

**Minutes of a Meeting of the Planning & Townscape Committee
held at the Town Hall, Rye on Monday 14 April 2008**

PRESENT Councillors John Breeds, Jonathan Breeds, Bernardine Fiddimore, Lorna Hall, Paul Osborne (Mayor – **Committee Vice-Chairman** Frank Palmer (**Committee Chairman**), Ian Potter, Sam Souster (Deputy Mayor), David Wright

IN ATTENDANCE Richard Farhall - Town Clerk; Cllrs Granville Bantick, Sonia Holmes and David Russell; 4 members of the public; Andy Hemsley – *Rye Observer*

The meeting commenced at 6.31.

180 APOLOGIES

Apologies for absence were accepted from Cllr Kirkham.

181 DISCLOSURES OF INTEREST

Cllr Granville Bantick	<i>personal</i>	Item 187 Lives adjacent to site but with no view of it
Cllr John Breeds	<i>prejudicial</i>	Item 187 Lives adjacent to site
	<i>prejudicial</i>	RR/2008/425/P Applicant is a friend
Cllr Jonathan Breeds	<i>personal</i>	RR/2008/550L & RR/2008/632/P Lives in close proximity to property
	<i>prejudicial</i>	RR/2008/425/P Close friend of applicant
	<i>prejudicial</i>	Item 187 Parents own property adjacent to site
Cllr Ian Potter	<i>personal</i>	RR/2008/550L & RR/2008/632/P Director of a company which owns property in close proximity
	<i>prejudicial</i>	RR/2008/534/P Given professional advice to a neighbour in respect of the application
	<i>prejudicial</i>	RR/2008/425/P Friend of applicant
	<i>prejudicial</i>	Item 187 Has beneficial interest in property in Udimore Road

Cllr Souster *personal* **Item 187**
Lives in the proximity

The Chairman adjourned the meeting for public questions.

Responding to a question put by Mrs Benn in relation to agenda item 185 Cllr Palmer advised that it was unknown who had highlighted the footpath 'anomaly' to ESCC; however it would be a reasonable supposition that it had arisen as a result of the planning application to develop land north of Udimore Road. Mrs Benn advised her property deeds indicated that, since 1926, the owners of properties in the Old Brickyard were responsible for the maintenance of drains, sewers etc.

The meeting reconvened.

182 MINUTES

The Minutes of the Planning and Townscape meeting of 31 March 2008 (PT24) were approved as a correct record and signed by the Chairman.

183 MATTERS ARISING

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179 Land north of Udimore Road, Resolution 2 (asking RDC to make available the appeal documentation at Rye CHP) Actioned – the documentation should now be in place.

184 PLANNING APPLICATIONS

RESOLVED That the comments following be submitted to the Planning Authority:

Cllrs John Breeds, Jonathan Breeds and Potter re-stated their prejudicial interest in the item following and left the Chamber.

RR/2008/425/P 2 East Street, Rye.
Change of use of part of building from residential to book store/antique shop.
SUPPORT APPROVAL

Cllrs John Breeds and Jonathan Breeds returned to the Chamber.

RR/2008/534/P 4 Market Street, The Flushing Inn and 2 Church Square, Rye
Change of use from restaurant and maisonette to two dwellings.
SUPPORT APPROVAL

Cllr Potter returned to the Chamber.

RR/2008/548/L 23 Mermaid Street, Rye.
Erection of two fence panels and gate to rear courtyard.
SUPPORT APPROVAL Subject to Conservation & Design Officer approval

Cllr Potter re-stated his prejudicial interest in the item following and left the Chamber.

RR/2008/550/L 56 The Mint, Rye.
RR/2008/632/P Change colour of front door from white to black.
SUPPORT APPROVAL

Cllr Potter returned to the Chamber.

185 FOOTPATH RYE 35

Members were invited to consider a request from the County Council for comments on the use of two sections of the Old Brickyard as a footpath. The County's Definitive Map showed an 'anomaly' – showing only a public footpath beginning/ending adjacent to Thacker in the NW corner of the site.

The Council had received two letters from local residents (Cllr Fiddimore added that she had received 4 letters) objecting to the possibility of the footpath being diverted from Thacker-Udimore Road to Thacker-Mason Road. The residents who had made representations were of the opinion that the track from The Homestead to Mason Road was owned privately and had suggested that they were considering installing a locked gate at the Mason Road end.

The ensuing discussion focused on: the motives behind the approach to the County Council; the duration of the use – by pedestrians – of the two tracks within the Old Brickyard; the concerns of local residents in relation to the 'land north of Udimore Road' planning application/appeal; and how 'evidence of use' of the two tracks as footpaths by non-residents could be obtained.

Cllr Potter observed that: to prevent the tracks being considered to be rights of way the owners would have had to blocked access for at least one day a year; and that if a 'sufficient' body of 'older' people could recall a long history of the tracks being used as footpaths the provisions within the deeds of adjacent properties would, probably, be disregarded.

RESOLVED To advise ESCC that the Council is not aware of any evidence to support either an opinion that the tracks within the Old Brickyard should be considered to be part of a public footpath – or an opinion that the tracks should not be considered to be part of a public footpath.

Clerk

186 LITTERBIN – HILDERS CLIFF/LANDGATE

The Committee was requested to consider a request from the owner of a property adjacent to the Landgate Tower, Gill Wood that the 1989 litter bin at Hilders Cliff/Landgate be replaced with a covered bin.

Cllr Palmer observed that the 'seagull proof' bins ceased to be so when the litter contained within them reached a certain depth.

RESOLVED To write to Mrs Wood advising her that the Council was sympathetic to her request and would monitor the situation. However, if it replaced one '1989 bin' others would expect the remaining uncovered bins to be replaced and the Council does not have sufficient funds.

Clerk

Cllrs John Breeds, Jonathan Breeds and Potter re-stated their prejudicial interest in the item following and left the Chamber.

187 LAND NORTH OF UDIMORE ROAD

The Clerk advised that the Inquiry was scheduled to last up to 3 days.

In his capacity as a District Councillor, Cllr Russell confirmed that he intended to attend the Inquiry.

A number of Members asked if the Council was going to address the Inquiry personally, rather than rely on its written submissions (the last of which addressed the appellant's grounds for appeal).

It was noted that an Officer/Member presenting in person would be exposed to expert cross-examination and that there was a danger that the Council's position could be weakened.

Speaking from the Gallery, Cllr Holmes advised that RDC had engaged a QC to represent its position.

Cllr Souster advised that he intended to attend the Inquiry and, when appropriate, would seek the Inspector's permission to contribute to the proceedings.

The meeting ended at 7.15.

Date.....

Chairman.....