

**Worth Parish Council**  
**Minutes of the Planning and Highways Committee Meeting**  
**4<sup>th</sup> March 2019 at 19.30hrs**

**Present:** Cllr Hitchcock (Chairman) Cllr Blakemore  
Cllr Casella Cllr Field  
Cllr Gibson Cllr Phillips  
Cllr Webb  
Clerk Mrs J Nagy 4 Members of the Public,  
including Cllr Scott

**205 Public Question Time**

The Chairman welcomed all present to the meeting, then highlighted the housekeeping rules – there is no fire drill planned this evening. Should an alarm sound, please make your way to the car park via the stairs. Do not use the lift. He requested that mobile phones be put on silent.

No member of the public wished to speak at this point of the meeting.

**206 Apologies**

Apologies were noted from Cllrs Anscomb, Coote and Dorey

Absent: Cllr Larkin.

**207 Declarations of Disclosable Pecuniary and Other Interests**

There were no declarations of interest at this point of the meeting.

**208 Minutes**

February 4<sup>th</sup> 2019

These were deferred from the meeting on 25<sup>th</sup> February, as they were not circulated prior to the meeting

It was proposed by Cllr Phillips seconded by Cllr Webb and agreed by all present that the Minutes of the Planning & Highways Committee meeting held on 4<sup>th</sup> February 2019 were a true and correct record.

February 25<sup>th</sup> 2019

It was proposed by Cllr Phillips seconded by Cllr Webb and agreed by all present that the Minutes of the Planning & Highways Committee meeting held on 25<sup>th</sup> February 2019 were a true and correct record.

**209 Chairman's Announcements**

The Chairman reminded Councillors that there was an Election drop in session in the Oak Room at the Haven Centre this Saturday, between 10am and 12 noon

**210 Update on Mid Sussex District Council Planning Committee meetings**

District Planning Committee – March 26<sup>th</sup> 2019 at 14:00 hrs. No documents on the website.  
Planning Committee A – March 14<sup>th</sup> 2019 at 19:00 hrs. No documents on the website.  
Planning Committee B – March 28<sup>th</sup> 2019 at 19:00 hrs. No documents on the website

DM/18/4821 for retention of a cabin at Yew Tree Cottage, Wallage Lane was discussed at MSDC Committee on 25<sup>th</sup> February. Cllr Gibson represented the Council to speak in support of the application.

Cllr Gibson reported that despite his best efforts the application was refused, as per the officer's recommendation. He noted that there is no provision in the NPPF for granting permission on

compassionate grounds, as the cabin is being used by a carer for someone resident in the main dwelling. There is also no provision in the District Plan for housing to support the elderly, such as carers' accommodation. The MSDC Committee refused the application but agreed not to implement enforcement action to have it removed, which does seem to be contradictory.

The Chairman thanked Cllr Gibson for attending the MSDC Committee meeting.

## **211 Planning Decisions from Mid Sussex District Council**

<b>Reference</b>	<b>Address</b>	<b>WPC</b>	<b>MDSC</b>
DM/18/1968	Holiday Inn Gatwick. Copthorne	Withdrawn	
DM/18/3525	Land at Lower Hollow Copse, Copthorne	Object	Permitted

Councillors NOTED these decisions.

## **212 Appeals**

There have been no appeals lodged since the last meeting

## **213 Consideration of Crabbet Park as a Strategic Site**

The Clerk advised that she had been unable to contact the speaker intended for this item. At the February Full Council meeting it was agreed to defer the matter now until after the election.

It was agreed that the Clerk would invite David Carden to speak at the Planning & Highways Committee meeting on Monday, 3<sup>rd</sup> June 2019.

## **214 DM/18/3525 – Land at Lower Hollow Copse**

Planning application DM/18/3525 for change of use of land at Lower Hollow Copse to allow for 13 pitches was permitted at the MSDC Planning Committee meeting on 21st February.

The Copthorne Village Association asked the Secretary of State to call in the application, but this was refused on 25th February; the decision notice was issued the same day.

The Clerk referred to her report and her advice not to give financial support to any challenge to this decision.

**At this point, the Chairman proposed the suspension of Standing Order to allow a member of the public to speak; this was seconded by Cllr Phillips and agreed by all present.**

Mr Mark Kosky of the Pot Common Protection Association advised that the Association was currently investigating challenging MSDC's decision to permit the application. The Pot Common Protection Association is a separate organisation to the Copthorne Village Association.

It is employing a solicitor and legal counsel who are reasonably confident that a Judicial Review challenge would succeed, having recorded and videoed the MSDC meeting. As the body is an Association, any costs awarded against it would be limited. In the event of a successful challenge, a proportion of the costs incurred can be repaid. The Pot Common Protection Association would welcome any financial support that the Council could offer.

### **Cllr Blakemore arrived at 7.40pm**

Mr Kosky said that one issue is that the application is premature in the context of the District Plan, as the Gypsy & Traveller DPD has not been published, so prospective sites have not been assessed.

During the meeting it was pointed out to MSDC that proposed route of the footpath was not possible, due to some of it being over land not owned by WSCC. MSDC officers did not respond to this comment.

Another possible challenge is to the Noise Survey, where it was agreed at the MSDC meeting that the caravans would be sited with opening windows away from the road. Many caravans ventilate via the roof, however.

There are 16 points on which to base a legal challenge, ten of these arising from the MSDC meeting, and six from the background documents.

**Standing Orders were reinstated.**

Cllr Gibson said that he had experience in a Judicial Review, in relation to The Pheasantry. He was surprised with the speed that the decision notice was issued for this application. The Clerk confirmed that the letter from the Secretary of State refusing to call in the application was dated 25<sup>th</sup> February, and the decision notice was issued that same day.

Cllr Gibson advised that he had submitted an FOI request to MSDC to ascertain when the site selection exercise for Gypsy and Traveller sites took place; it was 2013.

He was of the opinion that the Parish Council should seek its own legal opinion, which would cost in the region of £3,500.

Cllr Phillips said that the Chairman of the MSDC meeting misled the Committee on a point of law, on an issue of education and health. Answers to speakers' questions were incomplete. Whilst he noted the Clerk's advice not to support a legal challenge, he thought that the Council should make a donation. He did not see the point of duplicating legal advice already received, however.

**At this point, the Chairman proposed the suspension of Standing Order to allow a member of the public to speak; this was seconded by Cllr Phillips and agreed by all present.**

The Chairman asked Mr Kosky how much the Judicial Review challenge would cost.

He replied that it was envisaged that it would be between £35,000 and £45,000. Costs awarded against the Association in the event of a failed challenge would take this to between £50,000 and £60,000. The Association already had donations totally around £25,000, and a further £20,000 to £25,000 had been pledged. Local businesses were providing monetary support. If the challenge is successful, then proportion of the costs are returned.

Mr Kosky was asked how much contribution he was asking for, from the Council. He said any amount would be welcomed but suggested between £5,000 and £10,000.

**Standing Orders were reinstated.**

Cllr Gibson said that based on his experience with The Pheasantry, the estimate of costs was correct. In winning that challenge, 80% of costs were repaid.

Discussion took place in relation to the legality of asking to see the Pot Common Protection Association's legal advice, as this was the Association's own legal property. It was agreed that the Council had no right to have access to this.

Cllr Blakemore was of the opinion that the Council should support a legal challenge; he suggested a sum of £5,000.

Cllr Field, whilst sympathetic to the Association, was of the opinion that it was not within the Council's remit to make a contribution to another body's legal proceedings. Perhaps the decision whether to donate or not should be left to the new Council after the election.

Cllr Blakemore thought that the Council had an ethical responsibility to its residents to support the Association; Cllr Casella agreed.

Cllr Webb noted that there had been over a hundred letters of objection to the proposals; he was advised that there was a petition with over 2,500 signatures.

Cllr Hitchcock proposed that a recommendation be made to the next General Purposes & Finance Committee that the Council donates a sum of £5000 to be used towards legal costs in challenging the decision to permit DM/18/3525. This was seconded by Cllr Webb and agreed by all present with the exception of Cllr Field, who abstained.

Cllr Gibson asked the Clerk to ascertain if the Council is able to accept any monies returned as a result of a successful challenge – AGREED.

## **215 Community Land Trust**

Cllr Hitchcock referred to the Neighbourhood Plan Administrator's report on the principles of Community Land Trusts (CLTs) and funding streams. It should be noted that the deadline for applying for government support under the Community Housing Fund is December 2019.

He reminded Councillors that MSDC had indicated at the recent MSDC conference that it would support CLTs.

He showed Councillors a possible scheme for land around The Haven Centre in Crawley Down. He admitted these particular proposals were ambitious, but they showed what could be achieved. His proposals included:

- A housing site for 5 x 2 bed bungalows
- A housing site for 15 x 1 or 2 bed houses
- A floodlit 3G MUGA with store and toilet facilities
- Tennis courts with club house
- Car park to serve sports facilities
- Potential for walking and fitness trail

The re-siting of the tennis club from the St Georges field would release that land.

Funding for the sporting facilities could be sourced from, for example, Sports England.

Progression on any such project would need to take place in stages.

Cllr Phillips said that there was land off Bramble Close in Copthorne owned by MSDC that could have CLT potential.

It was AGREED by all present to form a working party to progress CLTs in both Copthorne and Crawley Down.

The Clerk will draft a remit and suggestions for membership for agreement.

## **216 Planning Compliance Action**

### Removal of Trees at M23 J10

The Clerk has contacted Richard Speller again to ascertain the latest situation. He had previously advised that it was WSCC Development Dept who had removed the trees, but it appears from a report at the February CLC meeting that this was not the case, and that it is still not known which body is responsible

The Clerk has asked for a schedule for the installation of the new slip road, and for replacement planting.

### Royal Oak Pub

Cllr Gibson noted roof tiles falling off the pub over the past weekend. He has reported to MSDC but asked the Clerk to do so as well due to the ongoing concerns over the state of the building.

## **217 Updates on the Mid Sussex District Plan**

Cllr Gibson reminded Councillors that housing allocations in policy DP4 of the District Plan should be reviewed annually against the Monitoring Report. The Burgess Hill Northern Arc proposals are 700 homes under the allocated target.

The Clerk advised that the latest Monitoring Report on the website was 2014/2015.

He asked the Clerk to ask when an update report would be published.

## 217 Highways Issues

### Improvements to Elger Way, Copthorne

Acting on concerns from local residents, the Clerk is liaising with WSCC Highways, MSDC enforcement and St Modwen's contractors in relation to proposed junction improvements at Elger Way. It appears that some of the proposed footpath will be on private land, and the landowners have not been consulted.

### Letters to householder requesting hedging to be cut back

Cllr Casella asked if letters has been written to householders adjacent to the twitten between Brookhill Rd and The Meadow.

The Clerk asked him to send her details, as this may have been overlooked due to staff sickness.

## 219 Applications in Neighbouring Parishes

At a previous meeting, Cllr Gibson requested that new build applications in neighbouring parishes be noted, so that their impact upon Worth Parish can be assessed.

A draft document has been created to show this information and is included in the meeting pack.

The Clerk was asked to include developments in Turners Hill, Snow Hill, Imberhome and East Grinstead, and website links.

## 220 New Planning Applications

<p><b><u>DM/19/0065</u></b></p> <p>6 Elger Way Copthorne RH10 3JJ</p> <p>Proposed rear extension, loft conversion with 4 No. dormer windows and hip to gable extension.</p>	<p>Object, on the grounds of overdevelopment, that the proposals overlook and are overbearing on the neighbouring properties, and are not in keeping with the street scene</p>
<p><b><u>DM/19/0092</u></b></p> <p>Jasper Wood Cuttinglye Road, Crawley Down, RH10 4LR</p> <p>To replace existing metal gates originally mounted on brick pillars with electronic opening gates to be mounted on new brick pillars.</p>	<p>Support</p>
<p><b><u>DM/19/0134</u></b></p> <p>The Prince Albert Copthorne Bank Copthorne RH10 3QX</p> <p>Proposed 2 storey rear extension with external staircase to provide 8 letting rooms with new kitchen, disabled toilet and staff accommodation</p>	<p>Support, as the Council is keen to support local businesses. However, ask that car parking is used by guests during their stay, and not as airport parking.</p>
<p><b><u>DM/19/0438</u></b></p> <p>20 Beechey Close Copthorne RH10 3LS</p> <p>Proposed single storey extension</p>	<p>Support</p>
<p><b><u>DM/19/0461</u></b></p> <p>8, Underwood Close Crawley Down RH10 4UN</p> <p>Single storey rear extension. Part garage conversion to include replacement of side window to door.</p>	<p>Support</p>

<p><b><u>DM/19/0494</u></b></p> <p>19 The Martins Crawley Down RH10 4XU</p> <p>Proposed single storey rear extension, new front driveway and new patio to rear.</p>	<p>Support</p>
<p><b><u>DM/19/0537</u></b></p> <p>Chestnut Lodge Furnace Farm Road Furnace Wood RH19 2PU</p> <p>Retrospective application for the erection of a portacabin to be used as a staff room and waiting area for the Pet Cemetery and Crematorium, with disabled access and toilet facilities.</p>	<p>Support, as the Council is keen to support local businesses</p>
<p><b><u>DM/19/0717</u></b></p> <p>4 Grange Farm Cottages Turners Hill Road Crawley Down RH10 4EY</p> <p>Proposed detached garage with home gym and office.</p>	<p>Support but ask for non-severance clause and that the proposed building is for the quiet enjoyment of occupiers of the main dwelling only.</p>

**221 Items for future agenda**

There were no items for a future agenda

**222 Date of the next meeting – Monday, 25<sup>th</sup> March 2019 after the Full Council meeting**

*Meeting closed at 8.50pm*

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

Date: \_\_\_\_\_