

Minutes of a meeting of the JOINT PLANNING COMMITTEE NORTH AND SOUTH held on Monday, 13th March, 2017 in the Civic Community Hall, Vicarage Lane, HAILSHAM (2.30 p.m. to 4.40 p.m.).

PRESENT: Councillors D Angel, D Dear, P Dixon, H Firth, R Grocock, P Holloway, J Howell (Chairman), S Isted, M Lunn, D Murray, A O'Rawe, C Reynolds, S Shing, S Stedman (Deputy Chairman), C Triandafyllou, N Waller, J Fox and R Thomas.

Also present in accordance with Access to Information Procedure Rule 22: Councillors A Newton and P Doodes.

In attendance were the Director of Planning Policy & Economic Development (N Hannam), Head of Planning Policy and Economic Development (M Brigginsshaw), Local Plan Team Leader (K Sharp) and Democratic Services Officer (W Newton-May).

APOLOGIES: Apologies for absence were received from Councillors K Balsdon, B Bowdler, J Dunk, P Ede, P Roundell, A Snell and J Towey.

17/6 APPOINTMENT OF CHAIRMAN

Councillor Howell was appointed as Chairman for the meeting.

17/7 APPOINTMENT OF DEPUTY CHAIRMAN

Councillor Stedman was appointed as Deputy Chairman for the meeting.

17/8 DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

17/9 DECLARATION OF SUBSTITUTE MEMBERS

Councillor Coltman attended the meeting as a substitute member for Councillor Ede; Councillor Thomas substituted for Councillor Bowdler and Councillor Fox substituted for Councillor Towey.

17/10 MINUTES

RESOLVED that the minutes of the meeting held on 15 January 2015 be confirmed and signed as a correct record.

17/11 WEALDEN LOCAL PLAN - DRAFT PROPOSED SUBMISSION DOCUMENT

The Head of Planning Policy and Economic Development, Marina Brigginsshaw, presented the Wealden Local Plan Draft Proposed Submission document

which had been prepared to go out for consultation in May and June 2017. The document had been presented in three sections. The first section related to strategic growth policies including the Ashdown Forest, housing, the economy, Gypsies and Travellers and general settlement matters such as development boundaries and brownfield land. The second section covered the sustainable settlement strategy and identified specific issues relating to settlements including housing distribution amongst settlements and town centre development. The third section dealt with planning themes including the natural and historic environment as well as climate change.

The joint Committee was advised that one of the key factors impacting on the Draft Proposed Submission was the additional evidence gathered in relation to the impact upon the Ashdown Forest Special Area of Conservation (SAC). A briefing note relating to the Ashdown Forest Nitrogen Deposition position was tabled for Members' information at the meeting, which explained that significant work had been undertaken to monitor nitrogen deposition and the impact on the ecology of the protected areas as an ongoing requirement following the Core Strategy and to model traffic flows, nitrogen deposition and ecological impact based on proposed development numbers and locations.

Miss Briginshaw explained that Appendix A to the agenda report was based on the assumption that a total of 14,101 dwellings would be acceptable. However, the results of modelling the impact of the development numbers of the preferred option in the Issues, Options and Recommendations document over the original plan period of 2013 to 2037 showed a significant increase in levels of nitrogen deposition in certain areas and there was increasing evidence that high levels of development could potentially harm the Ashdown Forest. She added that the proposal was for the Council to adopt an approach which was based on delivering development at a level which would be below that which would be deemed to be potentially damaging to the SAC overall, although some areas would still exceed the threshold. Alongside the proposals for protecting the Ashdown Forest, it was also proposed that the Plan period be revised to be from 2013 to 2028.

Miss Briginshaw advised that, in order to allow development to proceed, the proposal was therefore to compensate for the impact occurring close to the roads and alongside this to set a level of development across the District which would ensure that the SAC overall was not damaged due to traffic movements and the consequent nitrogen deposition. Members noted that the compensatory measures were progressing through a range of means including discussions with the Minister, Natural England and the Ashdown Forest Conservators and seeking potential land which could be returned and restored to heathland.

Members were advised that the evidence of the levels of nitrogen deposition that had emerged since November had resulted in the need to model lower housing numbers alongside a shorter plan period. It was noted that a number of Local Plan scenarios had been tested, and a table illustrating the proposed settlement distributions of 14,101 dwellings compared to 11,456 dwellings delivered by 2028 was also tabled for Members' information. It was explained that these figures included those dwellings which had been built since 2013. Having a Plan based upon 11,456 dwellings delivered between 2013 and 2028

would result in changes to the allocations sites and the SHEELA sites and Miss Briginshaw guided Members through the various implications this figure would have on the Plan.

Questions from Members

- (1) Support from Conservators Ashdown Forest** - Members were advised that discussions had taken place with both the Conservators of Ashdown Forest and Natural England and both organisations had indicated that they would be happy to work with the Council. The Director of Planning Policy and Economic Development, Mr Hannam, stated that he could not guarantee that other parties would not challenge the Plan, however the Council was confident that the evidence and information obtained was robust and it was the Council's legal duty to protect the Forest.
- (2) Calculation of movement of traffic** – in response to a question about the movement of traffic across the Forest and the calculation of nitrogen levels, Miss Briginshaw advised that traffic nearer to the road did have more of an impact. However, she referred to the Ashdown Forest Transport Model that looked at the annual daily traffic movements that was a result of proposed developments within the District and also took into account developments proposed in Local Plans outside of the district and their contributions as far as traffic movements on the road. This information was then passed to the Council's air quality consultants. She added that this was more advanced modelling than the Council previously used.
- (3) Current planning applications already approved** – the Committee was advised that any planning applications already approved would not be affected unless amendments to those applications were submitted.
- (4) Modelling process contribution** – Members were informed that the Council had pitched the modelling at levels that were believed to be the most appropriate, taking into account the distributions throughout the district. Mr Hannam emphasised that there was contingency within those figures, and he added that the Council was also monitoring the effect on the Pevensy Levels.
- (5) Other sources of pollution** – Miss Briginshaw reassured Members that the modelling undertaken did include background pollution and also took account of European emissions.
- (6) Protection of Pevensy Levels** – Miss Briginshaw advised that the Plan did include details of the protection of the Pevensy Levels and the wetland habitat.

Comments from Members

- (7) Package Treatment Works** – Members were reassured that the Environment Agency would monitor any requests for Package Treatment Works, although to date the Council had not received any licences for such.
- (8) Nitrogen deposition and linear development** – with regard to the impact of nitrogen on the linear villages located alongside main roads within the district, Mr Hannam explained that Natural England shared

the Council's concern of the wider impact of nitrogen pollution, not just in terms of habitat but also in terms of other impacts, and were interested in undertaking a Sussex wide activity which monitored air quality and nitrogen levels. In addition air pollution had been addressed in the Plan, including mitigation measures and a landscape study had been undertaken, with advice from the High Weald AOB.

- (9) **Site HEA1 in Heathfield** – a Member asked for Committee support to ensure that this site remained removed from the Plan, at the junction of A267 and A265.
- (10) **Marshfoot Lane Development** – Concern was expressed that the number of houses proposed at this site would require a need for package treatment works which could severely affect the Pevensey Levels. Miss Brigginsshaw advised that the Environment Agency would make a decision on package treatment works, based upon a range of evidence including the impact on the Pevensey Levels. Councillor Newton reassured Members that the Pevensey Levels, as a Special Area of Conservation, would be given the necessary protection.
- (11) **Odour Modelling for Waste Water Treatment Works**– Miss Brigginsshaw explained that the 300 metres zone mentioned in the Plan related to the impact of waste treatment works on residential amenities and therefore varied between the North and the South of the District.
- (12) **Development Infills** – Although Uckfield had been allocated a zero allocation for any new houses, concern was expressed regarding infilling. Miss Brigginsshaw explained that there could be applications submitted on Greenfield land; however Uckfield did have one of the greatest impacts on the Ashdown Forest and this would be a consideration.
- (13) **Cross in Hand** – Miss Brigginsshaw confirmed that there was no core area for Cross in Hand, nor was there any development boundary so it was not specifically mentioned in the Plan, although countryside policies would apply. Within the settlement hierarchy set out in the Plan, Cross in Hand had already exceeded growth.
- (14) **'A' class usage** – A comment was made regarding the protection of other 'A' Class uses, such as garden centres. Miss Brigginsshaw stated that the Plan was very pro high streets and stressed that development in the countryside would be controlled as much as possible by PD rights. Rotherfield was mentioned as not having 50% of shop frontage being retail, and Miss Briggingshaw advised that there was less restriction on the usage because it was less than 50%.
- (15) **Community Halls** – A query was raised regarding the policies surrounding community hall facilities. Miss Brigginsshaw emphasised the importance of community hall facilities, however the nitrogen deposition would need to be considered for any further applications.
- (16) **Legal Status** – The process of the progression of the Plan' approval was explained to Members.
- (17) **Infrastructure** – Mention was made of the transport improvements required, particularly to the A27 and A22. Miss Brigginsshaw advised that transport remained a significant issue, and work continued with East Sussex Highways.

- (18) Estimated Income from residents** – Miss Briginshaw confirmed that she would check the figures that had been provided in the Plan.
- (19) Population Statistics** – It was argued that if Polegate and Willingdon were joined together (as they were for planning purposes) then this area would be the third largest within the district. Mention was made that it appeared unfair that both Uckfield and Hailsham high streets had been improved, when Polegate's High Street required improvements too. Miss Briginshaw advised that work would continue with Polegate Town Council to discuss improvements to the public realm and the high street.
- (20) Quality Bus Partnership** – It was requested that a description of a quality bus partnership be included in the Plan and it was agreed that discussion would take place with East Sussex Council to clarify this.
- (21) Polegate Parkway** – Members were advised that if the railway station platforms became unsafe due to an increased number of users owing to the level of growth in the area then the Council would investigate further.
- (22) Ninfield and Hooe** – A query was raised regarding the number of outstanding dwellings with permitted development, and Miss Briginshaw agreed to re-calculate this if necessary. In addition, the restricted regular bus service was mentioned, as buses did not operate in the evening rush hour. Officers were asked if Standard Hill could be recognised as an area of historic interest.

RESOLVED to request that the Portfolio Holder for Planning and Development recommend the Draft Proposed Submission Wealden Local Plan, subject to the comments made and subject to any further necessary amendments, to Full Council for publication for representations and submission to the Secretary of State for examination.

NOTE: Councillor Reynolds left the meeting at 4.25pm after consideration of the above item.

17/12 WEALDEN LOCAL PLAN- CONSERVATION AREA DESIGNATION

The Senior Heritage Officer, Mrs Tucker, presented a report advising Members that work had been undertaken in coordination with the Wealden Local Plan to review all existing and potential conservation areas in the District. She provided a summary of the work undertaken and sought Members' agreement to proceed to designate the 26 existing and 12 new conservation areas identified in the District (amalgamated into 33 conservation areas in total).

Mrs Tucker advised Members that the consultation period ran for 8 weeks from Monday 19 October 2015 to 5pm Monday 14 December 2015. All residents in the District received a flyer through the post about the Local Plan consultation that also referred them to the information on the website. A number of public exhibitions about the Local Plan consultation were held and all documents were made available through the Council's website and at deposit points throughout the District.

It was noted that a total of 148 responses were received to the five questions about the proposed Conservation Areas during the consultation period and a

summary of the consultation responses received was provided in Appendix A: Draft Conservation Area Background Paper 2017, along with the Officer comments.

In response to a question, Officers advised that the Wealden Design Guide would subsequently be updated.

Members were informed of the timescale for the designation of the boundaries.

It was noted that support from the parish and town councils, and other stakeholders, was encouraged and welcomed.

RESOLVED –

- (1) That the work that has been undertaken to identify the conservation area boundaries for the District;
- (2) That Members' comments on the Draft Conservation Areas Background Paper, at Appendix A, be noted; and
- (3) That the Portfolio Holder for Planning and Development be requested to recommend the Draft Conservation Areas Background Paper, subject to any comments made and subject to any further necessary amendments, to Full Council to approve the designation of all conservation areas identified in the Background Paper at Appendix A.

Councillor Howell
Chairman