



Minutes of the Virtual Parish Council Meeting Held Monday 7 September 2020

7.30pm, via the 'Zoom' video conferencing platform¹

Agenda Item	Description	Resolved
Present:	Parish Councillors Ian Dawson (Chair), Bernard Rust, Harriet Martin, Edward Pascoe. District Councillor Bikson, Leigh Palmer (Head of Planning, Lewes District Council, (LDC)), Liz Gander (Clerk) and seven members of the public.	
Open Forum:	<p>The Chair introduced the open forum and invited questions or comments from members of the public. He advised that, owing to the level of interest and likely comments on item 4k, the open forum would be extended to up to half an hour if necessary.</p> <p>One resident thanked the Parish Council and District Councillor for their help and support with escalating the problems with the Lakedene application and referred to the re-application for this property (item 4e on the agenda). Whilst the pool house has been removed from this application, concerns remain regarding drainage and waste water. Local residents would like to see a drainage plan in place before planning consent is considered.</p> <p>Another resident wished to know more about what is happening at the former Beer Piper building and why residents were not aware that work was going ahead. Mr Palmer from LDC explained that the conversion was happening under the prior approval process, designed by central Government to speed up the planning process for some applications. The prior approval regime has a looser set of criteria against which an application can be reviewed and normal planning considerations do not apply. In this case things have got confused because, after determining that prior approval was not required for the scheme of 25/26 units, a subsequent application for 14 units was turned down. However, it was rejected, not because it was considered unsatisfactory, but because the suite of information provided with it was not sufficiently robust to say it met the terms of reference for prior approval. The prior approval criteria are very narrow and do not allow the planning authority (LDC) to review an application in the same way as they would a normal planning application, nor to review it in terms of the size of accommodation being proposed, (hence, as the Chairman went on to explain, the normal expectations for two car parking spaces per dwelling, and units being in keeping with the local area not applying in this case).</p> <p>Mr Palmer was challenged on his assertion that the premises were in B1(a) office use previously (the basis upon which both applications for conversion to residential accommodation were made), as it is believed that they were in fact in light industrial use. He said that an applicant</p>	

¹ In accordance with the The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

		<p>can only take up the opportunity of the prior approval process if it can be implemented lawfully and, if they have misrepresented the situation, it does not necessarily give them the lawful ability to take it forward.</p> <p>Mr Palmer was further challenged over the fact that with the 14 unit application, the planning officer said that prior approval would be required for key elements such as transport implications and contamination risk, whereas no such requirement was stipulated for the 26 unit scheme. His response was that other agencies eg Highways are asked for their comments in a situation like this, but sometimes those responses lag and are not received within the requisite timescale.</p> <p>Mr Palmer confirmed that the time for determining application LW/18/0900 did expire, resulting in a deemed application (whereby if the applicant has not received a response it is assumed that the development can go ahead), but said that the officer report made it clear that, had they made a formal decision, it would have been favourable.</p> <p>He reiterated however that this would not have meant that officers necessarily thought it was a good proposal, but that it met the Government regulations for permitted development.</p> <p>Mr Palmer concluded that LDC have not shut the door on this and that, owing to the issues raised, he would be willing to take it up with their legal department.</p> <p>The Chair's internet connection went down at this point and he temporarily left the meeting. Councillor Rust assumed the role of Chair.</p> <p>A resident asked about the position with footpaths in West Wood. The Clerk advised that the Council will be arranging a meeting with the owner to discuss the matter further but, owing to recent holidays etc, this had been delayed.</p> <p>Mr Palmer left the meeting.</p>	
1		<p>Apologies for Absence Councillor Haffenden tendered his apologies after the meeting as he had been called away immediately before it, making him unable to attend.</p>	
2	a b	<p>Declarations of Members' Interests To receive declarations of interest from Councillors on items on the agenda To receive (and grant if appropriate) written requests for dispensations for disclosable pecuniary interests</p>	Councillor Rust declared an interest in item 6c.
3	a	<p>To Approve the Minutes of: The Extra-Ordinary Parish Council Meeting held 3 August 2020</p>	Agreed & signed
4	a b	<p>Planning Matters The following new planning applications were considered at the meeting. <u>LW/20/0489 – Chideok, Valebridge Road</u> - Outline Planning Application for two additional dwellings with access and layout reserved. The Council resolved to object to this application as it was felt that it represented over-development, with the properties being rather 'squeezed in'. A query was also raised as to whether there are any covenants on this land to prevent more than one dwelling per plot, as there are for other plots in the vicinity which, like this, originally formed part of the Valebridge Estate. <u>LW/20/0467 - Cads, Valebridge Road</u> - Erection of a replacement dwelling.</p>	To object on the grounds detailed. To support.

	<p>c</p> <p>d</p> <p>e</p> <p>f</p> <p>g</p> <p>h</p> <p>i</p> <p>j</p> <p>k</p>	<p><u>LW/20/0516 - 4 Pepper Close, Ditchling Common</u> - Erection of single storey rear extension.</p> <p><u>LW/20/0345 – Summerdale, North Common Road</u> - Two storey side extension.</p> <p><u>LW/20/0422 – Lakedene, Theobalds Road</u> - Conversion of detached garage to residential annexe (resubmission following LW/20/0134). The Council resolved to object to this application as it shares and supports the concerns expressed by local residents in relation to:</p> <ul style="list-style-type: none"> • Drainage • Surface water flooding • Access during any building work <p>The Council felt that it is of paramount importance that the current issues relating to drainage and surface water flooding are remedied <i>and</i> adequate proposals for dealing with the additional impact of a new dwelling put forward, before this application is considered for approval.</p> <p><u>LW/20/0541 and LW/20/0544 – 7 Church Lane</u> - Listed Building Consent and Planning Application – Erection of a garden room. The documents for this were not showing on the planning system, so item deferred until the next meeting.</p> <p>Notices of Planning Permission Received (for information only)</p> <p><u>LW/20/0364 - Home Farm, Slugwash Lane</u> - Variation of Condition 2 of application LW/19/0628 to vary approved plans - Removed approved window on North-East elevation and replace with a door, reposition the porch from the North-East elevation to the South-West elevation and install a door on the South-West elevation.</p> <p><u>LW/20/0267 – Clearview, Nursery Lane</u> – revised plans for a new timber barn and machinery store.</p> <p>It was noted that some objections submitted in respect of this application never seem to have appeared on the LDC planning system. This is not the first time that we have been aware of comments being submitted but not showing on the system and it means the Parish Council cannot be sure that either it, or LDC, are reaching their recommendations on the basis of full information. Other problems are regularly encountered with the planning portal, including it being painfully slow to load documents. The Clerk will write to the Head of Planning to raise these points.</p> <p>Notice of Prior Approval Under Permitted Development Rights (for information only)</p> <p><u>LW/20/0248 – Twin Oaks, 2 Green Road</u> – erection of a single storey rear extension.</p> <p>Prior Approval for Change of Use (for information only)</p> <p><u>LW/20/0465 - Workshop Cads, Valebridge Road</u> - Change of use from workshop to residential dwelling (class C3). Prior approval not required.</p> <p>Other Planning Matters</p> <p><u>Apparent inconsistencies in the treatment of applications LW/19/0816 and LW/18/0900 relating to ‘Somerset House’ (the former Beer Piper building) with reference to the need (or otherwise) for prior approval.</u> The Council was grateful to Leigh Palmer for agreeing to take this back to LDC’s legal team, but agreed that, if action is not taken promptly then the Parish Council will seek independent legal advice.</p>	<p>To support.</p> <p>To support.</p> <p>To object on grounds detailed.</p> <p>Deferred to next meeting.</p> <p>Parish Council to seek legal independent legal advice if LDC do not respond promptly & take action.</p>
5	a	<p>Financial Matters</p> <p><u>To review and authorise items for payment</u> – the Council approved payment of eleven general items of expenditure, totalling £4440.07 and a further three items relating to the Village Hall Improvement Project, totalling £1869.40.</p>	<p>Payments approved.</p>

	b	<u>To note the National Pay Award for Clerks on NJC salary scales, to be backdated to 1 April 2020.</u>	Noted.
	c	<u>To agree to buying in some more pre-pay hours for the Council's IT maintenance contract.</u> It was agreed to buy another 5 hours of support, at a cost of £425 & VAT.	5 additional hours agreed.
6		Clerk's Report	
	a	<u>To discuss when the Council might wish to return to holding face-to-face meetings, to be able to advise the Church Hall bookings co-ordinator.</u> The Coronavirus Regulations allow for councils to continue to meet virtually until May 2021 and the National Association of Local Councils is encouraging them to do so, for now at least. As virtual meetings are proving effective, it was agreed that the council will continue to meet virtually for the remainder of this council year (up to and including April 2021), with arrangements beyond that to be discussed next March.	Virtual meetings to be held up to and including April 2021.
	b	<u>To discuss putting together a working party to improve surfacing on the southern end of the drovers' road</u> – it was agreed that, subject to Councillor Pascoe undertaking some research into costs, (and the Clerk confirming the exact work to be undertaken with landowners), the Council would plan for a working party to make the improvements at around the end of October. It is anticipated that a small digger and roller or whacker plate will be needed to complete the work effectively, in addition to the materials to improve the surface. A member of the public present at the meeting advised that they have a digger licence and may be able to help. The Chair's internet connection was restored at this point and he re-joined the meeting.	Agreed to seek to undertake the improvements using a working party. Cllr Pascoe to cost in advance.
	c	<u>Request to take on the emptying of dog waste bins at Charters Gate Way</u> – residents of Charters Gate Way had requested that, since the dog bins on their estate are used by many dog walkers not living within the estate, the Parish Council takes on the cost of emptying the bins, rather than it being a part of residents' service charge. The Parish Council agreed that this seemed reasonable and, as Lewes District Council has confirmed it has capacity to empty the additional bins, this will be set up at a cost of £6 per bin per week (as for all other dog bins within the Parish).	Parish Council to take on the cost of emptying 3 additional dog bins, to be added to the contract with LDC.
	d	<u>Community Clean Up preparation</u> – it was agreed to proceed with plans for a community clean up on 26 September, (to be held entirely outside and without providing refreshments) provided that Covid rules do not change in the interim to preclude it.	Clean up to go ahead if feasible.
	e	<u>Implications of the Hall's building work on the playground CCTV scheme</u> – given that construction work at the Hall is imminent and will result in areas outside being dug up (where it was originally planned to lay cables), the Council decided to postpone this project. The Clerk raised the option of having CCTV cameras which rely on a mobile signal, rather than internet cabling, but, owing to the ongoing issues with mobile coverage experienced in the village and the greater cost, this was not considered to be a viable idea.	CCTV project to be postponed.
7		Village Hall Improvement Project	Clerk
	a	Tenders are due to be received on 21 September. Councillor Rust to attend the tender opening in place of the Chair who will be away. Derek Stephenson had resigned as Chair to the Management Committee and the Council wished to extend their thanks for his hard work and commitment over the last few years. Following his resignation, the Council requested that the Clerk write to the Committee, urging them to elect a new chair and continue to hold regular, minuted meetings and to review the composition of their executive group. The deadline for the CIL bids for phase 2 of the project is 30 th September. As we are unlikely to have been able to go through the	

		process of selecting a contractor to have accurate figures by then, we will seek an extension of time to the deadline. If this is not successful, estimated figures (as provided by the Quantity Surveyor at the start of the project) will be used. The Clerk and Grant Funding Group to complete the bidding forms.	
8		Correspondence	
	a	<u>Mid Sussex District Council (MSDC) – Site Allocations Development Plan Document Consultation</u> . Consultation ends midnight on 28 September 2020. At this stage of consultation, the Council is seeking views on whether the Plan is legally compliant and meets the test of ‘soundness’ set out in the National Planning Policy Framework (NPPF). Documents may be viewed at www.midsussex.gov.uk/SitesDPD	Clerk to submit a response based upon previous comments.
	b	<u>Notification from Lewes District Council that on the 20th of July 2020, the Statement of Community Involvement (SCI) was adopted by Full Council.</u>	Noted.
	c	<u>Information about the East Sussex Environment Strategy and request for buy-in from other local organisations.</u> The strategy can be found at: https://www.eastsussex.gov.uk/environment/priorities/environmentstrategy/	Strategy noted.
	d	<u>East Sussex County Council’s Climate Emergency Action Plan</u> may be viewed at https://www.eastsussex.gov.uk/media/15770/escclimate-emergency-plan-june-2020.pdf The Clerk noted that it may be worth considering this within the Neighbourhood Plan review.	
	e	The Ministry of Housing, Communities and Local Government has issued the following three <u>consultations on reform of the planning system</u> :	The Chair asked councillors to read these three documents and submit comments to the Clerk to be collated.
	i	<u>Changes to the current planning system</u> (NALC deadline for responses 17 September)	
	ii	<u>Planning for the future</u> - the planning white paper (NALC deadline for responses 15 October)	
	iii	<u>Transparency and competition: a call for evidence on data on land control</u> (NALC deadline for responses 16 October). Please respond to NALC on this very important issue by emailing policycomms@nalc.gov.uk - Please note the individual deadlines for each consultation.	
	f	<u>Invitation to attend the CPRE virtual AGM, at 10am on Saturday 26th September.</u>	No-one able to attend.
	g	<u>Consultation on the Lewes District Council Climate Change and Sustainability Strategy</u> . Consultation runs until 5pm on 2 November 2020.	Deferred to next meeting.
	h	<u>Update on the proposed Burgess Hill greenways</u> – a meeting of the Steering Group tasked with reviewing the responses to the Burgess Hill Place and Connectivity Programme consultation which ended in June, (comprising members of Mid Sussex District and West Sussex County Council), had taken place during August. Following this, an officer of MSDC had written to the Theobalds Road Residents’ Association to confirm that the Steering Group, ‘have requested that the feasibility and deliverability of the alternative routes submitted during the public engagement are reviewed. In addition, the Group have requested that the feasibility and deliverability of the west and east routes take account of the responses received during the public engagement are also reviewed. It is important that these proposals are understood by all and that there is an opportunity to comment on them further before implementation. It is therefore proposed to consult further on any proposals following this review.’ A query was raised as to whether one local authority is permitted to make a compulsory purchase of land in a neighbouring area to facilitate delivery of a project. The Clerk to contact CPRE for information.	Clerk to contact CPRE with query.

	i	<u>Response from East Sussex County Council re access to the West Sussex Waste and Recycling Facility at Burgess Hill.</u> Our County Councillor had pursued this question on our behalf, but received a response which said that pursuing an agreement would add 'an additional cost to the East Sussex taxpayer and this would be difficult to find given all of the other budget pressures this council faces. As a result we currently have no plans to seek an agreement with WSCC for East Sussex residents to be able to use their waste facilities.'	
	j	<u>Confirmation that the Council's Asset of Community Value application will be determined by 9th October 2020.</u> For information only.	
	k	<u>Theobalds Road Residents' Association – copy of legal argument submitted to Lewes District Council against planning application LW/20/0210.</u> For information only. The Council noted that the argument seemed comprehensive and well-put and hoped that it would mean that Theobalds Road is afforded protection hence forward.	
	l	<u>East Sussex Highways information about a rural tree survey of trees adjacent to the Highway.</u> For information only.	
9		Items for Noting or Inclusion on Next Agenda	All
10		Date of Next Meeting	
	a	Monday 14 September 2020- Neighbourhood Plan Review Meeting	
	b	Monday 28 September 2020 – provisional extra-ordinary meeting (if needed)	
	c	Monday 5 th October 2020 – Parish Council Meeting	

The meeting closed at 9.27pm.

Appendix A

Items Approved for Payment September 2020

Payee	Expenditure	Value	Total	Payment Type	Voucher Ref
		£	£		
General Expenditure					
Clerk	Salary September 20		1511.18	Online	217
East Sussex Pension Fund	Pension contributions September 20		549.95	Online	218
HMRC	Quarterly PAYE & NI Contributions		1353.32	Online	219
Lewes District Council	September 2020 play area inspection		18.00	Online	220
Transparity Solutions Ltd	August 2020 Office 365 Subscription		38.42	Online	221
Sage UK Ltd	September Sage 50 Accounts subscription		96.00	SO	222
Trident Computers UK Ltd	IT contract October 20		55.80	Online	223
Maureen Chaffe	Data Protection Officer role 1 Aug 2020-31 July 2021		150.00	Online	224
Alun Gedrych	Addition of mesh to gates at play area		174.00	Online	225
E Gander	Reimbursement for purchase of title deed documents to complete Asset of Community Value application Ink cartridges	6.00 41.90	47.90	Online	226
Costain - ESCC	Bus shelter licence applications		445.50	Online	227
Total General Expenditure			4440.07		
Village Hall Improvement Project					
Mid Sussex Times	Advertisement for Tender opportunity		180.00	Online	228
Crowther Associates	Non-material amendment planning fee for revised kitchen plans		259.00	Online	229
Crofton Design	M&E revised drawings in light of kitchen redesign		1430.40	Online	230
Total Village Hall Project			1869.40		
Total Expenditure	General & Village Hall		6309.47		

Online payments to be set up by the Clerk and authorised by B Rust.

The payment to Costain for the bus shelter licence applications was approved at the meeting in order to be able to make the payment, however a corresponding invoice had not been received, so the payment was held back.