

## WORTH PARISH COUNCIL

### MINUTES OF THE PLANNING & HIGHWAYS MEETING HELD 11<sup>th</sup> April 2016

#### PRESENT:

Cllr I Gibson (Chairman)	Cllr T Dorey	
Cllr E Anscomb	Cllr L Field	Cllr K Scott
Cllr P Blakemore	Cllr J Hitchcock	Cllr R Webb
Cllr P Coote	Cllr C Larkin	
Cllr A Cruickshank	Cllr E Lord	Clerk – Jenny Saunders
Cllr D Curzon	Cllr C Phillips	
		Members of public 20

#### PUBLIC QUESTIONS

Two ex Councillors had attended the meeting at Mid Sussex District Council where Planning application DM/15/4094 (outline development for 60 dwellings) was being considered by MSDC. They reported on this. It was alleged that the Chairman of this Committee spent 15 minutes demeaning the Crawley Down Neighbourhood Plan and the weight that could be afforded to it as a result of a recent High Court ruling. Stating that, unless a very good planning reason could be agreed that the application should be accepted by MSDC.

There were apparently a number of procedural & process irregularities and incomplete/inaccurate guidance given by the Chairman, solicitor and planning officer that effectively misdirected the Committee. The Chairman omitted to mention that weight could also be given to the Mid Sussex 2004 Local Plan & emerging District Plan and that the committee had full discretion to do so.

The High Court Judgement merely widened the application of paragraph 49 which triggered paragraph 14 and still required the application to be sustainable – as defined in both the NPPF (paras 18-235 “taken as a whole”) and the Crawley Down Neighbourhood Plan. The recent judgements have not reduced the weight to be afforded to definitions in the Plan or to policies concerning infrastructure.

Contrary to the committee report, the application is completely against policies in the CDNP also the evidence is clear - the current infrastructure cannot cope. There was no plan to address the issues so the proposal is unsustainable and is in major conflict with a key policy of the CD Plan. Further, it was obvious from the reports received, that the CD Neighbourhood Plan had not been referenced in requests for comment from the environmental consultants and WSCC Highways.

The solicitor incorrectly implied that the examples given in footnote 9 (to para 14) were exclusive, implied that the Secretary of State decision re Woodcock Holdings (Sayers Common) which reversed a High Court ruling, was likely to be challenged and should therefore be disregarded and also neglected to mention that Justice Lindblom’s judgement re Broughton Astley had been endorsed in the recent High Court ruling. It should be remembered that, when rejecting 44 homes and accepting 30 at Wychwood only a few weeks before, the solicitor had advised that Justice Lindblom should be disregarded and the High Court ruling re Woodcock holdings given precedence. That situation has now been reversed and, to ignore that on the possibility that Woodcock Holdings may be re-instated, was perverse. Recent relevant NPPG guidance (11<sup>th</sup> Feb 2016) was also ignored.

The mandated Transport Assessment should have been rejected as invalid and because of the Worth Way a full traffic measurement performed instead of relying on a rehashed 8 year old study on an unrepresentative crescent. Likewise a full environmental impact assessment should have been performed.

It was noted that Worth PC had requested the application be called in by the Secretary of State and, in the absence of published legal advice from MSDC and the possibility that the call-in request may be refused that Worth PC seek legal opinion on the matters raised.

When this went to a vote it was 50/50 and the Chairman had the deciding vote which went in favour for 60 houses to be built.

### **173 APOLOGIES:**

Cllr J Hitchcock

Absent:

Cllr J Allen

### **174 DECLARATION OF DISCLOSABLE PENCUNIARY AND OTHER INTERESTS**

NONE

### **175 MINUTES OF MEETING HELD ON 14<sup>th</sup> MARCH & 28<sup>th</sup> MARCH 2016**

The minutes of the meeting held on the 14<sup>th</sup> March & 28<sup>th</sup> March 2016 were signed as a correct record.

### **176 UPDATE ON MSDC PLANNING COMMITTEE MEETINGS**

The Chairman confirmed that Cllr J Hitchcock had attended the District Council Planning meeting Committee A to represent WPC regarding DM/16/0600 – Development of site rear of Tiltwood House, Gage Close Crawley Down, RH10 4LL. Disappointingly Cllr Hitchcock comments were ignored & despite this recommended for acceptance by this Committee.

The Chairman attended Planning Committee meeting on Thursday 7<sup>th</sup> April for planning application DM/15/4094 (outline development for 60 dwellings) was being considered. He also made representation (this document was circulated to all Cllrs present) After a discussion it was **RESOLVED** that the WPC write again to the National Planning Casework Unit on both of the outstanding requests WPC have asked the Sectary of State to investigate.

- 30 dwellings on the Land West of Turners Hill Rd Crawley Down including the recover appeal on the 44 dwelling at the same location.
- 60 new homes at Hazel Close Crawley Down.

There are additional grounds arising from the decision of MSDC Planning Committee to approve the application on 7<sup>th</sup> April 2016 –detailed in the documents attached to the minutes.

A VOTE was TAKEN and WPC UNANIMOUSLY AGREED to send both of the letters to NPCU.

## 177 PLANNING DECISIONS FROM MID SUSSEX.

Reference	Address	WPC	MDSC
DM/16/0352	Oaksdown, Hophurst Lane, Crawley Down	Support	Approved
DM/16/0485	Ethlinden, Hophurst Hill, Crawley Down	Object	Refused
DM/16/0496	13 Bridgelands, Copthorne	N/A	Approved
DM/16/0528	The Laurels, Hophurst Hill, Crawley Down	Support	Approved
DM/16/0672	Orchards, Wallage Lane, Rowfant	Support	Approved

The above planning decision were **NOTED**.

### 178 HIGHWAYS ISSUES

It was agreed that the Clerk contact West Sussex Highways and ask if the Highways Road signage signs be cleaned. A Cllr circulated a photograph of an example of the state of the signs in both wards. Clerk to contact Turners Hill Parish to see who had recently cleaned their signs.

### 179 PROGRESS ON NEIGHBOURHOOD PLANS

Copthorne Neighbourhood plan is currently being reviewed and will shortly be ready to start the next stage of consultation.

It was **AGREED** that Cllr Gibson write to the local MP and ask for his assistance regarding MSDC lack of support to the Crawley Down Neighbourhood Plan.

### 180 PLANNING APPEALS

It was **AGREED** that the following Cllrs will attend the hearing which is going to be situated at the South Room of the Parish Hub for Firs Farm.

Cllrs: C Phillips, I Gibson, E Anscomb, P Coote E Lord & R Webb.

This hearing is over 2 day period.

### 181 TO CONSIDER THE PLANNING APPLICATIONS LISTED ON THE SCHEDULE BELOW.

**RESOLVED:** that the observations contained in the attached schedule dated 11<sup>th</sup> April 2016, to be conveyed to District Council.

Meeting started 7.30pm and closed 8.05 pm

Chairman: \_\_\_\_\_

Dated: \_\_\_\_\_

<p><b><u>DM/16/1160</u></b></p> <p><u>7 Sandy Lane, Crawley Down, RH10 4HW</u></p> <p>Proposal to convert half of the existing and adjoined double garage into a single room. 4 new Velux window openings to be added to the existing roof layout. Erect an orangery to the north side of the existing dwelling.</p>	<p><b>OBJECT-</b> The proposed site is in the Crawley Down Neighbourhood Plan (CDHP) area. The CDNP is now part of the local development plan and its polies carry full weight. Paragraph 198 of the NPPF requires that applications that conflict with policies in a made Neighbourhood Plan should be refused. However, the continuing failure of Mid Sussex to deliver a District Plan means that the policies in the neighbourhood plan cannot be considered to be up-to-date. Decision makers must still consider all of its policies and give them significant weight when conducting the balancing exercise demanded by para 14 of the NPPF and only approve applications when the benefits significantly demonstrably outweigh the adverse impacts. The NPPG mandates that the balancing exercise must be fully documented and available for public inspection.</p> <p>The application is contrary to the neighbourhood plan policies:</p> <p>4.1 over development of the site impacting adversely on the street scene.</p> <p>4.3 loss of an off-road parking space.</p> <p>WPC are the authors of the CDNP and as such are best placed to judge whether a planning application is in accordance with its vision, policies and definitions. Planning Officers should not contradict the assessment set out above without discussion with WPC.</p>
<p><b><u>DM/16/1196</u></b></p> <p><u>Cedar Cottage, Sandy Lane, Crawley Down, RH10 4HS</u></p> <p>Amendment to application DM/15/2120 to remove 1no. first floor side dormer window, add a ground floor orangery to both plots, and revise the private drive arrangements to utilize the existing vehicle access.</p>	<p><b>Support -</b> The proposed site is in the Crawley Down Neighbourhood Plan (CDHP) area. The CDNP is now part of the local development plan and its polies carry full weight. Paragraph 198 of the NPPF requires that applications that conflict with policies in a made Neighbourhood Plan should be refused. However, the continuing failure of Mid Sussex to deliver a District Plan means that the policies in the neighbourhood plan cannot be considered to be up-to-date. Decision makers must still consider all of its policies and give them significant weight when conducting the balancing exercise demanded by para 14 of the NPPF and only approve applications when the benefits significantly demonstrably outweigh the adverse impacts. The NPPG mandates that the balancing exercise must be fully documented and available for public inspection.</p> <p>WPC are the authors of the CDNP and as such are best placed to judge whether a planning application is in accordance with its vision, policies and definitions. Planning Officers should not contradict the assessment set out above without discussion with WPC.</p>
<p><b><u>DM/16/1205</u></b></p> <p><u>52 Bridgelands, Copthorne, RH10 3XD</u></p> <p>Oak (T4) crown reduction by 3m (amendment to approved DM/15/4831)</p>	<p><b>REFER</b> - to the Tree Officer for his comments</p>
<p><b><u>DM/16/1250</u></b></p> <p><u>11 Brookview, Copthorne, RH10 3RZ</u></p> <p>(T1) Oak - Crown thin by 20% and remove epicormic to 6m</p>	<p><b>REFER</b> - to the Tree Officer for his comments</p>

<p><b><u>DM/15/5125</u></b>  <u>Merrywood, Sandy Lane, Crawley Down, RH10 4HR</u>  External two bay car port and single garage with games room above.</p>	<p><b>SUPPORT</b> – with the condition that the development should be permitted to be used for living accommodation in perpetuity.</p> <p>The proposed site is in the Crawley Down Neighbourhood Plan (CDHP) area. The CDNP is now part of the local development plan and its policies carry full weight. Paragraph 198 of the NPPF requires that applications that conflict with policies in a made Neighbourhood Plan should be refused. However, the continuing failure of Mid Sussex to deliver a District Plan means that the policies in the neighbourhood plan cannot be considered to be up-to-date. Decision makers must still consider all of its policies and give them significant weight when conducting the balancing exercise demanded by para 14 of the NPPF and only approve applications when the benefits significantly demonstrably outweigh the adverse impacts. The NPPG mandates that the balancing exercise must be fully documented and available for public inspection.</p> <p>WPC are the authors of the CDNP and as such are best placed to judge whether a planning application is in accordance with its vision, policies and definitions. Planning Officers should not contradict the assessment set out above without discussion with WPC.</p>
<p><b><u>DM/16/1231</u></b>  <u>Treyarnon, Brookhill Road, Copthorne, RH10 3PS</u>  First floor addition to bungalow</p>	<p><b>SUPPORT</b> –The proposed site is in the Copthorne Neighbourhood Plan (CNP) Area. The draft Plan will shortly begin its regulation 14 consultation so it cannot be given much weight.</p>
<p><b><u>DM/16/1320</u></b>  <u>10 Bridgelands, Copthorne, RH10 3XD</u>  English Oak Tree - Crown reduce height and southern lateral spread by approximately 1.5-2.0m</p>	<p><b>REFER</b> - to the Tree Officer for his comments</p>

Chairman

date