



Chailey Parish Council

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Draft minutes subject to confirmation

A Meeting of the Chailey Planning and Environs Committee was held on Tuesday 3rd November 2009 in the Reading Room, Chailey Green, commencing at 7.30pm.

Present: (Chairman) Cllr J. Millam

Cllrs. D. Cowan, M. Downey, M. Evans, K. Gould, P. Olbrich, J. Tillard, L. Waller.

Public present: 4 (part of meeting)

In attendance: R. Seccombe (Clerk)

1. **Apologies:** Cllrs P. Carpenter & J-P. Ellis.
2. **Verbal representations by members of the public (see also item 8).**
Mr D Cranford stated that he had come to the meeting to answer any questions councillors may have about his application for a Certificate of Lawful Use (**LW/09/1056**) included under item 9.
Mr D Saunders and two associates had previously requested to come to the meeting to inform the council about their preliminary proposals for an affordable housing development at Oxbottom Lane, Newick. Their pre application presentation and subsequent discussions are reported under item 8.
3. **Declarations of Interest by Councillors:** None.
4. **To note a 'Casual Vacancy' arising and to consider arrangements for notification of electors' rights to a claimed poll:**
Cllr Olbrich (Chair of Full Council) informed Members that Cllr Hampton had resigned from the council and, as a result, declared a 'Casual Vacancy'. The period of notice for electors' rights to demand a claimed poll is from 5th to 25th November 2009. If no such claim is made the council may thereafter co-opt a Member.
5. **Council resolution (No. 09/142):** to agree and sign as a true record the Minutes of the Planning & Environs Committee Meeting held on Tuesday 6th October 2009 and the Urgent Planning Matters Meetings held on 15th September 2009 and 20th October 2009.
Council decision: Accepted
6. **Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency:** None.
7. **Matters arising:** None.

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8. Pre-application presentation re proposed affordable housing development at Oxbottom Lane, Newick (Chailey parish).

Mr D Saunders of Woodnet (a woodland development consultant) and his associates Mr Douch (builder) and Mr Pople (architect) attended the meeting to explain at this pre-application stage, their proposals for development of a site of land of 1ha off Oxbottom Lane, Newick. The following points were made:

- the site is currently a greenfield site outside the planning boundary and would, subject to approval, be developed as an exception site for affordable housing. The developer explained that the site had previously been notified to LDC under the SHLAA process (Strategic Housing Land Availability Assessment);
- the vegetative screening on the north and south side of the site would be retained with a ½ ha available for housing/gardens. The density of development has not been finalised however some 14 homes are anticipated at a density of c. 28/ha of useable land;
- it is anticipated that 25% of the units would be 'market housing' at full market price to make the scheme viable with the remainder being 'subsidised';
- councillors expressed a general interest in schemes which involve allocation of affordable units to people with a genuine local connection. Reference was made to the New Heritage development where allocations are based primarily on need with local connection as a subsidiary factor. In theory, subject to negotiation, the parish council could manage up to 6 houses itself (under the 'Power of Well Being' LGA 2000);
- the agents have previous experience of developments involving district heating systems including schools and community buildings and residential developments with 30 units (eg at West Hoathly). The agents have also been in liaison with a housing association to develop environmentally friendly affordable housing (eg at Wadhurst);
- the aim at Oxbottom Lane is to have a mix of size of buildings and type of buildings (houses/flats) for different age groups and with different household sizes;
- the scheme would involve leasehold rather than freehold ownership and the developer would have a long term commitment to maintenance of the site. The development is based on the Danish model of shared use of resources with communal open spaces including allotments/gardens, outdoor informal play/recreation space, designated areas for parking and small 'private' outdoor areas.
- the houses would use traditional materials with a life expectancy of 200 years plus and with minimal carbon use in construction and subsequent occupation;
- the properties would be carbon neutral and would rely on burning of wood chips for central heating and hot water. In the absence of local mills for pulping the local tree industry would be a ready source of waste timber as a source of fuel. Pooled annual costs would be low because of the cheap fuel source.

It was noted that further discussions would be held with LDC, CPC and other parties to assess the feasibility of the proposals. Members expressed interest in seeing site layout plans in due course.

9. To consider LDC and ESCC planning and tree works applications:

Rec. 21.10.09 Deadline 6.11.09	Name and address:	Work requested:	Council decision:
LW/09/1056	Mr D Cranfield, 3 Delbury Cottages, East Grinstead Road, N. Chailey.	Certificate of Lawful Use/Dev (Existing) – Use of land as residential cartilage.	Support. See comments below.

Mr Cranfield explained the current and intended use of the land subject to the application and Members examined the site plans. The council notes that it is not able to comment on land ownership matters with ref to LW/09/1056. Members expressed support for the application.

Rec. 21.10.09 Deadline 6.11.09	Name and address:	Work requested:	Council decision:
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LW/09/0975 & LW/09/0982	Mr & Mrs M Cumberlege, Shelleys House, Markstakes Lane, N. Chailey.	Planning Application & Listed Building Application – Erection of a two storey extension at side and alterations to existing elevations.	Support. Members commented that the proposed works are sympathetic to the existing house and with the alignment of the property at right angles to the road the works would not have any significant visual impact from the road.
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Application to ESCC:

Rec 8.10.09 Due 6.11.09	Name and address:	Work requested:	Council decision:
LW/2857/CC LW/09/1076	St Peter's Primary School, East Grinstead Road, N. Chailey.	Remove two existing single temporary classroom units and provide a new double classroom unit closer to school and connect up to existing services. Site occupied by the existing temporary classrooms to be reinstated back to playing field.	Support – see comments below.

Members expressed regret that yet another temporary classroom was to be provided instead of a permanent structure. In terms of impact on the character of the Conservation Area the works are not considered to be detrimental since they are shielded from view from the road due to vegetation and the lie of the land. The alignment of the new unit with existing units would make a more efficient and workable use of the school site. It was noted that the school does not have mains sewers (see section 12 of the application). See application **LW/2843/CC** for a replacement cesspool. It was noted that an existing oak near the classroom which is to be removed is to be retained and conditions should safeguard the tree & its root area during building and demolition works on site. The pupil and staff numbers were reviewed and Members agreed that the facilities were required.

In transit at 28.10 Due 20.11.09	Name and address:	Work requested:	Council decision:
LW/09/1108 & LW/09/1109	Mr & Mrs Shepherd, Ades Cinder Hill, N. Chailey.	Planning Application & Listed Building Application - Demolition of existing extension and erection of conservatory at side.	Support. Member commented that the use of a sloping roof in lieu of a flat roof would enhance the appearance of the listed property.
Rec. 21.10.09 Deadline 6.11.09			
3852:235/05/10/09	Chailey School, Mill Lane, S. Chailey.	Crown lift by removing secondary growth only (not limbs) remove epicormic growth on Oak trees (G1 & T1 of the Order) Exempt (Dead or Dying) Oak tree (G1 of the Order).	Support.
In transit at 28.10 Due 20.11.09	Name and address:	Work requested:	Council decision:
3852:235/19/	17 The Martletts, S.	Remove 1 x selected	Support.

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10/09	Chailey.	low branch & 1x secondary low branch overhanging garden back to source. Prune back higher overhanging branch by no more than 30% of branch length all on Oak (T5 of the Order).	
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10. To note LDC planning decisions: noted.

11. **CONFIDENTIAL (legal matters)**

- To consider land for sale at Markstakes and council procedures with regard to land transactions
- South Common & Little Exceat
- Roeheath Village Green & Woodside
- Lane End Common & River Farm

Minutes for this item appear in Appendix 1 which will be classified as 'CONFIDENTIAL' until the legal matters have been resolved.

12. **LDC Consultation re S106 agreements & development contributions (Due 13.11.09)**

Members had previously been circulated with an agenda paper which set out the following:

- the scope of the LDC's Scrutiny Committee's review;
- The criteria for s106 set out in ODPM 05/2005;
- The main types of physical, social and economic infrastructure for which development contributions are sought;
- Current Development Contributions receivable in the parish from developments at Willow Gardens and New Heritage.

Members made the following comments:

- Chailey PC welcomes the opportunity to participate in the s106 setting process since it may be in a position to provide local knowledge on the particular infrastructural provision and needs of areas where development is proposed.
- Chailey PC would also appreciate involvement in setting of proposed triggers for conditions;
- Chailey PC believes that LDC is best placed to set the district wide tariffs for S106 contributions per dwelling;
- Chailey PC believes that LDC is best placed to actively monitor compliance with conditions and to take enforcement action through the courts if necessary since parish councils are not party to s106 agreements from a contractual view point and have neither the resources nor the responsibility to enforce them. This should not however preclude the parish council from notifying LDC about significant 'developments on the ground' as developments are constructed which may be of interest to the district council.
- In the context of Chailey parish councillors expressed particular support for provision of the following categories of infrastructure:
 - affordable housing
 - public open space/play facilities
 - site accessibility/transport
 - waste & recycling facilities
 - education
 - environment, countryside management and ROW

Members further commented that it is often not clear who within LDC and other local government bodies has responsibility for particular components of s106 agreements. As a result, the parish council may get involved at a rather late stage if it wishes to comment on the application of particular categories of funds. With particular reference to the New Heritage development councillors expressed concern that there has been significant delay between the satisfaction of triggers and the receipt of funds and provision of stipulated facilities on the

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ground and that revisions to the amounts due on the LDC website listings of development contributions were not adequately explained.

It was noted that at the T/PC's annual conference in Plumpton held in October 2009, Mr Frost (LDC Planning) had reassured attendees that procedures are in place to ensure that outstanding contributions approaching their cut off date are carefully watched to ensure that contributions are not inadvertently 'timed out'.

Councillors welcomed the Scrutiny Committee's review of s106 agreements and said that they would be pleased to send a representative to Lewes to discuss feedback at the panel meeting. Alternatively if any member of the Scrutiny Committee wished to come to Chailey to discuss s106 it could readily be arranged. The Clerk was asked to reply to the LDC invitation to comment.

13. ESCC Consultation on the Waste & Minerals Development Framework Preferred Strategy (Due 2.12.09)

An agenda paper had previously been circulated with an outline of the Waste and Minerals LDF consultation process. Members noted that ESCC will consult on the Waste & Minerals Core Strategy in the spring of 2010. The Core Strategy will examine in detail sites for waste disposal and mineral extraction in the county. Members noted that the current consultation on the Preferred Strategy (due 2nd December 2009) includes examination of areas of search for waste recovery facilities (outside the AONB and proposed National Park and in a wide band along major 'A' roads) and areas of search for land disposal facilities (none in Chailey). Members commented that the Chailey area includes a sewage waste handling facility at Lloyds Environmental Hamsey; a clay minerals and brickmaking facility at Ibstock, South Chailey and a building waste processing facility at Little Exceat, South Chailey.

At the meeting, Members received details of the current 'Review of Minerals Permissions' (ROMP) specific to the Chailey Ibstock brickworks site (minerals permissions being regulated under the Environment Act 1995). Members noted that Ibstock Brick Ltd had circulated details of its proposals to owners of properties around the brickworks site. Members examined a site plan showing the intended use of the site over the next 15 year review period. The site is divided in three main areas – the south where the brickworks factory will continue to be based, the south east – the area of current quarrying operations (to be extended a little further to the south and a little deeper) and the northern area which can be subdivided into the area near the works used for brick stocking and clamps (firing) and the area further north which is currently woodland and open space where quarrying may commence in some 5-7 years. In due course the company is proposing to carry out planting on the slopes of the worked quarry areas, leaving some wetland and flooded areas. Members agreed to invite a representative of Ibstock's management to discuss the proposals at a future meeting of the council. It was agreed that responses to the ESCC W&M and ROMP processes will be sent in December following further discussions within council.

14. Mid Sussex DC Consultation on Statement of Community Involvement (Due 27.11.09)

Members had previously been circulated with an agenda paper which set out the SE Plan housing provision targets in Mid Sussex district by 2026 ie 15,000 homes or 750 pa which compares with 4,400 in Lewes district (220 pa). Members agreed that in its consultation response Chailey PC should request that it be notified (not as consultee but for info) about 'Large Scale developments' (over 50 units).

Members studies the Core Strategy site plan showing proposed areas for housing development in and around the Mid Sussex towns, particularly looking at Lindfield (500 houses off Gravelye Lane) and on the eastern and southern fringes of Burgess Hill (Kingsway and Folders Lane with 700 and 1,000 homes respectively). Significant expansion of housing on the fringes of Burgess Hill may have a knock on effect on Chailey's roads, use of outdoor space and availability of public services.

15. Correspondence for noting: Noted.

16. Risk Implications to be considered: Members were informed that the Roeheath Village Green play safety inspection report had been received and that all matters arising were categorised as of 'very low' or 'low' significance and these will be attended to in due course.

17. Implications to Crime and Disorder Act 1998 Section 17; None.

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18. Any other business for information: None.

- Members asked the Clerk to obtain further details of the 'low carbon' housing discussed under item 8;
- Members noted that the Chailey Common Planning Inquiry Group is to hold a public meeting about the proposed fencing and grazing scheme on 4th November. Some councillors stated that they planned to go along, not in a formal capacity as a parish council representative, but out of interest as members of the public;
- The Clerk was asked to check with LDC Planning whether the New Heritage site has been, or is to be, provided with a pedestrian access point off Banks Road and reference was made to related correspondence with the LDC case officer dating from 2007.

19. Date of next Planning & Environs Committee Meeting: Confirmed as Tuesday 1st December 2009.

The meeting closed at 10.21 pm

Signed:

Date:

Chairman

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Date: