

## MINUTES

### HERSTMONCEUX PARISH COUNCIL PLANNING (PLN) COMMITTEE

**Tuesday 13<sup>th</sup> September 2016, 7.30 p.m.  
Small Hall, Herstmonceux Village Hall**

**Councillors in attendance:** Jo Angear - **Ch**; Angela Ashley; Malcolm Bradshaw; Mick Goodsell; Heather Kenward; Bryan Naish; Stephen Nash; Ian Stewart; Catherine Stirling-Reed; Max von Barholt Krag.

**Clerk to the Council:** Mrs Clare Harrison

**Members of the Public:** Two

ITEM	MINUTES	ACTION
16.09.13	<b>APOLOGIES FOR ABSENCE</b>	
1.	Apologies were received from Cllr Alder	
	<b>Apologies accepted</b>	
16.09.13	<b>DECLARATIONS OF MEMBERS' INTERESTS</b>	
2.	<ul style="list-style-type: none"><li>i. Cllr SN declared an interest in agenda item 5.3 - Application No. WD/2016/2004/F</li><li>ii. Cllr IS declared an interest in agenda item 7.iii – Lime Park Building Works</li><li>iii. Cllr JAN declared an interest in agenda item 7.v - Lime Park Agricultural Cottages</li></ul>	
16.09.13	<b>DISPENSATION REQUESTS</b>	
3.	<ul style="list-style-type: none"><li>i. No new dispensation requests received</li><li>ii. Standing dispensation request for Cllr Goodsell re WD/2016/1977/O (not on this agenda)</li></ul>	
16.09.13	<b>PUBLIC QUESTIONS OR COMMENTS ON AGENDA ITEMS</b>	
4.	<p>This item shall last not more than 15 minutes or at Chairman's discretion and no contribution shall last more than 3 minutes.</p> <ul style="list-style-type: none"><li>i. One member of the public wished to speak about agenda item 5.3</li><li>ii. One member of the public wished to speak about agenda item 7.iii</li></ul>	

Standing Orders were not closed at this point of the proceedings as both members of the public were invited to speak as the agenda items arose.

16.09.13 **PLANNING APPLICATIONS – WHOLE COUNCIL ACCOUNTABILITY FOR**  
5. **COMMENTS AND OBSERVATIONS**

- i. Complaints Policy  
This agenda item was not discussed.

- 16.09.13 ii. Code of Conduct – Members duty of care  
5.1 This agenda item was not discussed.

16.09.13 **PLANNING APPLICATIONS RECEIVED**

- 5.2 Consideration of Planning Applications including those received after this agenda has been published:

**Clerk -  
Comments  
to be  
submitted.**

**Application No. WD/2016/2103/F**

**Application Type:** Full

**Expiry date for comments:** 21 September 2016

**Grid Reference:** 562360 112026

**Case Officer:** Mrs J James

**Tel:** 01892 602475

**Location:** WAVERN COTTAGE, CRICKETING LANE, HERSTMONCEUX,  
BN27 1QL

**Description:** CONVERSION OF 1 & 2 WAVERN COTTAGES FROM A  
SINGLE

DWELLING BACK TO TWO DWELLINGS

**Applicant:** Mr & Mrs C & R Jardine

**Council comments and observations:**

It was proposed that it was important for this property to revert back into the two homes it had once been on the basis of the creation of smaller, affordable, family homes for younger families. All councillors were in agreement.

The council wished to submit their strong support for this application.

16.09.13 **Cllr S Nash left the room.**

5.3

**Application No. WD/2016/2004/F**

Application Type: Full

**Expiry date for comments:** 16 September 2016

Grid Reference: 563543 112561

Case Officer: Mr A Battams Tel: 01892 602487

**Clerk -  
Comments  
to be  
submitted.**

Location: 2 THE WILLOWS, GARDNER STREET, HERSTMONCEUX, BN27 4LE

Description: RESUBMISSION OF APPLICATION WD/2015/1307/F-CHANGE OF USE

FROM RETAIL (A1) TO TAKE-AWAY (A5) AT GROUND FLOOR AND OFFICES (B1) AT FIRST FLOOR.

Applicant: Mr M Simes

**Standing orders were suspended at 19.40 and the meeting closed to invite member of the public to speak.**

A statement was read highlighting objection to this application, reiterating the key points of the original objections from members of the public, Parish Council, planning application refusal and appeal refusal. These were in the main addressing environmental matters of noise disturbance, waste management and traffic / parking. It was conveyed to Council that these objections still stood in the views of the member of the general public.

**The member of the public was thanked for their contribution. Standing orders were resumed at 19.40 and the meeting re-opened.**

**Council comments and observations:**

This application resulted in further great discussion to the advantages and disadvantages of the proposal.

The following points were discussed:

- Soundproofing not enforceable
- No guarantee that the sound proofing would be efficient enough
- Environmental aspects still not satisfactorily addressed
- Odour issues

The council agreed that the Council wishes to actively support economic development, including start-up businesses; and the Council also formally acknowledges parishioners' comments in favour of a Fish and Chip take away shop.

However, Council felt that the residential nature of the proposed location, formerly a semi-detached home with the adjoining property, was still unsuitable for the purposes of a fish and chip takeaway shop.

A vote was taken. Cllr HK proposed to object to this application, seconded by Cllr IS. All in agreement to object excepting one abstained vote from Cllr MB.

**Council object to this application. Whilst in support of the concept of this application, the location is inappropriate. The grounds for appeal**

**dismissal have not been addressed, the presented adjoining neighbour protection measures are not adequate or enforceable on the grounds detailed below:**

1.Noise disturbance: There is no guarantee that acoustic treatments would a) be undertaken and b) would have the desired effect.

- Increase in noise and disturbance from internal activity, often difficult to fit retrospectively in older buildings or satisfactorily addressed through imposition of a planning condition, being unacceptable for occupiers of neighbouring property, particularly later in the evening.

2.Acoustic Treatments: As highlighted by the report offered by Kent Architecture, proposals for acoustic treatments are not enforceable under the Building Regulations and in the supporting report submitted by Sitesound, Sound Insulation Testing, it states that:

- “The nature of acoustics science is such that many variables exist at any given time both related and unrelated to each other, which are further affected by circumstances both obvious and otherwise.....and as such Site Sound Ltd cannot accept responsibility for any failure to meet the relevant performance”.

3.As such, the proposal remains in danger of being in breach of the following:

- Policy EN27, of the Walden Local Plan 1998; and Policies SPO13 and WCS14 – Presumption in favour of sustainable Development, of the Wealden District Core Strategy Local Plan 2013 – respecting the amenities of adjoining development and the neighbourhood including in respect of noise, to create attractive living environments and to improve social and environmental conditions in the area.

Application **objected** to.

**Cllr S Nash re-joined the meeting.**

16.09.13 **Application No. WD/2016/2041/FR**  
5.4 Application Type: Full  
**Expiry date for comments:** 20 September 2016  
Grid Reference: 562364 112621  
Case Officer: Laura Field Tel: 01892 602515

**Clerk -  
Comments  
to be  
submitted.**

**Location:** ROBIN POST, GINGERS GREEN, HERSTMONCEUX, BN27 4PT  
**Description:** CHANGES TO PROPOSED EXTENSION PREVIOUSLY APPROVED

UNDER WD/2015/0426/F TO NOW INCLUDED GABLE PROJECTION  
Applicant: Mr & Mrs W Martin-O'Donoghue

**Council comments and observations:**

There is no change to the development footprint and there is no adjoining property privacy being compromised.

There are no objections to this application.

16.09.13 **Application No. WD/2016/0940/F**

5.5 Application Type: Full

**Expiry date for comments:**

**16 September 2016**

Grid Reference: 563432 112566

Case Officer: Ralph Forder Tel: 01892 602496

**Clerk -  
Comments  
to be  
submitted.**

Location: FORMER PUBLIC CONVENIENCE, HAILSHAM ROAD,  
HERSTMONCEUX BN27 4LJ

Description: DEMOLITION OF EXISTING PUBLIC CONVENIENCE AND  
REPLACEMENT WITH A DETACHED THREE-BEDROOM HOUSE.

**AMENDED BLOCK PLAN AND ROAD SAFETY AUDIT DOCUMENT**

**Council comments and observations:**

This application raised repeated serious concerns and resulted in heavy discussion.

The Council wish to re-iterate to the Planning Officer their **objections to this application in the strongest terms** to this application noting that the proposed development site is entirely un-suitable for a residential property. Council wish to uphold all formerly submitted objections and **in addition** raise the following points:

- That the Road Safety Audit is severely flawed in its use as supporting evidence in mitigating the consultee responses, including the Councils, road traffic safety arguments having been undertaken DURING THE SCHOOL SUMMER HOLIDAYS and not even at peak school times.
- That the said audit recommendations to agreed restricted visibility, which could result in RTCs involving movements from the access, recommends cutting back hedges. These hedges are privately owned and therefore not under the control of ESCC Highways.

- In respect of the amended block plan, serious concerns remain regarding heavy foot traffic, close proximity of the school pedestrian crossing, peak school times and an additional concern that children do not always fully concentrate. The revised proposed site plan shows driveway for 2 cars in nose to tail positioning, perpendicular to the road. Council note the comments of ESCC Officer, Ben Lenton, who states that it is “unlikely that sufficient space is available for a vehicle to turn”. Council raise the point therefore, that this necessitates cars having to reverse over a pavement into their parking space, being it illegal to reverse out onto a main road, which causes an even greater concern for the children’s safety.
- That supporting papers showing the interchange of emails between the developer and East Sussex Officers evidences inappropriate comments and will be forwarded to the parish County Councillor for his attention.

16.09.13 **PLANNING CONSENTS, REFUSALS, WITHDRAWALS & APPEALS**

6. **RECEIVED**

Notification of notices received, including those that arrive after this agenda has been published:

**WDC Approval:**

**i. Application No. WD/2016/1190/F**

CONVERSION OF REDUNDANT STABLE BLOCK TO FORM ONE-BEDROOM HOLIDAY COTTAGE AND CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE.

MERRIE HARRIERS COTTAGE, COWBEECH, HAILSHAM, BN27 4JQ

**ii. Application No. WD/2016/1473/F**

ERECT CONSERVATORY AT REAR

10 MONKEY PUZZLE CLOSE, WINDMILL HILL, HAILSHAM BN27 4ST

**iii. Application No. WD/2016/0662/FA**

VARIATION OF CONDITION 1 AND 2 ATTACHED TO APPEAL DECISION FOR WD/2008/1462/F.

CONDITION 1 TO ALLOW THE USE OF THE PROPERTY AS A LONG TERM LET AND

CONDITION 2 TO ALLOW THE RENTAL PROPERTY TO BE LINKED TO THE BUNGALOWS

HIGHAM COTTAGE, GARDNER STREET, HERSTMONCEUX BN27 4SX

**iv. Application No. WD/2016/1521/F**

SINGLE STOREY EXTENSION FOR EN-SUITE TO EXISTING BEDROOM, FERN COTTAGE, CHAPEL ROW, HERSTMONCEUX, BN27 1RB

**WDC Refusal:**

**v. Application No. WD/2016/1806/O**

PROPOSED SINGLE DETACHED HOUSE WITH CAR PARKING SPACES  
LAND ADJOINING 2 THE FIRS, WEST END, HERSTMONCEUX, BN27 4NY

**WDC Withdrawn:**

None at time of publishing agenda

**WDC Appeals:**

None at time of publishing agenda

All planning notices were noted.

16.09.13 7. **OTHER PLANNING MATTERS AND ITEMS REFERRED FOR PLANNING  
COMMITTEE ATTENTION**

**i. New entrance at Stunts Green - breach of planning conditions**

It was noted that this had been reported to Enforcement on 31/08/16.  
It was reported by Councillors that the kerb is still in situ and site is still  
in use.

**ii. Enforcement Notice - The Cart Barn, Old Road, Herstmonceux,  
East Sussex, BN27 1PU**

Noted.

**iii. Lime Park Steam Park – building works**

**Cllr Stewart's interest lies in some legal representation he undertakes  
some resident members of the Lime Park estate and non-paid advice  
he offers to the residents association. Cllr Stewart remained in the  
meeting but declined to take any part in conversations or decision  
taking.**

**Standing orders were suspended at 20.23 and the meeting closed to  
invite member of the public to speak.** The council were offered  
information from a Lime Park resident, outlining their knowledge of  
what was being built on site without due planning permission. In  
addition to this that the building works were now encroaching on land  
owned by Lime Park Estates Ltd and not by the party who was  
developing onto the land. Also there were concerns that the property  
was being advertised on websites as a museum but that the access to  
the building was a private road.

**The member of the public was thanked for their contribution.**

**Standing orders were resumed and the meeting re-opened.**

Cllr Long offered some information on the history of the property and  
WDC involvement over historic enforcement notices and actions. Cllr  
Long updated the Council that residential occupation had been agreed

**Clerk to  
follow up  
with WDC to  
find out if  
any  
enforcement  
action  
taken.**

to (approx. 4 months ago) for this property as a result of changes to national planning policy.

Council were informed / reminded that Clerk had notified WDC of the building activity and submitted photos 23.08.16. It was highlighted that building on land not owned was a civil matter and must be actioned as such by the residents of the park.

IRO the issue of Japanese Knotweed, the clerk advised that undertaken research had identified measures that needed to be taken for reporting this. It was requested that the information be passed to property adjoining the land where the knotweed had been seen.

**Clerk to copy information given to council for Lime Park residents info.**

**iv. Lime Roughs recent sale to Monson Homes Limited**

Clerk requested to contact developer for meeting with BDV Working Group.

**Clerk to contact.**

**v. Lime Park Agricultural Cottages**

**Cllr Angear remained in the meeting but declined to take any part in conversations or decision taking.**

**Ref FCL Minutes of Meeting 15.08.16,**  
It had been requested that the Planning Committee investigate raised concerns of possible breach of Section 106 agreement of planning permissions at Lime End Farm concerning Lime Park Agricultural Cottages. Ref WD/02/1186/O, Permanent agricultural dwelling at Lime End Farm to serve the core unit at Lime End Farm and other agricultural business interests of JC and HJ Ford.

The council noted the comments of Mr Ford that one of the two properties was being used as a short term (6 month) rental for a non-farm worker. This was due to only one of his two current herdsman needing residential accommodation and to lessen the disadvantages of having an empty property over the winter months. Mr Ford had stated that he would need the property for staff in the future and re-iterated this was a short term measure.

**Clerk to report to WDC.**

Council observed that they must be consistent in their actions and that whilst they acknowledged the reasons presented, this was still a breach to planning regulations and therefore needing reporting.

**vi. Follow up to Planning Application WD/2016/0868/O**

**Danger of the site access**



Application Type: Outline  
Expiry date for comments: 24 August 2016  
Grid Reference: 563751 112594  
Case Officer: Ralph Forder Tel: 01892 602496

Location: LAND ADJOINING ELM TREE HOUSE, GARDNER STREET,  
HERSTMONCEUX, BN27 4LA  
Description: FOUR NEW DWELLINGS AND ACCESS. REVISED LAYOUT  
AND LEVELS  
Applicant: Sophie Curtis Property Ltd

**This item was Deferred as amendments to the planning application  
have come through and are on the FCL agenda for discussion on  
19.09.16**

16.09.13 **COLLINS HONDA**  
8

Invitation for site visit – The invitation from Peter Collins for the Council to view to site and any prepared documents for his upcoming planning application, (at vetting stage as at 24.08.16), was received by the councillors. Cllr Ang reminded those present that, if they should wish to take up the offer, that questions may be asked but NO comments will be made as this would not be a formal Council meeting with recorded minutes.

Cllr Bradshaw stated for clarification purposes that the proposed development site is the land adjacent to the garage, not Collins Honda garage itself.

**Clerk to  
arrange site  
visit**

All councillors agreed that they would like a site visit.

16.09.13 **PLANNING COMMITTEE TERMS OF REFERENCE**  
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**i. Quorum**

The Council discussed the suggestion from the clerk to reduce the Planning Committee quorum to 5 but rejected the idea as they wanted to keep a majority of the FCL for delegated powers purposes.

Additionally, it was highlighted that 6 months had not yet passed since Standing Orders were approved and therefore this matter could not be considered at this time. However, if reaching quorum in the ensuing period proved difficult, this item should return to the agenda from January 2017 onwards.

**For review  
on January  
PLN agenda  
if  
appropriate**

**ii. PLN(Com) approval prior to Ratification from FCL**

Cllr JAN highlighted duplication of text at bullet point 25.g&i.

**Clerk to  
amend draft**

[www.herstmonceuxparish.org](http://www.herstmonceuxparish.org)

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Otherwise all councillors were in agreement with the draft  
TOR, for presentation at FCL, 19.09.16.

**ready for  
FCL approval**

**16.09.13 ITEMS FOR NEXT MEETING**

10

- i. Update on site visit to Land Adjacent to Collins Honda

**16.09.13 CLOSE OF MEETING**

11

The meeting closed at 21.10hrs

Date of Next PLN(COM) Meeting - 11<sup>th</sup> October 2016