



## **SOUTHWATER PARISH COUNCIL**

Beeson House, 26 Lintot Square, Fairbank Road, Southwater,  
West Sussex RH13 9LA

Telephone number: 01403 733202

Email: [Clerk@Southwater-pc.gov.uk](mailto:Clerk@Southwater-pc.gov.uk)

Community Website: [www.southwater-pc.gov.uk](http://www.southwater-pc.gov.uk)

### **DRAFT Minutes of the remote Planning Committee meeting held on Wednesday 3 March 2021 at 6:00pm.**

#### **Present:**

**Councillors Present by Remote Means:** G Watkins (Chairman), G Cole (Vice Chairman), D Moore,  
G Scoon, R Stranks

**Members of the Public:** were able to view meeting by Live YouTube Stream

**Deputy Clerk:** Justin Tyler

The Chairman confirmed that the meeting was not being recorded and did a roll call at the commencement of the meeting of all those attending remotely for the benefit of those viewing the streamed meeting. He stated that the meeting was being held in accordance with Government Regulations approved during the COVID-19 Pandemic for the period of May 2020 – May 2021.

The Chairman welcomed all Councillors in attendance both remotely and in person and all members of the Public watching via live stream, to the meeting. He clarified with the Deputy Clerk that no members of the public had requested to speak at the meeting. He stated that when a member of the public does request to speak in any convened meeting that public are invited to speak at, this would be for maximum of 5 minutes.

The Chairman confirmed with all Councillors that they had received the documentation required to consider the Agenda items.

The Chairman clarified the voting protocol required for decisions, etiquette required to conduct the meeting and housekeeping rules and also reminded all Councillors that if an interest had been declared, they would not be able to take part in any discussion or vote. Voting would be symbolised by a thumbs up for approval, down for against or horizontal hand for abstention. He explained that in cases where, in the opinion of the Chairperson, there is consensus, the Chairperson may seek to secure agreement whilst providing an opportunity for any dissenting members to be heard or to request a formal roll call vote.

The Chairman explained that if meeting was at any point not accessible to Councillors/Chairperson through remote means due to any technological or other failure of provision, then he would immediately adjourn the meeting. If the provision of access through remote means could not be restored within 10 minutes, then the remaining business will be considered at a time and date. If a new date could not be fixed the remaining business will be considered at the next ordinary meeting.

#### **Actions**

#### **1. APOLOGIES FOR ABSENCE**

Councillor Neale.

#### **2. DECLARATIONS OF INTEREST**

None to report.

***Mr C Young was admitted to the Zoom Meeting at 6:03pm***

**3. PUBLIC FORUM – Public Question Time – 15 minutes in total. Members of the public can only view the meeting and not take part unless pre-arranged with either the Clerk, Deputy Clerk or Chairman of the meeting.**

*Participating members of the public will be limited to 3 people maximum per meeting. Each member of the public can only refer to items on the agenda and will be allowed to ask one question and one ancillary question that combined will not last any longer than 5 minutes. Once participating members have asked their questions or made their statements as above, they will be removed from the meeting accordingly and will then only be able to access the meeting via YouTube live stream.*

Resident Mr C Young stated that he was disappointed to hear there were two planning breaches at Easteds Barn and stated his dissatisfaction with responses he received from the Deputy Clerk to his various queries on what the Council was doing to prevent future breaches. Mr Young queried why the breaches had not resulted in termination of their tenancy agreement. He asked what was being done by the Parish Council to rectify the breach and felt that the tenant was delinquent in their behaviour for making retrospective planning applications and not returning the parts of the property to their previous state. He had further concerns that the Council was complicit and queried whether the Council would support or object to the retrospective applications.

The Chairman advised that an enforcement notice or alleged planning breach was not a breach of Planning Regulations until Horsham District Council find in favour or against the enforcement notice. There had been 4 enforcement notices in total to date relating to Easteds Barn, 2 of which had been found in favour of the Council and/or tenant, and there were 2 outstanding enforcement notices. He advised that the Town and Planning Act 1990 made provision for any Person to make retrospective planning applications. The Chairman explained that the two planning applications referred to by Mr Young related two buildings on site which were two large sheds, enforcement had been in contact with the Council and the Council had thus notified the tenant. The tenant had subsequently produced drawings and arranged the planning applications accordingly.

The Chairman stated that the Council maintained the policy that it would not comment on any applications which relate to their own buildings and thus this would not differ on Easteds Barn and these two retrospective planning applications.

The Chairman advised that there were no grounds to terminate the tenant's lease based on them making retrospective planning applications. The Chairman asserted that a termination of the lease would not be advisable and would cost upwards of £30,000 in legal action costs and an annual loss of £26,000 in income to the Council.

The Chairman granted the resident a further ancillary question. Mr Young believed that the Council was supportive of the tenant's actions and asked the Councillors and Deputy Clerk present at the meeting if they were aware of any other potential breaches that had not been reported or discovered at Easteds Barn. The Committee and Deputy Clerk responded that they were not aware of any.

Discussion took place regarding the draft minutes of the previous Planning Meeting of 3<sup>rd</sup> February 2021. Mr C Young advised Councillor Cole had failed to state the breaches in question were alleged but the minutes stated they were alleged.

***Mr C Young left the Zoom Meeting at 6:03pm***

The Deputy Clerk clarified to the Committee that he had sent Mr Young a copy of the HDC enforcement notice which were referred to at the meeting. He explained HDC stipulate them as 'Alleged: Planning Breaches'.

**4. MINUTES** – To consider and approve the minutes of the Planning Committee meeting of 3<sup>rd</sup> February 2021.

Councillor Stranks advised the date on the draft minutes of the 3<sup>rd</sup> February 2021 was incorrect and should be amended from 13<sup>th</sup> January 2021 to 3<sup>rd</sup> February 2021.

The Deputy Clerk clarified that the minutes under Item 14 would read as '*alleged planning breaches*' in accordance with the wording used on Horsham District Council's Enforcement Notice document.

Councillor Moore proposed acceptance of the amended meeting minutes of 3<sup>rd</sup> February 2021. Seconded by Councillor Stranks and **AGREED** unanimously by those present at the meeting.

**5. CHAIRMAN'S REPORT**

The Chairman updated the Committee that FREE rapid COVID-19 tests were now available which could be applied for households with or in regular close contact to young children. He said they were quick to be delivered and they were available through the government website. The Deputy Clerk advised a link to the website would be included in the minutes. [All households with children of school age to get 2 rapid COVID-19 tests per person per week - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/all-households-with-children-of-school-age-to-get-2-rapid-covid-19-tests-per-person-per-week)

**6. CORRESPONDENCE**

The Deputy Clerk advised correspondence had been received from West Sussex County Council in partnership with South Downs National Park Authority, in relation to the Soft Sand Review of the Joint Minerals Local Plan that was in process and if anyone required more information it could be found via the WSCC website.

Deputy Clerk updated the committee that Horsham District Council no longer permitted the making of statements on agenda items at Full Council Meetings. This includes restrictions on Parish Councils and local organisations i.e. The Horsham Society. He advised that more information could be found via the HDC website and in particular the minutes from their 9<sup>th</sup> December 2020 meeting.

**7. BERKELEY HOMES** - To discuss and approve any matters in relation to Berkeley Homes.

The Chairman advised a Director of Berkeley Homes had requested a Zoom meeting with the Parish Council to discuss current development and future plans. Chairman, Vice Chairman of Planning and Deputy Clerk were to attend, and the Chairman wanted to include as many Councillors who were interested. Councillors Scoon, Moore and Stranks all requested to be included.

**8. HIGHWAYS, DRAINAGE, STREET LIGHTING, STREET NAMES & NUMBERS, VERGES, FOOTPATHS AND RIGHTS OF WAY** - To discuss and approve any matters in relation to the above

Councillor Stranks advised that he had forwarded a response from the WSCC Public Rights of Way Officer to the Chairman in relation to the previous discussions over the PROW near to Blakes Farm Road. He did some further investigation to the situation and had submitted an FOI in relation to the background information of the PROW. Councillor Stranks was concerned that there was no reference to either the Parish Council or Local Planning Authority and as there were no statutory consultees to the application to close the PROW it was subsequently closed. The Chairman stated he had not had time to review the correspondence but would look

over and hoped that County Councillor Nigel Jupp would assist on the matter. Councillor Scoon advised that the heras fencing which was up to the curb ledge and blocking the route still had not been moved as of Friday 26<sup>th</sup> February 2021. The Chairman asked the Deputy Clerk to contact County Councillor N Jupp.

Deputy Clerk

## 9. NEW PLANNING APPLICATIONS FOR CONSIDERATION

| Application Number           | Applicant                                                                                  | Reason for Application                                                                                                                                                                                                                                                                                                                                          | Parish Decision                            | Neighbour Consultation Date | Date of Determination      |
|------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-----------------------------|----------------------------|
| DC/21/0216<br>Geoff Cole     | Walders Polecat Lane Copsale Horsham West Sussex RH13 9DJ                                  | Internal alterations and installation of two extract fans (Householder Application).<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNPDUUIJ7A00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNPDUUIJ7A00</a> | No Objection.                              | 5 <sup>th</sup> March 2021  | 9 <sup>th</sup> April 2021 |
| DC/21/0217<br>Geoff Cole     | Walders Polecat Lane Copsale Horsham West Sussex RH13 9DJ                                  | Internal alterations and installation of two extract fans (Listed Building Consent).<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNPDUUIJ7B00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNPDUUIJ7B00</a> | No Objection.                              | 5 <sup>th</sup> March 2021  | 9 <sup>th</sup> April 2021 |
| DC/21/0256<br>Robert Stranks | 3 Jay Close Southwater Horsham West Sussex RH13 9TT                                        | Proposed single and two storey rear extension<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNZYCCIJ9T00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNZYCCIJ9T00</a>                                        | Delegated to Councillor Scoon to review.   | 10 <sup>th</sup> March 2021 | 1 <sup>st</sup> April 2021 |
| DC/21/0263<br>In Office      | Pennock Barn Swallow Field Copse Southwater Street Southwater Horsham West Sussex RH13 9AZ | Surgery to 1 x Oak. Fell 5 x Ash and 2 x Poplar.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QO044UIJ0GD00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QO044UIJ0GD00</a>                                   | No Objection subject to max 30% reduction. | Not available               | 1 <sup>st</sup> April 2021 |

## 10. NEW PLANNING APPLICATIONS FOR CONSIDERATION WITH A DEADLINE PRIOR TO THE MEETING – To note delegated recommendations submitted where applicable.

| Application Number       | Applicant                                                            | Reason for Application                                                                                                                                                                                                                                                                                                                                                        | Parish Decision                        | Neighbour Consultation Date    | Date of Determination       |
|--------------------------|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------|-----------------------------|
| DC/21/0091<br>In Office  | 2 Warnham Gate Worthing Road Southwater Horsham West Sussex RH13 9AS | Surgery to 2 x Oak and 1 x Field Maple. Fell 1 x Ash and 2 x Group of Ash.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMXAQOIJIZ100">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMXAQOIJIZ100</a>                       | No objection subject to 30% reduction. | Not available                  | 1 <sup>st</sup> April 2021  |
| DC/21/0098<br>Geoff Cole | San Jose Shipley Road Southwater Horsham West Sussex RH13 9BG        | Extensions and alterations to existing bungalow to create two-storey dwelling with pitched roof.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMXAQOIJIZ100">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMXAQOIJIZ100</a> | No objection.                          | 26 <sup>th</sup> February 2021 | 26 <sup>th</sup> March 2021 |

|                              |                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                     |                                        |                                |                             |
|------------------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|--------------------------------|-----------------------------|
|                              |                                                                    | <a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMYX2BIJZH00">access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QMYX2BIJZH00</a>                                                                                                                                                                         |                                        |                                |                             |
| DC/21/0123<br>Robert Stranks | 10 Wild Orchid Way Southwater Horsham West Sussex RH13 9GA         | Erection of a single story rear extension and partial conversion of existing garage space into habitable living space.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QN4XQTIJJ1900">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QN4XQTIJJ1900</a> | No objection.                          | 17 <sup>th</sup> February 2021 | 15 <sup>th</sup> March 2021 |
| DC/21/0150<br>In Office      | 12 Fletchers Southwater Horsham West Sussex RH13 9BE               | Fell 1 x Oak.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNA143IJJ2R00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNA143IJJ2R00</a>                                                                                                          | No objection                           | Not available                  | 24 <sup>th</sup> March 2021 |
| DC/21/0167<br>In Office      | 19 Millfield Southwater Horsham West Sussex RH13 9HT               | Surgery to 1 x Oak.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNBVQLIJJ3G00">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNBVQLIJJ3G00</a>                                                                                                    | No objection subject to 30% reduction. | Not available                  | 1 <sup>st</sup> April 2021  |
| DC/21/0202<br>In Office      | 24 King Edward Close Christs Hospital Horsham West Sussex RH13 0LX | Surgery to 1 x Sycamore.<br><a href="https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNMZP4IJJ6900">https://public-access.horsham.gov.uk/public-access/applicationDetails.do?activeTab=externalDocuments&amp;keyVal=QNMZP4IJJ6900</a>                                                                                               | No objection subject to 30% reduction. | 26 <sup>th</sup> February 2021 | 2 <sup>nd</sup> April 2021  |

#### 11. NEIGHBOURHOOD PLAN – To receive an update

Councillor Moore confirmed that he had received the briefing information relating to the Southwater Neighbourhood Plan and upcoming referendum from Andrew Metcalfe of Squires Planning and the Deputy Clerk. He advised he was familiarising himself with the content of the documents.

Councillor Stranks had concerns that the Neighbourhood Plan was not referenced in the constraints section of the HDC Planning Portal. The Chairman asked the Deputy Clerk to contact Emma Parkes at HDC to inform them.

The Deputy Clerk updated the Committee in response to Councillor Scoon's query raised at the previous meeting regarding what impact the delay of Regulation 19 of the HDC Local Plan would have on the Southwater Neighbourhood Plan. He read the following out to the committee and stated it would be minuted verbatim:

*"The principal issue associated with the delay is that the more time that passes the greater the risk of speculative planning applications. This is born through paragraph 11d of the National Planning Policy Framework which states where the policies most important for determining the application are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. For applications which provide housing, policies are out of date where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. There are already speculative applications for new housing being made on the basis that Horsham cannot demonstrate the required housing land supply – HDC are expected maintain that their policies are not out of date until they lose this position on appeal.*

*It is worth noting that subject to the neighbourhood plan passing the upcoming referendum the test that will be applied in Southwater will be different. Once the neighbourhood plan has passed referendum the policy test*

Deputy Clerk

*moves to a three-year supply of deliverable housing sites and the local planning authority's housing delivery was at least 45% of that required over the previous three years. Accordingly, the neighbourhood plan, if made, will make it easier to resist speculative applications in the Parish short term, hopefully filling the gap between now and when the new Horsham Local Plan comes into force."*

Councillor Stranks and the Chairman requested that 'Matters Arising from the Previous Minutes be added to future Planning Committee Agendas.

Deputy Clerk

**12. PLANNING APPEALS – (Information only)**

None.

**13. DISTRICT COUNCIL DECISIONS – (Information only)**

Circulated to the Committee. Deputy Clerk to attach to minutes for resident's information.

**14. PLANNING COMPLIANCE ACTION**

The Deputy Clerk confirmed that two retrospective planning applications had been submitted by the tenant of Easteds Barn (property owned by SPC) at their cost but would have SPC name on the forms as the landlord.

Councillor Stranks requested the Committee be careful when considering applications in relation to Easteds Barn so not to single out Easteds Barn for discussions of alleged planning breaches when the Committee does not for all enforcement notices or alleged planning breaches within the area of Southwater. He thought that the Council should not enter the realm of speculating whether any tenant or resident in the area may or may not incur further enforcement notices as the law provided opportunity for retrospective planning applications.

The Chairman advised it was a resident's right to report what they believed to be a planning breach to the local planning authority, and it was up to enforcement to investigate.

**15. DATE OF NEXT MEETING – 7<sup>th</sup> April 2021.**

**This meeting was not recorded and ended at 18:53pm**