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Brian Oliver stated that he was concerned again about the delay with the Neighbourhood Plan, whilst we wait for the outcome of the examiner and the MSDC District Plan and the response from Wealden District Council. The Chairman confirmed that unfortunately there was a process to follow.

A resident asked whether any progress had been made for the installation of a phone mast in the village. Cllr Clarke indicated that he had raised this several times in the past and therefore suggested that this should be an item for future agendas.

Karen Griffiths sought clarification on the Minutes and stated that at the last meeting she had said look at the West Hoathley Parish Council website as WSCC budget £35 per pothole.

Following a question from a resident, Cllr Hersey was able to confirm that there had been a potential breach of planning at Beggars Farm where clothing was being stored. The site was now under Notice to rectify the issue and remove the clothes.

A resident also raised the subject of increased sheep worrying and dog attacks in the village and the Clerk confirmed that the Parish Council together with WSCC had supported a recent NFU campaign concerning sheep worrying. The Clerk confirmed that she would put a further reminder in the P & P again about the problems concerning sheep worrying.

Chris Jupp informed the meeting that many lorries were using the road past his riding school as a shortcut and the speed and traffic volume was becoming an issue. Cllr Lea informed the meeting that he would look at road traffic orders regarding Birch Grove Road in order to restrict the amount of movements and speed, but that there was not an easy option the lorries sat navs often direct them down these routes.

APOLOGIES – Jez Humphries-Davies, Mike Kirk and Billy Dye.

DECLARATIONS OF INTEREST

Members are invited to make any declaration of personal or prejudicial interests that they may have in relation to items on the agenda and are reminded to make any declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is to be considered.

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Cllr Hersey’s Declaration of Interest:

I wish to advise that with regard to any comment (s) I may make on any planning application on tonight's agenda, I reserve the right to alter my views on any application and submission should it come before Planning Committee A or the District Planning Committee, following reading the Planning Officer's report, considering any verbal update the Planning Officer may provide and taking into account the views expressed by other Members or members of the public at the meeting.

Cllr Clarke Declared an interest in the item referring to the planning application at Birch Grove Road. Cllr Clarke would not take part in the debate or any decisions.

MINUTES

To resolve that the minutes of the Council Meeting held on Tuesday 9 January 2018 be taken as read, confirmed as a correct record and signed by the Chairman- with the following amendment

The clarification concerning the budget for potholes made by Karen Griffiths.

HIGHWAYS MATTERS

West Sussex County Councillor, Cllr Lea and Ian Brent from WSCC Highways were in attendance to provide an update concerning some of the highways issues in the village. At the discretion of the Chairman, members of the public were allowed to ask questions and raise issues directly with Cllr Lea.

Ian Brent confirmed that all roads are inspected once a year and depending on status of road are inspected on a six-monthly basis. Members of the public can report highways issues such as pothole directly through the WSCC app, “Love West Sussex”.

With regard to Birch Grove Road it was noted that there had been an increased movement of lorries and speed. It was suggested that more signage was needed to remind lorries not to take shortcuts through the village. Cllr Lea also referred to the Lindfield Preservation Order, which was a community initiative and although initially turned down by police as unenforceable, the community initiative was still going through. Cllr Lea suggested that a representative from the Parish Council should attend the next County Local Committee which meets every four months to raise

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issues of speed awareness in the village. The Clerk would request the contact details from Cllr Lea.

Cllr Lea was able to report that the trench in Birch Grove Road was due for repair.

The sunken drain in Treemans was also due for repair.

A job had also been raised for some of the issues in Keysford Lane, but the potholes did not meet the required intervention level

Cllr Hersey suggested that a drain was needed outside the Holywell Pumping Station and asked Cllr Lea to look into this.

The issue concerning road names was not a WSCC matter and should be referred to MSDC. Cllr Clarke would refer this matter to them.

With regard to Waterbury Hill it was noted that there had been some patching work done in November, but this had not lasted. The Parish Council asked Cllr Lea to find out how much the cost of the two-patching works had amounted too as neither had worked or lasted. The road needed to be repaired as a whole and properly. It was noted that funding was an issue. Cllr Lea would raise the matter again with Richard Speller of WSCC and the Lead Cabinet Member for Highways at WSCC.

Some residents also asked questions about overhanging hedges and trees. It was noted that it was the responsibility of landowners to maintain their borders. There was a grey area if the landowner was actually WSCC. Cllr Lea would find out more information and pass it back to the Clerk.

The question of temporary speed cameras was raised and Cllr Lea suggested that the Clerk would need to apply for funding through the CLC.

The Chairman thanked Cllr Lea and Mr Brent for their attendance.

REPORTS

To receive a report from County Councillor: Councillor Lea informed the meeting that a project he was involved in regarding cycle paths and footpaths in the County needed representatives from Parish Council and he was seeking a rep from Horsted Keynes. Cllr Vince volunteered.

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To receive a report from District Councillor: Cllr Stockwell reported that MSDC had signed the Employers Recognition Covenant looking after Armed forces in the district. Cllr Hersey provided a written report which is held on file.

FINANCE AND GOVERNANCE

- 0150 **RESOLVED** to approve the schedule of payments and note the receipts and year to date expenditure. The document was signed by the Chairman and a Councillor.
- 0151 **RESOLVED** to approve the Bank reconciliation.
- 0152 **RESOLVED** – to consider the discretionary grants at the next meeting.
- 0153 **RESOLVED** – to note the appointment of the external auditor, Moore Stephens.

TOILETS, GREEN AND RECREATION GROUND AND HIGHWAYS

The Parish Council received a verbal report from the Toilets, Green and Recreation Ground and Highways Committee (TGR) Committee Members and noted the unconfirmed TGR Minutes of 23 January 2018.

It was noted that there had been some recent damage to the Green caused by lorries. The Committee would consider what action to take at their next meeting. Following the last meeting, it had become apparent that the potholes outside the Crown pub needed more than just filling. IT would seem as if more extensive work was required. The TGR & H Committee had agreed that Cllr Dye would provide a scope of works for the Clerk to be able to obtain further quotes on what was required at the site. In the meantime, on a temporary basis the TGR & H Committee would arrange for some type one to be ordered to fill the potholes. This was on a temporary basis.

00155 RESOLVED to authorise the Clerk to obtain three quotes for the repair of the potholes outside the Crown

The Chairman updated the meeting about the refurbishment of the play area and it was noted that there may be some increased costs with regard to the surface at the play area. The Clerk would seek further clarification.

The Chairman also advised that there had been increased solicitor costs with regard to the installation of the Boules Pitch. The Clerk would obtain a breakdown of the legal costs and would request that the Boules Group pay towards some of the costs.

- 0157 **RESOLVED** - to note that the freighter dates are on 21/4/18 and 13/10/18
- 0158 **RESOLVED** – to note the update.

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PLANNING

The Chairman of the Planning Committee provided an update of the applications received and decisions made – please see Planning Committee Minutes.

DM/18/0195 – Land at Birch Grove Road

The Parish Council considered the planning application for Birch Grove Road, DM/18/0195. Please see the appendix attached for the comments made and circulated to Mid Sussex District Council.

COMMENTS FROM THE PUBLIC

Peter Willis sought clarification as to why Rufus Clarke had declared an interest in the Birch Grove application. Cllr Clarke was able to explain that he was a personal friend of the applicant.

With regard to the play area and possible increased surface costs a resident suggested that the Clerk contact Lindfield Parish Council as they had run out of money to do the surfacing at their play area and had to re tender.

A resident sought clarification from Cllr Clarke about the common access land referred to in the Planning application for Birch Grove Road. Cllr Clarke was able to confirm that he did not own the land in question.

Peter Willis suggested that the Clerk should negotiate with the company regarding the possible increased surface costs for the play area.

Helena Griffiths reminded the Clerk to post the results of the play area vote on the Parish Council website.

EXEMPT ITEM

The Members of public were excluded for the following item.

TENNIS CLUB AGREEMENT REVIEW

See Separate Minute.

The meeting ended at 10.20 pm

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Objection to Birch Grove Planning Application (DM/18/0195)

The Parish Council considered this planning application on 13 February 2018 and made the following comments. The site is not contained in the Horsted Keynes Neighbourhood Plan and is not designated as housing development land. The site is outside the built-up area of Horsted Keynes village and close to the village conservation area. The site is located in the Countryside Area of Development Constraint. The site is also located within the High Weald AONB. The development will increase the level of traffic movements onto a lane which cannot really be referred to as a road. This is a lane heavily used by horse riders, cyclists and walkers. Consideration must also be given to the Ashdown Forest Habitats Regulation Assessment and the 7km Special protection requirements.

In support of these comments, the Parish Council also AGREED to submit the following:

- **Area of Outstanding Natural Beauty (AONB)**

As this site is located within the High Weald AONB the applications must be considered in the context of paragraphs 114, 115 and 116 of the NPPF which sets out the criteria for the exceptional circumstances under which development in AONB may be accepted.

Paragraph 14 of the NPPF footnote 9 lists examples of where that presumption should be 'displaced', and one of these is within Areas of Outstanding Beauty. It is understood that MSDC have accepted this previously (Pease Pottage 600 houses).

Paragraph 115 of the NPPF requires great weight to be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, together with National Parks and the Broads, which have the highest status of protection in relation to landscape and scenic beauty. One of the strategic objectives within policy DP10 of the emerging District Plan is 'To protect valued landscapes for their visual, historical and biodiversity qualities'. The policy also states that 'Its environmental worth will be protected and enhanced by the policies in this Plan, in particular the Natural Resources policies (DP36 – DP42)'.

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Paragraph 116 of the NPPF states that “*Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. The conservation of wildlife and cultural heritage are important considerations in all these areas.*”. The proposal to build 45 houses in a Category 3 settlement (as defined within the MSDC District Plan) is considered a major development – a view that is supported by the Wittersham Appeal Decision (dated 3rd November 2016) where 27 houses were considered a major development.

In correspondence dated 19th October 2016, the High Weald Joint Advisory Committee informed us that the fields within this site were classified as medieval (AD 1066- 1499) cohesive assart, part of a wider medieval field system around Ovenden Wood. There are historic field boundaries around the site and dissecting it. The proposed site boundary does not follow these historic boundaries. Their advice was that fields that are medieval or earlier (i.e. pre-1500AD) should be avoided when considering sites for development because these are the fields that best reflect the national significance of the AONB landscape.

• **Built Up Area Boundary**

The site is outside (i.e. not adjacent to) the defined built-up area boundary of the village and has not been allocated in our Neighbourhood Plan. Further, it was not submitted in the two Calls for Land – the first in November and December 2014 and the second in August and September 2015.

Developing in the fields beyond Danehill Lane (which provides a defensible boundary) would result in a ‘*ribbon form of development*’ with no defensible boundary that could easily be replicated in other areas of dispersed development in the parish.

The Mid Sussex District Local Plan 2004 (Chapter 29) states that a built-up area boundary is defined for Horsted Keynes which seeks to conserve the rural setting of the village and to protect the surrounding countryside from unnecessary development – policies to support this statement remain in place, namely ‘C1: protection of the countryside outside built up areas’ and ‘C4: protection of AONBs’. None of the 7 exceptions in policy C1 or 3 exceptions in policy C4 are met.

Until the District Plan is adopted, the Horsted Keynes built-up area boundary is shown in the Adopted Proposals Map (dated August 2016) and its Insets (dated

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August 2016), and show that two of the saved policies apply to the area outside the built-up area boundary, namely 'C1: protection of the countryside outside built up areas' and 'C4: protection of AONBs'.

The emerging District Plan for Horsted Keynes built-up area boundary is shown in the Proposals Map (dated August 2016), its Insets (dated August 2016), and show that three policies apply to the area outside the built-up area boundary, namely 'DP10: Protection and Enhancement of Countryside', 'DP14: High Weald Area of Outstanding Natural Beauty' and 'DP15: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)'.

• Access to Site

The proposed vehicular access to this site appears to be opposite to the access drive of 'Little Meads'. The Transport Statement states that 2m * 120m visibility splays will be incorporated into the junction design, and that the junction has been positioned to provide a circa 100m separation distance between it and the existing Birch Grove Road / Danehill Lane junction.

The Transport Statement also includes the following statements regarding vehicular and pedestrian access:

- 2m * 120m visibility splays will be incorporated into the junction design.
- the junction has been positioned to provide a circa 100m separation distance between it and the existing Birch Grove Road / Danehill Lane junction.
- As part of the access strategy a new pedestrian footway is proposed within the site, routing eastwards through the development to provide safe, direct access for all end occupiers of the proposed development.
- In addition, a pedestrian access from the site to the existing care home on the northern side of Birch Grove Road is proposed, to assist staff, visitors and residents to safely access this existing care home facility.

The visibility splay in the direction of Chelwood Gate would require the removal of hedgerows, and there is a slight bend in the road, which reduces the visibility below 120m. The visibility splay in the direction of Horsted Keynes would require the removal of hedgerows and trees.

The removal of hedgerows and trees is contrary to one of the 'saved policies' relating to the MSDC Local Plan 2004, namely 'C6: protection of trees,

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hedgerows and woodlands’, which states that ‘Development resulting in the loss of woodlands, hedgerows and trees which are important in the landscape, or as natural habitats, or historically, will be resisted’. It is also contrary to the emerging MSDC District Plan policy DP36 ‘Trees, Woodlands and Hedgerows.’

The statement that ‘a new pedestrian footway is proposed within the site, routing eastwards through the development to provide safe, direct access for all end occupiers of the proposed development’ is questionable, as it requires crossing Danehill Lane with no visibility for oncoming traffic and additionally requires crossing to Bonfire Lane / The Green at a blind bend. Residents from Westall House would have to cross Birch Grove Road in order to join the proposed footpath. Further, the small piece of land between the boundary of the site and Danehill Lane appears to be public land, with benches for seating and sign posts situated on it.

Birch Grove Road at Westall House and the site access point is narrow and unsuitable for pedestrian vehicular access.

- **Vehicular Traffic Analysis**

While the access point is within a 40mph speed restriction, the road is derestricted a short distance from the access point.

The statement in the Transport Report that estimates 18 traffic movements out during AM and 15 traffic movements in during PM periods resulting from this development which seems rather less than would be expected for 45 dwellings, given that the majority of movements in and out of the village are by car.

The traffic analysis fails to mention the use of Birch Grove Road by equestrian riders.

- **Development in Rural Areas**

The Planning Statement states that:

At paragraph 55, the NPPF advocates the key village theory and "*development in one village may support services in a village nearby.*" This is of relevance to the application site, which is geographically located fairly close to communities at East Grinstead and Forest Row.

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There is no evidence to support this assertion, and it omits the final sentence in paragraph 55, which states that 'Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances' – none of which are met.

• **Supporting Documents**

A number of supporting documents in this planning application are dated 21st April 2017, and do not appear to have been updated to reflect the increase in size of the site from 4.28 hectares to 4.74 hectares. It is not possible to judge whether these documents should have been updated to reflect any amendments/omissions necessary.

• **Horsted Keynes Neighbourhood Plan**

The Neighbourhood Plan completed its Regulation 16 consultation on 1st February, and its next step is to undergo Examination.

This application appears to ignore the Horsted Keynes Neighbourhood Plan, and in particular:

POLICY HK1: BUILT-UP AREA BOUNDARY

New development in Horsted Keynes parish shall be focused within the built-up area boundary of Horsted Keynes village as identified on the Policies Map.

Small-scale residential development proposals of less than 10 units to meet local need only will be permitted on land adjacent to the built-up area boundary subject to the following criteria:

- The proposed development contributes to sustainable development;
- The proposed development is able to demonstrate that it does not have an unacceptable impact on the landscape. Applications must be supported by an assessment of the environmental and visual impact of the proposal, particularly the impact on the High Weald Area of Outstanding Natural Beauty, and include appropriate mitigation measures as necessary;
- An application is supported by a robust assessment of the impact of the proposal upon the local highway network;

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- The application is clearly not one phase of a larger site development that is being brought forward individually to meet the dwelling threshold.

Development proposals separate from the built-up area boundary will not be permitted unless:

- they represent development proposals on the site allocations (Policies HK17 to HK19); and
- they comply with Policy C1 of the Mid Sussex District Plan 2004 or any subsequent updates to that policy; or
- they relate to necessary utilities infrastructure and where no reasonable alternative location is available; or
- they comply with policies in this Neighbourhood Plan in particular those relating to dwelling extensions (Policy HK4) and expansion of business premises (Policy HK11).

POLICY HK2: DWELLING SIZE

Residential developments of over five dwellings shall provide a mix of dwelling sizes (market and affordable) that reflect the following requirements:

- 1 bed dwellings: At least 10% of all dwellings
- 2 bed dwellings: At least 40% of all dwellings
- 3 bed dwellings: At least 30% of all dwellings
- 4+ bed dwellings: Not more than 10% of all dwellings

An alternative mix of housing will only be permitted where this is in line with up-to-date housing need and market demand as evidenced through the Strategic Housing Market Assessment.

POLICY HK6: HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY

Development within the High Weald Area of Outstanding Natural Beauty (AONB) will only be permitted where it conserves or enhances the natural beauty of the parish and has regard to the High Weald AONB Management Plan. In particular development must demonstrate that it:

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- takes opportunities to restore the natural function of watercourses to improve water quality; prevent flooding and enhance wetland habitats;
- respects the settlement pattern of the parish and uses local materials and wood fuel systems that enhance the appearance of development and help to reconnect occupiers with the landscape;
- relates well to historic routeways and does not divert them from their original course or damage their rural character by loss of banks, hedgerows, verges or other important features;
- does not result in the loss or degradation of Ancient Woodland or historic features within it and, where appropriate will contribute to its ongoing management;
- conserves and enhances the ecology of fields, trees and hedgerows; retains and reinstates historic field boundaries; and directs development away from medieval or earlier fields, especially where these form coherent field systems with other medieval features.

POLICY HK16: CYCLEWAYS AND FOOTWAYS

New developments shall include publicly accessible footways and, where possible, cycleways from the site to the wider footway and road network.

New developments shall provide footways serving the new dwellings that are of sufficient width to accommodate at least two persons walking abreast and are suitable for wheelchairs, prams, pushchairs and mobility scooters

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