

LINDFIELD PARISH COUNCIL

Minutes of the **PLANNING AND TRAFFIC COMMITTEE** meeting held on **TUESDAY 22 SEPTEMBER 2015** in the King Edward Hall, Lindfield.

The meeting commenced at **8.00 p.m.**

Present:

Parish Councillors: Mr. A Gomme (Chairman)
Mr. W Blunden
Mrs. M Hersey
Mr. S Hodgson (Vice Chairman)
Mr. C Snowling
Mrs. E Hinze
Mrs. J Durrant
Mr. S Shortland

Also present:

Mr. J. Jesson, Lindfield Preservation Society (LPS)
Councillor C. Hersey (MSDC)
22 members of the public (for part of the meeting)

In attendance:

Mr. I. McLean (Deputy Parish Clerk).

Absent:

Mrs. V Upton, and Mr. R Plass

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

048. APOLOGIES FOR ABSENCE.

048.1 Apologies for absence were received from Councillors Upton and Plass, and the reasons accepted.

049. DECLARATIONS OF INTEREST.

049.1 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 A, the District wide Planning Committee, 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.

049.2 Councillor Snowling later declared a personal interest in item 5(vi) on the Agenda (8 High Street) as he was acquainted with the applicant.

050. QUESTIONS/COMMENTS FROM THE PUBLIC.

050.1 There were no questions or comments on this occasion.

051. MINUTES OF THE MEETING OF THE PLANNING AND TRAFFIC COMMITTEE (PLANS ONLY) HELD ON 01 SEPTEMBER 2015.

051.1 The Chairman called for approval of the Minutes of the Planning and Traffic Committee meeting held on 01 September 2015. It was **AGREED** to **APPROVE** the Minutes and the Chairman **SIGNED** the Minutes as a true record of that meeting.

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

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052.1 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 also agreed to alter the order of the Agenda for the benefit of those persons present with an interest in a particular application.

052.2 DM/15/3415 – LAND NORTH OF BIRCHEN LANE

OUTLINE APPLICATION FOR THE APPROVAL OF ACCESS DETAILS TO THE RESIDENTIAL DEVELOPMENT OF UP TO 40 DWELLINGS WITH ASSOCIATED GARAGING, CAR PARKING, OPEN SPACE, LANDSCAPING AND THE FORMATION OF ACCESS ROADS.

Mr Jesson said that he endorsed the Parish Council's proposed response. The changes that had been made to the planning application were not significant, and did not overcome the objections. Mr Miles Mayall on behalf of the Save Birchen Fields Action Group urged the Parish Council to object to the application, and gave a number of grounds for doing so, ranging from progress with the Neighbourhood Plan to ecology, drainage and flooding. Fiona Tyson reiterated the point that in effect nothing had changed, and there was a determination to keep fighting the proposal. Councillor Snowling said that he supported the recommendation as read out to Committee, but that it needed to include a reference to the removal of the hedgerows, which Fiona Tyson had also raised. He also stated that all the reasons for objecting were sound planning reasons. Councillor Gomme asked if there was anyone on behalf of the applicant who might wish to speak. There being no reply, he then proposed that the response should be as put to the Committee, but with the addition of a reference to the hedgerows. This was seconded by Councillor Snowling, and unanimously approved by the Committee.

AGREED RESPONSE: "Lindfield Parish Council strongly objects to this application on the following grounds:-

As regards the Mid Sussex Local Plan 2004:

1. Despite the modest changes made in this revised application, the proposal will not respect the character of the locality contrary to Policy B1(a), nor will it maintain or enhance the quality of the rural character of the District at the fringes of Lindfield, and the High Weald Area of Natural Outstanding Beauty to the north of the site. In addition it will still impinge on the character and setting of the Grade II Listed building at Sunte House, and nearby Old Wickham Farm, principally now by the construction of the emergency access road.
2. The proposal is contrary to the objectives of Policy B6 in that the area is one of recreational, conservation, and wildlife value. The policy applies to private areas of open space.
3. The proposal does not accord with Policy C1, which seeks to protect the countryside. The area is designated as a Countryside Area of Development Restraint, and there are no exceptional circumstances, which could justify such a development. It is noted that the Policy seeks to protect the countryside for its own sake.
4. The proposal does not accord with Policy C2 in that the strategic gap between Haywards Heath and Lindfield will be severely eroded, and it is clear that the Policy requires this to be specifically protected.
5. There are still concerns about compliance with Policy C6 in that the land is believed to be a natural habitat for a number of animal species, and the location of a number of wildlife habitats in the area. Relocation of species is invariably unsuccessful. The environmental damage that will occur as a result of the development, contributes significantly to the unsustainability of this proposal.
6. The Local road network is entirely unsuitable for a development of this size, and particularly as regards Birchen Lane and Gatesmead, is not capable of improvement without hugely detracting from the current rural feel and visual benefit enjoyed by existing residents. This is contrary to the principles of Policy B3.

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Furthermore, it is submitted that the proposal contravenes a number of the requirements of policy T4 of the Local Plan, given the exacerbation of the current dangers of the junction of Birchen Lane with the Portsmouth Road, and the already high volumes of traffic that are already experienced in this area.

As regards the emerging District Plan (pre-submission draft June 2015):-

1. The proposal fails to take account of policy DP5, which sets out an informed and strategic basis for the future delivery of housing requirements across Mid Sussex, and which acknowledges the significant contribution of Neighbourhood Plans.
2. The proposal does not meet the requirements of Policy DP10, which seeks to protect and enhance the countryside.
3. The proposal does not meet the objectives of Policy DP11, which seeks to prevent coalescence as set out above.
4. The proposal does not meet the objectives of Policy DP13 in that there can be no special justification for this development.
5. The proposal breaches the clear objectives of policy DP36 in that a green corridor and open space will be destroyed, and a valued landscape lost forever. This green corridor is encapsulated and supported in the Haywards Heath Town Council draft Neighbourhood Plan. It is also clear that this is a greatly valued, historic, and important landscape. Furthermore, the proposal to remove any hedgerows, which are likely to qualify (in view of their longevity and historical status) to be classed as "important" under the Hedgerow Regulations Act 1997, is against the policy's clear intention of "protecting trees, woodland and hedgerows" in such circumstances.
6. As reflected in the National Planning Policy Framework (NPPF), the proposal contravenes the objectives of Policy DP41, which seeks to locate development away from flood areas. It is noted that the Flood Risk Assessment (FRA) refers to the site as being located in Flood Zone 1, yet the report from the Environment Agency refers to it as being in Flood Zones, 1, 2 and 3 (even if only partially). The FRA appears to dismiss the significance of the watercourse and stream, and the potential for increased run off to other areas. The required sequential and exception tests have not been carried out, in clear contravention of the NPPF requirements (as further set out below). It is acknowledged however, that further work has been undertaken in respect of flooding, and indeed this confirms that there is a surface water flood risk affecting part of the development area. However, the mitigation measures suggested, including SUD solutions, are both untried and unproven, and there is every danger of increasing the flood risk elsewhere. The continued risks of causal flooding therefore outweigh the proposed solutions, and there are already documented incidences of local flooding. The position should also be considered for the future, in terms of both maintenance and reliability, not just as regards the present.

As regards the National Planning Policy Framework (NPPF):

1. The proposal will not meet the requirements of paragraph 61 of the NPPF, which states that planning policies and decisions should address the connections of people and places and the integration of new development into the natural, built, and historic environment.
2. As regards the potential for flooding, the proposal does not meet the objectives of paragraphs 100 to 103 of the NPPF for the reasons stated above. Paragraph 100 seeks to safeguard land from development that is required for current and future flood management, and it is submitted that the site

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could prove vital for preventing future flooding in Brook Lane, Sunte Avenue, and other nearby residential roads.

3. The proposal does not meet the objectives of paragraph 109 of the NPPF in that the natural environment will be neither conserved nor enhanced. In the Parish Council's submission, the objections of the Ecology officer at West Sussex County Council remain highly relevant, especially given his reference to ancient "assart" fields, and to the nearby ancient sunken-way footpath. These cannot be overcome simply by removing any building on the southernmost field. It is submitted that the effects of any development in this area need to be considered in the round.
4. The proposal does not accord with paragraphs 165 and 166 of the NPPF in that it fails to take into account the need to meet the demands of the natural environment.

As regards the Lindfield and Lindfield Rural Neighbourhood Plan (LLRNP):

- The proposal does not accord with the principles of Lindfield Parish Council's Neighbourhood Plan, the importance of which is supported by the District Plan in Policy Code and Policy DP5, and by the stated intentions of the NPPF regarding the localism agenda, as a core planning principle set out in paragraph 17 of the NPPF. In line with recent statements from both the District Council and the Department for Communities and Local Government, the Plan must be accorded significant weight, particularly now that it has been formally submitted under Regulation 15 of the Neighbourhood Planning Regulations 2012 to the Planning Authority, Mid Sussex District Council. Furthermore, and significantly, since the previous application, the Plan has now completed its independent examination. A recent letter from the Planning Minister, Nick Boles, MP (dated 27th June 2013, states "*The Government has been clear that local plans, drawn up in consultation with local people, should determine where development should and shouldn't go.*" This letter is placed in the public domain. It has also now been said by Government that even where there is no District Plan in place, or 5 year housing land supply, a Neighbourhood Plan should still be accorded sufficient weight depending on its progress. The Planning Authority will be aware that the LLRNP has made significant progress.

The Parish Council repeats the further comments it has previously made in response to the previous applications, which are still relevant, particularly as to infrastructure deficits. That is that the proposal does not address the infrastructure deficit of providing more and more housing in Mid Sussex, other than by agreeing to allocate money to the problem. This does not help the aspirations and objectives of Policy DP18 of the District Plan. It is contended that s.106 monies (and/or CIL monies in the future) are simply not delivering the level of infrastructure requirements and improvements that are needed to make such developments anything like sustainable. Infrastructure requirements must be properly addressed before any further large scale housing development is permitted, and indeed many objectors have referred to the severe pressures on existing services.

For all of the above reasons, the Parish Council concludes that the proposal is not sustainable, and that it is clear on any objective analysis, that the adverse impacts of approving the application, significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. **The application should therefore be refused.**"

052.3 DM/15/3418 – 12 OLD SCHOOL COURT
PROTRUSION OF FLUE FROM NEW INTERNAL BOILER.

AGREED RESPONSE: "Lindfield Parish Council has no objections to this application."

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- 052.4 DM/15/3396 - 23 SUMMERHILL GRANGE
HORSE CHESTNUT - REMOVAL OF LOWEST LIMB ON EAST SIDE OF TREE BACK TO TRUNK AND REMOVAL OF LIMB ABOVE BACK TO FORK. REMOVAL OF BRANCH ON EASTERN SIDE BACK TO FORK. CONIFER - REDUCE HEIGHT BY HALF TO APPROXIMATELY 23M. 4 X NO. LIMES - REDUCE CROWN BY 3M TO SUITABLE CUT POINTS.

AGREED RESPONSE: "All the trees are tall and narrow, and so Lindfield Parish Council has no objections to this application."

- 052.5 DM/15/3426 – 28 FIELDWAY
RESUBMISSION OF PREVIOUSLY APPROVED APPLICATION DM/15/0767 TO ADD GLAZED SIDE PANEL TO FRONT DOOR ON PREVIOUSLY APPROVED PORCH.

AGREED RESPONSE: "There are similar porches nearby, and so Lindfield Parish Council has no objections to this application."

- 052.6 DM/15/3457 – 30 APPLIEDORE GARDENS
TWO STOREY REAR EXTENSION AND TWO NEW DORMERS TO FRONT ELEVATION.

Mr Jesson said that he was in agreement with the Parish Council's proposed response, although noted that the proposed rear extension was quite substantial.

AGREED RESPONSE: "The existing drawing does not show the existing solar panels. Councillors visited and looked at similar properties in Appledore Gardens and none have dormer windows on the front elevations; one has a single velux window. Many of the properties have rear extensions, and this is not an issue. However, Lindfield Parish Council considers two dormer windows on the front elevation together with solar panels would give a very cluttered appearance that is out of keeping with the street scene, and so there are objections regarding this aspect of the proposal."

- 052.7 DM/15/3467 – 8 HIGH STREET (BAY POND COTTAGE)
CYPRUSS TREE IN FRONT GARDEN - FELL.

Mr Jesson said that because of the location, he very much supported the need for a replacement tree to be planted.

AGREED RESPONSE: "Lindfield Parish Council has no objections to this application, but as this tree is part of the established landscape, it would like to see a condition that requires the tree to be replaced with a new, suitable tree specimen."

- 052.8 DM/15/3288 – THE CLOCK HOUSE, SPRING LANE
(T1) AND (T2) YEWS - REDUCE BY 25% (2-2.5 METRES) TO STIMULATE NEW GROWTH TO FORM AND TO ALLOW MORE LIGHT INTO OTHER TREES AND SHRUBS.

AGREED RESPONSE: "Lindfield Parish Council has no objections to this application."

- 052.9 DM/15/3588 – ST LAWRENCE, BLACK HILL
TWO FIR TREES (ABIES ALBA - T1 AND T2) - FELL.

AGREED RESPONSE: "Lindfield Parish Council has no objections to this application."

- 052.10 15/DM/3598 – 4 BLACKTHORNS
DEMOLITION OF EXISTING SINGLE GARAGE, FRONT BAY WINDOW AND CANOPY, CONSTRUCTION OF A TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION.

AGREED RESPONSE: "Lindfield Parish Council has no objections to this application, provided matching materials and finishes are used."

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

- 053.1 DM/15/2476 – The Turret House, Old Place, High Street: Secondary internal double glazing for 2 no. dormer windows, 1 small high window and 1 bathroom window on the ground floor and 2 landing windows on the first floor. The Deputy Clerk reported that this application had been refused by MSDC by reason of its impact on the internal appearance of the windows, and so would be contrary to policy B10 of the Mid Sussex Local Plan 2004.

054. LINDFIELD AND LINDFIELD RURAL NEIGHBOURHOOD PLAN.

- 054.1 Councillor Gomme, as Chairman of the joint Parish Council Steering Group reported as follows:-

After some unfortunate but unavoidable delay, there is at last some news about the Neighbourhood Plan. The independent examiner, selected to review the Plan and confirm that it meets all the basic legal requirements, issued his report in May 2015. Since then, Mid Sussex District Council (MSDC) have been considering his recommendations and refashioning the Plan in order to take them into account.

Whilst most of the recommendations relate to layout and wording and are considered worthy of action, there is one which is not considered suitable by MSDC (nor either Parish Council). The MSDC Planning department have therefore produced an alternative proposal, which they have now issued for public consultation before proceeding further. The public consultation process was agreed at the MSDC Cabinet meeting on 8 September 2015. It began on 17 September 2015 and will last until midnight on 8 October 2015. A copy of the examiner's report, the revised plan and all the other associated documentation is available to look at:

- via the MSDC web site at www.midsussex.gov.uk/planning/9768.htm
- in the Mid Sussex District Council offices in Haywards Heath during office hours
- in the Parish Office at the Scaynes Hill Millennium Centre during office hours

All being well, once the consultation process has been completed, the Plan will be put to a referendum early in the New Year.

055 LINDFIELD TRAFFIC SURVEY/STUDY

- 055.1 The Deputy Clerk reported that on 21st August, he had sent the brief to three firms/companies in accordance with the Parish Council's Standing Orders/Financial Regulations. The slight delay in doing so, is explained by the fact that the Parish Council had been waiting for some guidance from WSCC, who have some experience of dealing with these issues. A return deadline date of 25th September 2015 was given. Unfortunately however, one of the hopefuls (since they carried out the Ardingly Parish Council traffic study), Colin Davis Associates, wrote back to say that they have a skills shortage at the present time, and are therefore restricting the amount of work they are currently taking on. However, they suggested a further alternative firm, Phil Jones Associates, and so a brief was sent to them on the 11th September with an invitation to tender. In order to be fair, since they will be 3 weeks behind the others, an extended deadline of 16th October 2015, has been given to this firm. Finally, the Deputy Clerk reminded the Committee that it has a current budget of £20,000 to fund this work.

056. ANY OTHER BUSINESS.

- 056.1 There was none reported.

The Meeting concluded at 8.24 p.m.