

Minutes of the **PLANNING COMMITTEE** meeting held virtually on **Monday 23rd November 2020** at 7.00pm in accordance with *The Local Authorities and Police and Crime Panel (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*.

PRESENT: Cllrs Di Kelly, Chris Pope, Marcus Tarling (Chair).

In attendance: Natalie Brett – Assistant Clerk (Minutes and Virtual Host)
District Cllr Obbard

Members of the public are encouraged to view meetings via the Withyham Parish Council YouTube channel where they are posted until minutes are available.

Members of the public wishing to address any items on the agenda were requested to email their question/comment by the morning of the meeting to be circulated to the committee. There was one members of the public present regarding the Land at Park Corner.

The following statement was given by the member of the public:

Article 4 was originally put on the whole of the field, including the land at Park Corner by Wealden District Council. At the time I was instrumental in persuading Wealden District Council to do this. One of the reasons for doing this was that it allowed the council greater powers managing the potential damage to the site because of the right to issue Stop notices.

Article 4 is on the land not on the ownership and has not been lifted.

Wealden took over a month to issue Article 4 on the last occasion resulting in some distress to members of the public duped by the scam.

There is a potential link between the present owner of the land and the original owner Deschauer who has recently been in court over other such schemes and had judgement against him.

Breaches

1. The presence of diggers on the site - moveable plant or machinery
2. The level of clearing which is excessive and has including importing onto site materials in 17 /20 tonne vehicles - a breach
3. The installation of two caravans on the site and the occupation of one of them - a clear breach made worse by the presence of the enforcement officer on the site when one of the caravans was installed
4. The use of a generator which requires a licence (not issued) and is plant. It is also running until 10.30 at night disturbing neighbours - nuisance
5. The damage to the environment by the clearing including the removal of a huge number of trees including mature specimens. The amount of timber being removed may also require a Forestry Commission Felling Licence which is unlikely to have been obtained and would be of great interest to the Forestry Commission (a criminal offence)
6. Widening of the Gates - clear breach.

In addition and outside article 4 therefore outside planning matters Wealden District Council should be seriously concerned about the level of noise and nuisance the work is creating in a quiet rural location damaging the quiet enjoyment of neighbours

of their properties, all of whom are tax payers. In addition, the potential damage to wildlife from Great Crested Newts (which may be in the adjacent pond) to Dormice (hazel bushes), badgers and bats. There has been no environmental survey of the site and all the above are present in this area as well as being protected species which may be of interest to the Environment Agency.

The single track road outside is covered in mud and now slippery when wet which is a matter for East Sussex County Council Highways.

Thank you for allowing me to address the Planning Committee and for the support of the Committee and local District Councillor.

Cllr Tarling thanked the member of the public for their comments.

1. **ENQUIRE WHETHER ANYONE PRESENT INTENDS TO FILM, PHOTOGRAPH AND/OR RECORD THE MEETING:** As this was a virtual meeting it was recorded for the purposes of posting on YouTube until minutes available.
2. **APOLOGIES** – Cllrs Andrew Fane and Jill Pardey
3. **REVIEW AND AGREE COMMITTEE TERMS OF REFERENCE**

001972 RESOLVED to agree The Planning Committee Terms of Reference

4. **NOTIFICATION OF CIL RECEIPT**
It was advised that a payment of £4,333.19 was made by Wealden District Council to Withyham Parish Council for CiL monies due from April to September 2020.

5. **DECLARATIONS OF INTEREST – None**

6. **MINUTES**

- 6.1 The minutes of the meeting held on 28th September 2020 were agreed.

001973 RESOLVED that the notes of the meeting held on 28th September 2020 be taken as read and signed by the Chairman when in person meetings resume.

- 6.2 Matters outstanding from these minutes. – Tree preservation Orders (TPO's) to be added to the next agenda.

- 7 **ENFORCEMENT** –An update provided by Wealden District Council Enforcement on Park Corner was circulated to the committee in advance of the meeting.

It was noted that there was a feeling public confidence in Wealden District Councils Enforcement was being undermined and a question was raised as to what powers could be used to increase enforcement.

Cllr Tarling invited District Cllr Obbard to comment on the member of the public's statement.

Cllr Obbard advised: that the enforcement actions taken so far were disappointing to residents. The enforcement officer had been in attendance at the site every day in the last week and was being updated by residents and Cllr Obbard. Cllr Obbard had been advised that the only breach was the siting of the caravans for which an enforcement notice had been issued. Where the

gate had been widened a post had been replaced to resolve the issue. At this time stop notices were not being considered

Cllr Obbard advised that a legal view had been taken by Wealden District Council solicitors and this was guiding enforcement action.

Cllr Obbard and the Assistant Clerk were asked to request a copy of Wealden District Council's legal view for the Parish Council.

The Assistant Clerk was asked to forward on the comments made by the member of the public to enforcement for clarification on the items raised.

8. PLANNING APPLICATIONS

COMMENTS TO BE RETURNED TO WEALDEN DISTRICT COUNCIL

- 8.1 **WD/2020/0985/F** LAND ADJACENT TO COOKS CORNER DAY CENTRE, LONDON ROAD, CROWBOROUGH, TN6 1TQ Description: PHASED CONSTRUCTION OF THREE RESIDENTIAL DWELLINGS WITH ACCESS ONTO LONDON ROAD. Please note the scheme has been reduced to three dwellings, and the layout and designs have been amended. (Expiry date for comments 25th November 2020)

It was agreed that there had been no material changes to the application to alter the comments made by the committee in its meeting of 27th July 2020 when responding to the previous application and that those comments as quoted below continue to stand:

"This application sits outside of the development boundary for Crowborough. Whilst the application notes that this boundary has previously been broken the committee disagrees and even if this should be the case it does not set a precedent.

The application is within the Area of Outstanding Natural Beauty and the Ashdown Forest Zone of Influence. Further it sits on the boundary of the 400 meter exclusion zone of the Ashdown Forest Zone of Influence. It was agreed that these facts would suggest that the application should be refused, and it was felt significant weight must be given to this.

Clearance of the site has already begun it was understood without the required ecologist present. The Great crested newts which have been noted in this location are a European protected species. The animals and their eggs, breeding sites and resting places are protected by law.

It was agreed that the development would not enhance the local area and was unsuitable for this location. "

Withyham Parish Council Objects to this application.

- 8.2 **WD/2020/2258/F** SACKVILLE LODGE, LYE GREEN, CROWBOROUGH, TN6 1UU. Internal and external alterations to two outbuildings including a proposed lean-to extension to the smaller of the two outbuildings to form a log store. (Expiry date for comments 2nd December 2020)

It was agreed to consider 8.2 and 8.3 together for comments see 8.3

- 8.3 **WD/2020/2259/LB** SACKVILLE LODGE, LYE GREEN, CROWBOROUGH, TN6 1UU. Internal and external alterations to two outbuildings including a proposed lean-to extension to the smaller of the two outbuildings to form a log store. (Expiry date for comments 2nd December 2020)

It was agreed to consider 8.2 and 8.3 together. It was felt the area was large enough for the application and neighbour comments of support were noted.

Withyham Parish Council defers to the listed buildings Officer

9. APPLICATIONS RECEIVED AFTER AGENDA - None

001974 RESOLVED that the observations on the planning issues detailed in these minutes be submitted to the Planning Authority.

10. PLANNING DECISIONS

APPROVED

WD/2020/1583/F REINSTATEMENT OF COWL FEATURE TO OAST ROUNDEL, EXTENSIONS TO EXISTING OAST DWELLING AND TIMBER GARAGE BUILDING. RAISED PATIO. THE OAST HOUSE, ERIDGE ROAD, GROOMBRIDGE, TN3 9NL - Noted

WD/2020/1676/LB LIKE FOR LIKE REPLACEMENT OF 5 NO WINDOWS BRIDGERS, ERIDGE ROAD, GROOMBRIDGE, TN3 9NW - Noted

WD/2020/0140/LB REMOVAL OF A LOAD BEARING MASONRY WALL AND INSERTION OF A STEEL BEAM. REMOVAL OF CHIMNEY BREAST AND PROVISION OF UNDERFLOOR HEATING. ALTERATIONS TO FENESTRATION. THE MONKS HOUSE, WITHYHAM ROAD, WITHYHAM, TN7 4BA - Noted

WD/2020/1518/F GROUND FLOOR REAR EXTENSION AND CONVERSION OF ROOF VOID TO HABITABLE ACCOMMODATION. CLYSTELOUR, CORSELEY ROAD, GROOMBRIDGE, TN3 9SG - Noted

WD/2020/1408/LB CONSERVATORY EXTENSION TO THE REAR WITH BALCONY THE OAST HOUSE, SUMMERFORD FARM, BEECH GREEN LANE, WITHYHAM TN7 4DA - Noted

WD/2020/1407/F CONSERVATORY EXTENSION TO THE REAR THE OAST HOUSE, SUMMERFORD FARM, BEECH GREEN LANE, WITHYHAM TN7 4DA - Noted

REFUSED

WD/2020/1462/F LAND ADJACENT TO BIRCHDEN BARN, PARK CORNER LANE, GROOMBRIDGE, TN3 9NL - Noted

11. MEETINGS ATTENDED

District Cllr Obbard was thanked for the notes from the first parish Panel Cluster meeting. These were circulated to the committee by the Assistant Clerk. The next meeting is on Wednesday 2nd December via Teams.

12. PLANNING POLICY FOR WPC LED APPLICATIONS OR THOSE ON WPC LAND

This item was deferred to the next meeting.

13. MATTERS OF URGENT IMPORTANCE FOR NOTING OR INCLUSION ON A FUTURE AGENDA – TPO's to be added to a future agenda.

The Assistant Clerk advised that East Sussex County Council are conducting a review of trees in the County. Withyham Parish Council had been contact by the East Sussex Tree Warden to advise that pink, yellow and orange coloured dots were being added to trees which indicates faults that have been noted and require remedial works. The remedial works may be as low-key as severing ivy or removing overhanging limbs. However, if the tree is in a critical condition such as being dead or showing signs of internal decay, then the required work may be to remove large sections or the entire tree.

Further information on specific trees can be obtained however the Tree Warden requested this be kept to a minimum due to the large amount of trees involved.

The Assistant Clerk was asked to contact the Tree Officer and ask that Withyham Parish Council are notified of any trees that are specimen, substantial or of a historic nature that are marked in the Parish. An explanation of the colours used was also to be requested.

- 14. DATE OF MEETING** - noted that the date of the next meeting is on **Monday 14th December 2020 at 7.00pm** to be held virtually unless otherwise notified by the agenda.

Meeting closed at 7. pm