

# **KIRDFORD PARISH COUNCIL**

**Minutes of the Extraordinary Parish Council Meeting held in The Kirdford Village Hall, Kirdford on Thursday, 19th November, 2015 commencing at 7.00 p.m.**

**Present:** Cllr. Mr. I. Campbell (in the Chair)  
Cllr. Mrs. K. Fenney  
Cllr. Mrs. A. Gillett  
Cllr. Mrs. L. Nutting  
Cllr. Mr. J. Ransley  
Cllr. Mrs. J. Robertson

**In Attendance:** Mr. S. Forrester, Cala Homes  
Mr. P. White, Genesis  
19 Members of the Public

182. **APOLOGIES FOR ABSENCE** – Apologies for absence had been received from Cllr. Mrs. N. Goddard (ill) and Cllr. Miss S. Pinder (prior commitment).

183. **PUBLIC PARTICIPATION** – to receive and note questions, comments or representations made by members of the public. No matters were raised at this point of the meeting.

184. **DISCLOSURES OF INTEREST** – to receive disclosures of personal and prejudicial interests from Councillors on matters to be considered at the meeting. There were no declarations of interest.

185. **TO CONSIDER AND COMMENT UPON THE FOLLOWING PLANNING APPLICATIONS :-**

(a) **KD/15/03367/FUL: Mr. Stuart Forrester, Cala Homes, Land on the East Side of Plaistow Road, Kirdford – Proposed construction of 54 residential dwellings and associated works.**

Mr. White and Mr. Forrester were invited to speak to the meeting regarding this application. They started by referring to an article that had appeared in the Midhurst and Petworth Observer in which Cllr. Mr. Ransley was quoted “the plan for 54 dwellings is likely to come under fire at a special Council Meeting”. Cllr. Mr. Ransley pointed out to them that what they quoted was not what he had sent to the newspaper and he stated that he would be happy send them a copy of the text that he had submitted which stated the proposal was not compliant with the policies in the Neighbourhood Plan. Mr. White advised that there had been a long gestation period with long discussions with the Parish Council, had a meeting with Chichester District Council as the decision maker for pre-application advice. They had invited Cllr. Mr. Ransley and another representative from the Parish to this meeting when they explained their proposal value. Mr. White stated at that time the number of 54 had been agreed by all parties. They had also had discussions with the Parish Council’s advisor on issues of layout and held a Public Exhibition in this hall. Up to that time phasing had been an issue between the Parish Council and Cala and it was fair to say that the people around this table would remember the situation they had on phasing and said consistently that they could not agree to phasing so

would have to pass this for future discussion. Tonight this had come to a head; the position was that Cala Homes could not afford to have this development phased over a period of 10 years, the figure consistently raised by the Parish Council. Cala's position was that 54 dwellings should be permitted by CDC over a normal build period of 2 – 2½ years for the reason that a long programme was not justified. You build 5 or 6 houses and have to stop/stop/stagger; what happens to the people on this site whose gardens are established and then 2 – 3 years on construction people keep coming back again. You build a number of houses that meet housing need for now, but in 5 – 10 years need may have changed and new houses may not suite housing need. CDC say that houses are needed now and they need to deliver houses now. Cala can provide housing now rather than over an extended period. Financial issues also were significant if Cala get return only in year 6 – 8 – 9, it would be unviable. Mr. White knew that profit was a hostile word, but they had taken advice from a Viability Consultant and over such a long construction period they stated it was not viable. Cala would have a sensible return over a sensible period. This is imperative to get a roof over people's heads whether these were open market or affordable. It did not make sense. Mr. White stated that he had been involved for over three years and policy KSS1 actually says piecemeal development will not be supported. Cala believed staggered development would be disastrous; phased development using the entirety of the site over a natural build period would be akin to a phased development. He knew it was unfair to the Parish Council as all along the message given was phasing would be preferred over a long period of about 10 years, but Mr. White felt this to be perverse as the Neighbourhood Plan indicated it should be reviewed every five years. Cala did not want to be tied by a phasing condition preventing finish for ten years when the Plan might be reviewed in the next five years when other development may come ahead of them. That was the issue on phasing. On housing mix, they had done exactly what was required; they were proposing 1, 2, 3, 4 and 5 bed units. The Neighbourhood Plan said only 1, 2 and 3, so we have gone away with the application to the District Council which proposes 1, 2 and 3 bed units. Open market – 4 x 1 bed; 10 x 2 bed; 22 x 3 bed. Affordable – 2 x 1 bed; 5 x 2 bed; 9 x 3 bed. This was a good mix of small accommodation. Apart from the issue of phasing, in all other aspects it was compliant with the Kirdford Neighbourhood Plan – the community selected the sites. Cala discussed this with the Parish's own architect and as far as they were aware the layout was acceptable, there is purely this sticking point. They were not here to roll over, but to tell you how it was – it would not be viable if they have to construct this over a period of 6 – 10 years. That was the position. From the design point of view there had been some excellent meetings, four with the Parish explaining suggestions and brought together a scheme which produced the type of housing that was wanted. The Housing Needs Survey tried to come up with a scheme that meets the criteria apart from phasing. They fully appreciated that the Parish Council was a consultee on the application but the application would be determined by CDC. The Parish Council's role was as a statutory consultee on the application but Cala felt it necessary for the Parish to be involved throughout. Cala did not want to fall out with anyone, but had to tell it as it was. Cala wanted shorter term phasing than the Parish Council does so felt it important to come along and say their peace due to the good relationship.

The Chairman asked if members wished to respond to Mr. White's comments before opening the meeting up to members of the public.

Cllr. Mr. Ransley stated that Mr. White had been involved for many years and became involved and consulted on the Neighbourhood Plan well before it was finalized as he represented the owner of the site that was allocated for residential development in the Kirdford policies. He had never offered in written or verbal challenge to policy KSS1 on a phased basis. The policy had to go through various consultation processes; the last one was the final submitted to the Examiner by an independent Inspector and this was put on the website by CDC. There was a clear invitation to comment and these were passed on to the Examiner. Mr. White made a representation which stated that he challenged this on the basis of density. He did not think that 45 houses was acceptable, at that stage he cited 80. He did not object on phasing. The policy went through Examination and the Examiner made the recommendation that some changes be made; one being to change the policy into two parts, one being statutory. Statutory policies are what planners at CDC would use to test any application against. The community policies have a say on how the Parish would look to delivery aspects of the Plan which is more than houses, it was about employment and all sorts of other things. This created a Business Plan for the Parish Council and community in years 1 – 5 and what to try to achieve in years 1 – 10 which were aspirations that this development be developed over the period of 1 – 10 years. The Policy was quite clear and it was what this would be judged against; it was on the Parish Council website; it was clear and quite lengthy because that was a significant site. This sets out the fundamental requirements; essentially what it was saying was that the community would like to see that site have a master plan layout similar to the one published. That was not a statutory requirement, that was a community aspiration with Cala Homes, then Banner Homes, the Parish Council met with them and over a period of months had been going back and forth. Cala came back with a plan that reflected that layout. All the issues were being reflected in their plan, but the layout included the number of housing as 47 - 48 on the plan together with a list of housing types of 1, 2, 3, 4 and 5 bed houses. The Parish Council kept referring to the fact that 4 and 5 bed houses were not responding to the policy. It kept referring to the policy requiring a phased development and that was always to the fore. This was always the elephant in the room. Discussion finished and the next the Parish heard was that Cala had submitted a pre-application enquiry to CDC – a formal procedure when submit an enquiry to the Planning Authority (who had adopted the Kirdford NP) and officers worked with the applicant to make their submission suitable so that when the application was submitted it would be compliant with policy so it could be passed and approved rather than having a conflict situation. The idea was to work together to be positive. Cllr. Mr. Ransley as District Councillor, was normally invited to attend those meetings, but the Parish Council was not. However, he requested permission for the Parish Council to be represented and this was agreed. The meeting was presented with a revised plan and the housing numbers had increased to 54 but housing types were 1, 2 and 3 bed as required to meet the Neighbourhood Plan. He asked if they could demonstrate that there was demand for this amount of housing sought in this application as policy says have to demonstrate need to justify housing in any single phase or

sequence. If there was need and that could be evidenced they would be perfectly entitled to submit an application. The Parish Council had raised the issue of a Housing Needs Survey and Cala said they were happy to fund and organize. That was done, but never published and was not submitted as part of this application. The Parish Council had no knowledge of what the need for affordable housing was; the only information it can access was what was on the CDC Housing Register categories A, B, C and D, that identified the priority and the Parish Council's own Housing Register. If anyone wants to move into this Parish and have a local connection they can register requirements with the Parish Council so that it can manage need and demand in the Parish because it was conscious there was a need to supply the housing that this community wants in order to grow in a sensible sustainable way. Phasing over a 10 year construction period was not part of the policy. Cllr. Mr. Ransley's background was in hotel development and for anybody to suggest setting up a single construction period of 10 years unless it was a new railway system for this country, was nonsense. The policy did not make that statement. There was a need to build according to an agreed master plan which was to deliver the housing according to the need within the community.

The Chairman suggested that Cllr. Mr. Ransley define piecemeal as Genesis had raised this in its submission to CDC to make their case. The definition of 'piecemeal' is 'characterized by unsystematic partial measures taken over a period of time'. The village slowly was being killed off with piecemeal development as an example. What was being said was piecemeal in the sense of doing what would normally happen. One application for 12 houses left a dogleg and came back for more with another application, which meant each application was treated separately. The Parish Council was trying to achieve an overall master plan but built out in stages, which was different from a piece of land being split for development in stages. What was wanted was one cohesive plan.

Mr. White advised that he had submitted a representation to the Neighbourhood Plan Examiner with regard to phasing. He assured the meeting that they had made representation on phasing as even at that stage they were conscious that a ten year programme would make the scheme unviable. The Examiner chose not to make any changes because the policy did not express a period and put this into the long grass. It was pointed out to him that this stated it should be phased over the Plan period. The Neighbourhood Plan says completion period of 15 years but says this document was intended to be updated from time to time as well as formally every 5 years. Therefore, the plan period is only 5 years not 15 years. It was pointed out by Cllr. Mr. Ransley that there was no evidence of housing need. Mr. White advised that CDC Enabling Department had advised that currently there were 7 people on the housing register of which 4 were in bands A – C priority housing need. Therefore 7 households were in need.

Cllr. Mr. Ransley referred to the 5 year review/monitoring and periodic reviews; the Neighbourhood Plan did not have to make provision for periodic reviews, but Kirdford felt that whilst the plan was for 15 years, it was trying to meet the needs of the community, especially the elderly and young and that

was why the housing was to be 1, 2, or 3 bed units; it was to be expected that need would change over that period. The policies and plan may become out of date. The last thing was to constrain what was needed. There were certain trigger points for that to happen. This was not a statutory policy, the Examiner put it into the non-statutory section.

The Chairman invited questions and comments from the public.

A resident asked regarding the Housing Needs Survey, whether the two gentlemen were prepared to say what this showed. Mr. White responded by stating that CDC confirmed 7 houses. This was not 16. The resident compared this proposal with the development that took place on Bramley Close which was a similar piece of land or a little larger and only 28 houses were developed. He also stated that he had not received any application in relation to the footpath that cuts through the land owned by the Bramley Close Residents Association which was of concern. Mr. White stated they had planned for 16 affordable units when CDC housing register only shows the need for 7. Clearly there would be a need for more over the period 2014 – 2029. The allocation CDC gave to Kirdford was a minimum of 60 units and clearly this 54 would make a major contribution to that total, so should not be an issue as it had been agreed by policy. Cllr. Mr. Ransley pointed out to Mr. White that this number of dwellings on this particular site had not been agreed by the Parish Council. CDC was saying there was a need for 7 units so why were Cala planning to build 16 because policy talks about current needs not building for aspirational need. Cllr. Mr. Ransley reminded Cala that they were required to build 30% of total as affordable. Mr. White stated that out of the 54 units they were proposing 30% affordable and this was 16. Cllr. Mr. Ransley advised him that this means that they would need to building in two or three phases because there was only a need for 7 units at the moment, leaving the rest on the side for more affordable units as and when the need arose. The whole Plan was based on sustainable development compliant with sustainable criteria in accordance with National Policy. The Chairman stated that the Neighbourhood Plan provided to deliver over 60 units; the allocation provided for need; the Parish Council had never agreed to 54 on this site, that plan was submitted as part of the current application and never mentioned during any discussions with the Parish Council or at the pre-application discussions; he reiterated that the 54 units had not been agreed by the Parish Council. Mr. White stated that they had a meeting with CDC and agreed to go up from 45 to 54 on the basis that they provided 1, 2 and 3 bed units and no 4 and 5 bed units. Cllr. Mr. Ransley stated that this was not correct as there was no discussion on the numbers and this fact was a matter of public record.

A resident asked if they would provide the information contained in the Housing Needs Survey. The Chairman asked if they were prepared to share that information. Mr. Forrester stated that at that time they were looking at larger units, but the evidence for 4 and 5 bed units was not there, but of course they could let the Parish Council have a copy. Mr. White stated that the Parish had said it required 1, 2 and 3 bed units only and if they did not build that the Council would not support it. Cllr. Mr. Ransley advised that the policy did not

allow the Parish to object if there is a proven need. Mr. Forrester said the Housing Needs Survey showed there was not a need for 4 and 5 bed units.

A resident asked when it would be possible to see the Housing Needs Survey. The Chairman pointed out that the Parish Council had questioned the Housing Needs Survey that was for market and affordable housing, but had never seen the final copy. Mr. White stated that it would be e-mailed to the Clerk with a copy to the Housing Officer of CDC. This had not been used to inform the housing mix.

A resident stated that in the application they referred to street lighting. There was no street lighting in Kirdford. Mr. Forrester said the idea was for minimal street lighting, but had to have some for security. He then stated that there would be no street lighting. The Highways Authority was West Sussex County Council and they have minimum requirements of highway safety. The resident stated that she lived in Bramley Close and they did not have street lighting. Kirdford was a dark sky area – a registered dark sky area. Mr. Forrester stated that they would try and agree with the authority that there would be no street lighting. Mr. White stated that the Parish would need to object to the County Council Highway Authority as it had another check list on highway safety. Mr. Forrester stated that they would write immediately.

Cllr. Mrs. Fenney stated that the Housing Needs Survey was based on questions of mix and numbers and asked what was needed at the moment? Mr. Forrester said that clearly there was not demand for larger units and therefore they had changed the scheme to what was now proposed, namely 1, 2 and 3 bedrooms. The Chairman explained that was the reason the Council wanted to see the results of the survey. Cllr. Mrs. Fenney asked if the survey showed a need for 54 dwellings. Mr. Forrester pointed out that the survey was for affordable housing only. This was based on the overall demand by the District Council and that number was due to go up because the Local Plan Examiner stated it had to be reviewed as it included for 430 houses per year instead of 505 per annum. Every parish within the District would see an increase in numbers when this was reviewed. The Chairman pointed out that the 60 units were to be delivered over the life of the Plan.

Mr. Forrester stated that there was a big demand for the footpath. It was pointed out to him that the question was why they had not contacted the owners of the land about the footpath. Mr. Forrester said that was a fair point.

A resident stated that the 54 properties was a 20% increase from the 45 being discussed at the open forum. The reference was for 60 in total over the period of the Plan to 2029, therefore Cala was providing over need. Also, in relation to the affordable housing, why was it all closest to the side of the site to Bramley Close hence there would be less money spent on those and its external appearance, why was this towards the south east element of the site and not the northern element. Cllr. Mr. Ransley stated that in Bramley Close the affordable houses were visibly evident. Mr. White stated that everyone should have every confidence that the affordable units would blend in. The Chairman questioned whether the submitted site layout had changed from the

last one seen by the Parish Council. Cllr. Mr. Ransley said that the second point was concentration. National policy for social housing was a pepper pot approach - that these should be spread around a site and not in one spot as in the Cala plan.

It was mentioned that the documentation stated that Cala was consulting with Thames Water, whereas Kirdford was in the area of Southern Water. This point was made because it was thought that there was a problem with capacity of the pipes to the pumping station. The pumping station was adequate, but the pipes were not. Mr. White pointed out that the connection to the pumping station had to be up-dated and there was an agreement with Thames Water.

A resident asked about what would be put into the community by way of play areas, public open space, etc. Mr. White stated that they had to contribute to the Education Authority in order to make education provision, also contribute to fire, library, etc. This application goes to the CDC Planning Committee and there could be an alternative regime in place and in that situation a different charge will be tabled. Whether S.106 or under CIL (Community Infrastructure Levy) Cala had to put their hands in their pockets. Mr. Forrester said they were establishing a list of need. The Parish Council would know this and this was why it had gone to the trouble of producing a Neighbourhood Plan. Once CIL was in the Parish would receive 25% direct; if it did not have a Neighbourhood Plan it would only get 10%.

A resident stated that there was not much green space. Mr. Forrester stated that from the numbers it met the open space standard set out in the Local Plan. If they did not meet the standard CDC would refuse the application. There were also provisions relating to a play area that they also had to comply with. The resident's main concern was that in this area, the fact was that the schools were at capacity and with that number of dwellings there were bound to be quite a number of children and hence the infrastructure was just not there. Cllr. Mr. Ransley stated that was why the Parish adopted the Plan as it recognized the need for infrastructure to be progressed with the housing.

A resident referred to the Travel Plan and the proposed action to reduce vehicular activity. She pointed out that Kirdford did not have a proper bus service. At one point the document referred to a buses passing the site, but these were just school buses. To expect people not to use their cars because they were offering a voucher to enable use of the train station at Billingshurst – how would that help when there was no bus service to get to the station. In reality there was one car per adult in rural areas. The Chairman felt it would be worth Cala talking to its Transport Consultants because of the things that do not apply in Kirdford. Mr. Forrester said the point was taken.

A resident asked if there was any way the housing mix could be split and be nearer other residential areas. Mr. White stated that the mix had changed on several occasions, currently it complied with the Housing Officer and Neighbourhood Plan for 1, 2 and 3 bed dwellings. He was not sure if the south east corner could be flipped; that would be difficult as this was a FUL application, but nothing was impossible.

A resident pointed out that it was stated that Cala could not make sufficient profit from a phased development. Mr. Forrester pointed out that they could not get the road adopted until the whole site was completed. Cllr. Mr. Ransley said the whole issue arose because during the Neighbourhood Plan process a site appraisal was undertaken and the group went round the village to find suitable land for housing and came to the conclusion that this site would be suitable to take up to 45 dwellings. The Wisborough Green Plan had come up with a different conclusion, it had 4 or 5 smaller sites from a similar exercise but the land available was different. If you cannot develop a large site on a sequential basis basically no community can plan to provide housing on a single site for sustainability. A resident asked what was the point of them attending the Neighbourhood Plan meetings as what was proposed undermined what everyone signed up to. Cllr. Mr. Ransley pointed out that what they were actually saying was they wished to increase the housing stock by 25% in that period of time, but if they did their research this would show that facilities such as schools were not available and from these issues Cala would realize that it was not sustainable. Mr. White stated that perhaps this meeting was being held too early; perhaps it should have waited until get the views of other authorities. It was pointed out to him that there was a time limit within which the Parish Council had to respond.

The Chairman asked if members had any questions or comments, other than those already raised, on the circulated Officer's report.

The Chairman Proposed, Seconded by Cllr. Mrs. Gillett :-

*That this Council strongly objects to this application on the basis of the circulated Officer's Report and additional matters raised at this meeting. The Clerk be delegated to finalize the response to Chichester District Council with the Planning Consultant.*

This was **UNANIMOUSLY AGREED.**

**TO APPROVE ANY EXPENDITURE THOUGHT TO BE NECESSARY IN RESPECT OF CONSULTANTS FEES, SHOULD THIS BE FELT NECESSARY.** The Chairman pointed out that there was a need to approve expenditure for using Planning Consultants for anything that was needed and asked for approval of expenditure up to the sum of £500.00. These funds could be taken out of the Neighbourhood Plan Reserve. This was **UNANIMOUSLY AGREED.**

The meeting was suspended at this point to allow Cala/members of the public to leave if they wished.

The members of the public left the meeting at 8.20 p.m.

- (b) **K/15/03620/TCA: Mr. Jonathan Rodwell, Bridgefoot Cottage, Glasshouse Lane, Kirdford – Notification of intention to fell 2 no. Horse Chestnut trees (1). Reduce tip of main ascending stem by 1.5m on 1 no. Pear Tree (2). Reduce tips of branches in the upper crown by approx. 1.5m to join**



**healthy pruned lower branches on 1 no. Apple tree (3). Reduce height by 1.5 – 2 m on 1 no. Willow Tree (4). Remove ascending branch tip on 1 no. Weeping Beech (5).** Following discussion it was **RESOLVED** to :-

OBJECT unless the proposal has been justified by a suitable arboriculturalist report to demonstrate the need for the removal of the Horse Chestnut trees as this will have a dramatic impact on the streetscape. An ecologists report is suggested due to the fact that it is understood that there may be nesting owls in these trees.

186. **TO NOTE PLANNING DECISIONS RECEIVED FROM CHICHESTER DISTRICT COUNCIL :-**

- (a) SDNP/15/04255/HOUS: Mr. Alexander Kleinwort, Hawkhurst House,, Hawkhurst Court,, Kirdford – Replacement conservatory, extension of terrace and associated landscaping works. **APPROVED.**
- (b) SDNP/15/04584/LIS: Mr. S. Huttly, The Homestead, A.272 Croucham Lane to Linfold Road, Strood Green, Kirdford – Replacement of floor to 1940s extension, lowering of external ground levels, internal removal of modern paint and other minor works to remove damaging elements from the building, i.e., modern paintwork, cement repairs, cement render and modern brickwork from inglenook. **APPROVED.**
- (c) SDNP/15/03996/HOUS: Mr. Alexander Kleinwort, Hawkhurst House, Hawkhurst Court, Kirdford – Hard tennis court with 2.75m high chain link fencing enclosure. **REFUSED.**

These were duly **NOTED.**

187. **ENFORCEMENT.** There were no matters to report.

188. **TO FORMULATE THE PARISH COUNCIL'S FUTURE BUSINESS PLAN.**  
There was a need to advise CDC of the project that S.106 funds from KD/15/03367/FUL would be used. It was **AGREED** to ask the Council if it would be possible to have an umbrella project of community facilities in accordance with the contents of the Neighbourhood Plan as there was an inter-dependence on the projects.

Due to the lateness of time and as the Finance Committee would meet on the 30th November, formulation of the Business Plan/Three-Year Plan should be the first item on that agenda and all Members of the Council should be invited.

There being no further business the meeting closed at 8.48 p.m.