflicting with saved Policies B3 and S7 of the Mid Sussex Local Plan and Policy 5 of the draft Neighbourhood Plan which seeks to resist the loss of retail units.

Even if the concerns set out above could be dealt with by correspondence between the Planning Officers and the applicant, we would suggest that they are too extensive and should be dealt with by means of a further and suitably detailed planning application”.

483.3 14/02431/LBC – CARRIERS COTTAGE, LEWES ROAD
REPLACEMENT OF THE KITCHEN DOOR AT THE REAR OF THE HOUSE.

Mr. Jesson commented that the proposal was not historically accurate but an improvement on the existing, so LPS had no objection.

AGREED RESPONSE: “Lindfield Parish Council supports this application.”

483.4 14/02444/TREE – NETTLEBED, 18 SUMMERHILL GRANGE
T1 – LIME – REDUCE TREE BY 33%, REMOVE DEAD OR DANGEROUS WOOD AND RE-SHAPE THE CROWN.

It was **NOTED** that a copy of the consent letter had been received that afternoon and it was **AGREED** that the Deputy Clerk should speak to the new Tree Officer to make arrangements for comments on tree applications which would otherwise miss the deadline.

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AGREED RESPONSE: “No objection, subject to the work being supervised by the Tree Officer, but we note that consent has already been granted.”

483.5 14/02459/FUL – 29 WEST COMMON
CONSTRUCTION OF FRONT ELEVATION DORMER WINDOW.

Mr. Jesson endorsed the remarks in the proposed response and added that this may be a Turner house, in which case the rear dormers for which permitted development rights were being assumed by the applicant, were a travesty. The front dormer had been carefully designed but the rear ones were not in keeping with a building of significance, being an example of the Turner style.

It was understood that the Planning Officer had not yet determined whether the rear dormers met the criteria for permitted development and during discussion concern was expressed that as they featured on the plans for the front dormer, permission for the front dormer might be claimed to include the rear dormers.

AGREED RESPONSE: “We have no objections to the construction of the front elevation dormer window. However, we note that the drawings include three rear dormer windows in the loft conversion. Unless the Planning Authority accepts that these are permitted development, as claimed by the applicant, we would have objections to these as we consider them to be out of keeping and they do not appear to conform with MSDC’s preferred design. We believe this house may have been built by H G Turner, or at least an example of the Turner style, and as such it is a property of some significance. The rear dormers would be detrimental to the stature of this house.

As the rear dormers are detailed on the plans which have been submitted for approval in respect of the front dormer, we would request that permission for the front dormer is not issued unless there is absolute certainty that the rear dormers comply with the criteria for permitted development, to ensure that deemed consent cannot be assumed because of their inclusion in the same set of plans. If they are not permitted development, it should be made clear to the applicant that a planning application is required for the rear dormers”.

483.6 14/02499/FUL and 14/02502/LBC – BARNLANDS, 97 HIGH STREET
REMOVE EXISTING FLAT ROOFED CANOPY TO REAR AND REPLACE WITH SINGLE STOREY ENCLOSED PORCH EXTENSION (AMENDMENT TO APPROVED SCHEME). CONSTRUCTION OF A SHED AT REAR OF THE GARDEN.

Mr. Jesson endorsed the comments in the proposed response.

AGREED RESPONSE: “As this application seeks to retain more of the original fabric of the Listed Building than the previously granted permission, we have no objections to this application.”

483.7 14/02500/FUL – ACORNS, 59 DENMANS LANE
PROPOSED TWO STOREY FRONT EXTENSION TO PROVIDE ENLARGED FRONT ENTRANCE AND STUDY AT GROUND FLOOR AND BEDROOM AT FIRST FLOOR LEVEL.

It was **NOTED** that a neighbour had raised strong objections to the previous application for a front porch and that this application went beyond the existing planning permission. Mr. Jesson stated that LPS had shared concerns about the previous application in terms of intensification of use as a nursery and because of parking issues, but he felt that any objections to the present application would be unsustainable as the nursery use occupied the ground floor only.

AGREED RESPONSE: “No objection.”

483.8 14/02630/FUL and 14/02544/LBC – CARRIERS COTTAGE, LEWES ROAD
MOVE GATEPOSTS TO ALLOW EASIER ACCESS AND REPLACE DRIVEWAY GATES WITH HAND MADE OAK REPLICAS.

Mr. Jesson supported the proposal and expressed the view that there should be no requirement to paint the gates white; there was a precedent for unpainted gates at other neighbouring properties.

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AGREED RESPONSE: "No objection"

- 483.9 14/02627/TCA – GUILDWOOD, 3 LITTLE BLACK HILL
HORSE CHESTNUT – POLLARD TO REDUCE HEIGHT BY 8M AND SPREAD BY 4M.

It was **AGREED** to add the comments of the Tree Warden.

AGREED RESPONSE: "No objection. We would also support the view of the Lindfield Tree Wardens, that it would be preferred that the 2nd trunk is removed because it overhangs the garden at 7 High Street."

- 484. 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.**

- 484.1 14/01935/LBC – Manor House: Replacement of pedestrian and vehicular entrance gates and posts.

The wording of the condition stated in the permission notice: that the applicant was expected to return the gates and pillars to a natural finish within a month, was **NOTED**. This implied that the varnished finish was to be removed to return the gates and posts to bare wood.

- 484.2 Lindfield Cricket Club. It was **NOTED** that an email had been received from David Harper, Business Leader, Waste and Outdoor Services, MSDC, to inform the Parish Council and District Ward Councillors of the intentions notified by the Cricket Club in respect of implementing the planning consent for the pavilion extension. The planning permission was due to expire shortly and unless work had begun, the Cricket Club would have to re-apply so they had indicated that they wished to undertake some preliminary work by laying foundations and pipe runs etc. at the end of August, but they did not currently have the funds to complete the entire project.

During discussion it was **NOTED** that an application for an extension of time was not certain to be approved. It was suggested that there had been an example whereby a planning permission was due to expire and the applicant excavated a small area, laid a footing, took photographs and covered it over, but it was accepted that this was a different situation, involving Common Land owned by MSDC.

Members expressed grave concern about this proposal because of the effect, for an indefinite period, on the appearance and amenity of the Common, alongside the footpath used as a route to the primary and nursery schools. There was particular concern that the nature of the work proposed may necessitate unsightly fencing or hoardings.

A direct approach to the Cricket Club was suggested, but it was considered that a response to MSDC was the proper channel, because the Parish Council was not the landlord and the approach to the Parish Council had come from MSDC.

It was **AGREED** that a letter should be sent to MSDC in reply, addressed to David Harper, cc Tom Clark and Chris Coppens of the Legal Department and the Ward District Councillors, setting out these concerns and making the case that MSDC as landlords should prevent this proposal taking place in view of the Common being a focal point of the village and used by many people for recreation.

- 485. ANY OTHER BUSINESS**

- 485.1 No other items of business were raised.

The Meeting concluded at 8.55 p.m.