

Minutes of meeting of the LOCAL PLAN SUB-COMMITTEE held on Monday, 13 March, 2017 in Civic Community Hall, Vicarage Lane, HAILSHAM (10.00 a.m. to 1.50 p.m.)

PRESENT: Councillors A Newton (Chairman), N Collinson, J Howell, R Standley, S Stedman and S Shing.

In attendance were the Director of Planning Policy & Economic Development (N Hannam), Head of Planning Policy and Economic Development (M Briginshaw), Senior Heritage Officer (J Tucker), Local Plan Team Leader (K Sharp) and Democratic Services Officer (S Lawrence).

APOLOGIES: Apologies for absence were received from Councillor R Galley.

17/1 MINUTES

The minutes of the meeting held on 8th June 2016 were confirmed and signed as a correct record.

17/2 PETITIONS

Councillor Ann Newton read out the titles of each of the following petitions and thanked the petitioners for submitting them, and noted the number of signatures:

- A) Save East Hoathly from Over Development – 253 signatures
- B) Petition in opposition to the designation of sites in Little London Road (Old Common to Lions Lodge) and New Pond Hill, Cross in Hand, Heathfield as being suitable for housing development – 58 signatures.
- C) Petition in opposition to indicated 'potential' housing sites fronting Ghyll Road & Pook Reed Lane, Heathfield – 37 signatures
- D) Enhancing the Cuckoo Trail – 18 signatures

She confirmed these petitions had been taken into account in the preparation of the Wealden Local Plan – Draft Proposed Submission Document.

17/3 WEALDEN LOCAL PLAN - DRAFT PROPOSED SUBMISSION DOCUMENT

The Head of Planning Policy and Economic Development, Marina Briginshaw, presented the Wealden Local Plan Draft Proposed Submission document which had been prepared to go out for consultation. This had been prepared following testing of the preferred option arising from the consideration of Issues and Options and Recommendations document. In order to enable appropriate presentation of the document and questions from Members, the Local Plan Draft Submission Document was presented to the Sub-Committee in groups of chapters with opportunities for Members to ask questions at each stage.

Miss Briginshaw advised that the Proposed Submission Document (set out at Appendix A to the agenda report) had been prepared based on the delivery of 14,101 homes across a plan period of 2013-2028. The report also contained an alternative option of 11,456 dwellings. The reduction in the number of homes and the length of the plan period had been a result of evidence gathered during the testing of the preferred option, which showed that development across the District and associated traffic movements had a more substantial impact on the air quality and ecology of the Ashdown Forest Special Area of Conservation (SAC) than previously understood. Monitoring had shown that the levels of nitrogen deposition across the forest varied significantly, but that the levels of nitrogen disposition alongside forest roads was above acceptable levels, and that the critical load on the SAC overall had been exceeded.

Since the agenda had been published, further information had been received, which had led to a reduction in the number of homes being proposed to 11,456. A briefing note was tabled setting out the key scenarios which had been tested, and Miss Briginshaw guided Members through the implications of the evidence. She explained that the document set out the impact on the forest of the scenario of the original preferred option of around 21,000 homes up to 2037, the option for 14,101 homes up to 2028, the option for 11,456 up to 2028, and the impact of the current permissions. By reducing the numbers of homes in the Plan to 11,456 up to 2028 and locating development primarily in the south of Wealden, it would be possible to reduce the impact on the SAC to within Natural England recommended levels (which applied regardless of whether the critical load had already been exceeded), and to reduce the percentage of area in the forest affected. It was noted that the legislation required that the Council looked at the implications on the SAC of the plan alone, and in combination with other plans and proposals, including those of neighbouring authorities. It was emphasised that there was a need to balance the need for development with what was acceptable in terms of ecological impact, and a range of compensatory measures would be developed to apply where damage did take place, in particular alongside forest roads.

It was recognised that having a Plan based upon 11,456 dwellings delivered between 2013 and 2028 would result in changes to the allocations sites and the SHEELA (Strategic Housing and Economic Land Availability Assessment) sites. Miss Briginshaw confirmed that in general employment land policies would remain the same, with the exception that the allocations in Polegate and Willingdon would be removed. Retail provision and gypsy and traveller site provision remained unchanged.

The Committee heard that the development boundaries had been reviewed in the light of the evidence base and would be identified even in many areas with no allocations. Policy WLP5 would need to be amended to reflect the reduction to 11,456 homes overall, and a summary of the new distribution in settlement areas was tabled and read out by the Chairman. This showed the distribution of 4,064 homes to be delivered up to 2028, with the remaining 7,392 homes related to consents or built property since the start of the plan period in 2013. It was confirmed that development outside development boundaries would not be supported unless it met other policies in the Plan. There was no windfall allocation in the plan, but there were contingency sites identified in specific

areas, should applications not come forward in primary sites. Members were pleased to see that the plan continued to emphasise the primacy of town centres and high streets for retail development.

The following comments and questions were raised by Members, following the introduction of each group of chapters by Miss Brigginsshaw:

- (1) *Implications for current and approved planning applications* – It was confirmed that these were already included. However, applications at pre-application stage were not taken into account and would need to be assessed under the new requirements.
- (2) *Implications for meeting Housing Need and the 5 year land supply* – The Objectively Assessed Housing Need had increased to 950 dwellings per annum up to 2028 as a result of new demographic profiling. It was confirmed that once the Plan was adopted the housing need would be assessed as the numbers in the Plan. Until adopted, the protection of the Ashdown Forest and the evidence base supporting this was a legitimate reason not to meet the 5 year land supply requirement.
- (3) *Impact of Neighbouring Authority Plans* – It was confirmed that the nitrogen deposition had been shown in the modelling to be affected by a wider development area than previously understood. The Council was required to look at the deposition arising from its own Plan and in combination with others. The Council would be working with other Local Authorities to look at the impact of their plans. If their numbers increased, this might have an impact on the numbers able to be delivered in the Wealden Local Plan. Miss Brigginsshaw confirmed that representations setting out Wealden's concern at the higher figures have been made to the Mid Sussex Local Plan Inspector.
- (4) *Implications of EU legislation* – It was confirmed that the Habitats Regulations were EU legislation, but principles were also enshrined in English Law. The Council had a good record of interpreting legislation and defending its position.
- (5) *Swapping allocations and promoting community projects?* Consideration has been given in the Plan to releasing allocations, where sites were not built out. Development boundaries were still in place even where there were no allocations, so that if a brown field site came forward in an area which reduced its traffic movements, there might be an allowance available to other options. However, it would not be possible to substitute allocations from one area to another, due to their different impact in the transport model.
- (6) *Impact on employment land?* - The plan looked to have a balance of housing and employment development across the district. In terms of community projects and business, areas had been identified where it could go ahead.
- (7) *Impact on requirement for an A27 upgrade?* - Miss Brigginsshaw confirmed that modelling was still required as to whether the upgrades to the A27 consulted upon would be adequate to accommodate the new numbers, or if a further off-line solution would be required. An A27 policy was retained in the plan so that it could support any such requirement. A 5 year review of the Plan was built in, which could take account of

changes as a result of waste water capacity, A27 upgrades and nitrogen disposition.

- (8) *Emphasis in Plan*– It was asked if statement 3.7 could be more specific in relation to the distances and journey times to stations, and the Plan could make clear how car-reliant the population of Wealden was, due to limited public transport options. It was asked that the vision statements for in terms of the smaller high streets were more realistic in terms of the current downturn. These comments were noted.
- (9) *Definition of Middle Super Output areas?* – This was terminology used by the Government in census data to define particular areas, and was used in the Plan as a way to define the areas where there could be some head-room for growth. A plan showing these would be included in the Local Plan document.
- (10) *Economy* – The section relating to economic development was welcomed as underpinning the Plan.
- (11) *Infrastructure Delivery* – The concern that sufficient infrastructure would not be delivered was noted. Mr Hannam (Director of Planning Policy and Economic Development) confirmed the Infrastructure Delivery Plan would continue to be updated, and work would continue with key infrastructure providers to understand their requirements, and map these against available resources. It was noted that inclusion in the Plan was important to provide an evidence basis to lever in other sources of funding.
- (12) *Provision of new facilities on the Cuckoo Trail?* - Miss Briggshaw advised that these could be small elements to help improve its use. There were still sites alongside the Cuckoo Trail and the linkages were flagged.
- (13) *Public Transport and road development* - It was confirmed that the transport model up to 2037 included some headroom before the improvement of A27 was required. Pages 61-62 set out a list of the studies to be undertaken in relation to a number of transport corridors beyond the South Wealden Growth Area and discussions would continue with the County Council on these. It was confirmed that the Plan was flexible on the funding options, as different options would be suitable in different areas.
- (14) *Bus Corridors* – Miss Briggshaw advised that the County Council had focused on delivery of the Eastbourne-side of the bus corridor to date, but would need to continue into the South Wealden area for the corridor to work. The Leader confirmed that the plan should encourage public transport, but it was recognised that car transport would continue in this type of District.
- (15) *What is meant by a Blue Corridor?* – It was confirmed this related to green infrastructure and water-borne corridors, not necessary for transport purposes but for ecology and use of green space.
- (16) *Bus signage and partnership* – Concern was expressed on the use of real time passenger information signs spoiling rural areas and that a definition for the Quality Bus Partnership should be included in the document. These comments were noted.
- (17) *Questions about South Wealden Growth Area* – It was confirmed that the numbers of self-build proposed were only allowed on developments of more than 150 houses. It was noted these were not subject to Community Infrastructure Levy (CIL) and did not contribute to required

infrastructure costs. Policy HG6 related to self and custom build. It was confirmed that allocation sites had been re-named in this plan from those in previous plan. It was noted that there were general policies in the Plan related to school provision, open space and recreation space, with more detail set out in policies for each settlement area. However, it was emphasised that developers could not be asked to address existing deficits.

- (18) *Flood areas in Hailsham* – Miss Brigginsshaw confirmed that concerns about moving sites close to Pevensey Levels had been raised with the Environment Agency. Its special status related to water quality protection, and so although Plan did as much as possible to protect these areas, it could not exclude development. In most cases proposed allocations were next to and close to flood risk areas rather than in them. Where site boundaries crossed such areas, other policies in the plan would ensure that no built development could go in flood risk areas. The Plan policies in relation to flood areas, water treatment, surface water and drainage had all been checked with the County Council, as lead flood authority.
- (19) *Contingency Sites in Hailsham* - Hailsham was covered by three super-output areas, and it was confirmed that allocations should be retained in those areas, rather than moved to other areas.
- (20) *Design Policies?* - There were general design policies and specification of types and size of houses in the Plan. However, Officers were happy to support Town and Parish Councils in all areas to develop design-led approaches in their Neighbourhood Plans.
- (21) *Traffic Implications of Hailsham sites* - It was confirmed that traffic studies had looked at where housing development and growth in town centres could trigger the need for traffic improvements, and work was ongoing with the County Council on these matters.
- (22) *Windfall sites in Hailsham areas* - It was confirmed that the windfall elements of allocations in the Hailsham area has been removed as there were sufficient numbers from the allocations and SHEELA sites. If a brownfield site came forward that did not increase transport movements within a development boundary, and in line with Plan policies, and it could still potentially come forward as a windfall site.
- (23) *Questions in relation to Polegate and Willingdon?* Miss Brigginsshaw confirmed that PN1 was the only allocation identified for Polegate (23 homes). She could not comment on any specific applications coming forward, but confirmed that Planning Committees would need to consider applications on their merits, and taking into account the impact on the Ashdown Forest. She confirmed that the allocation for business had been moved the A27 Business area. A Community hall has been identified as a need as a result of growth, but would be slightly smaller than previously planned. The Community Infrastructure Levy (CIL) would be used for infrastructure, but it would not pay for the entirety of infrastructure requirements, and therefore the Council would continue to work with the County Council to secure other funding streams, such as from the Local Enterprise Partnership (LEP). There was no specific need identified in the Plan in relation to developing Polegate High Street, but the Council would work with Polegate Town Council to see where it can be improved.

- (24) *With smaller allocations in the same development boundaries can development be directed to preferred areas?* Miss Brigginsshaw advised the development boundaries had been drawn in relation to a number of criteria, and it was not appropriate to artificially reduce these to constrain an area for growth. However, there was head room and some flexibility in development in those boundaries, although allocated sites would take priority.
- (25) *Stonecross* – It was noted that there was a typo in this section. The Chairman confirmed she had asked Ward Members to proof read their own areas and let the Planning Policy Team know of any errors. It was confirmed that the road and other strategic infrastructure requirements of the allocation of 833 properties, would be taken into account.
- (26) *How have Town and Parish Council representations influenced sites allocated and how do they put forward another site?* It was confirmed the Plan and site allocations had been drawn up in line with the evidence base, and with a strategy to include the maximum number of homes that could be allocated, taking account of the impact on the Ashdown Forest. If additional allocations were placed in one area, it could mean a reduction in the numbers of homes in other areas or in the Plan as a whole. It was confirmed that at the next stage the Council will approve the Plan to go out to consultation, and if anyone wished to include other sites, they would need to put forward why this plan was unsound and why an alternative site was preferable.
- (27) *Villages and Towns with Allocations* – It was noted that there were some updates on consents, for example in East Heathfield the allocation was 50, but 30 of those had already been granted consent in the last few months. Clarification was given on which SHEELA sites and other sites were included in the allocation; it was confirmed that HEA2 and HEA3 sites were allocated in the plan, but HEA1 was now a contingency site that would only go forward should development on the others not materialise.
- (28) *Why are weekly income figures different to those in ward profiles and implications for affordable housing provision?* Miss Brigginsshaw advised that those quoted in the Plan were published by East Sussex Figures, and the difference might be a matter of terminology and definition. She confirmed that the amount of affordable housing was a matter of the District as a whole, and this showed that the levels of affordability were low, and the numbers of people looking for affordable housing in each settlement was known. However, she confirmed that these figures would be checked.
- (29) *How has one site been allocated over others in Wadhurst?* It was confirmed that all the sites and areas had been assessed against each other, and Officers had identified, in discussion with the AONB unit, those which they consider professionally to be the better site. However, the plan included a policy that if a site was not deliverable or planning development was not delivered within a certain period of time, then other sites within the development area could be considered. In terms of prioritisation, consideration could be given to SHEELA sites first, and the list of these would be updated every year. A register of brownfield sites would also be kept updated.

- (30) *Allocated sites require Planning Permission* – For clarification, it was confirmed that allocating a site, did not mean that it had planning permission; it would still need to follow a normal planning process.
- (31) *East Hoathly* – The Chairman, as acting ward member, confirmed that residents would be pleased that the development boundary had been reduced to its previous outline and the proposed distribution removed.
- (32) *Horam* – Questions were asked on the sites allocated, the shape of the development boundary and the description of the high street. It was confirmed that the development boundary had been drawn up on the same criteria as others, and had taken into account permissions granted, including for the crematorium. It was confirmed that HO2 was now the contingency site. The allocated sites had been checked with the County Council for its delivery on highways grounds and no objections in principle had been received. It was noted that there were some general concerns about the vibrancy of village centres, and the Council wished to work with Town and Parish Councils to promote these.
- (33) *Ninfield* – It was noted that one area for growth had been identified in addition to already granted sites. It was asked why a development boundary was in place to the north but no allocation sites or SHEELA sites had been identified in the area. It was explained that that this was to allow for some flexibility, as because no SHEELA sites had come forward the overall deliverability had not been assessed. However, it was confirmed that allocated sites, would take preference.
- (34) *Edge of Tunbridge Wells*– It was confirmed that the allocation had been removed.
- (35) *Uckfield* – It was confirmed that there were only retail allocations in the Uckfield Area.
- (36) *Description of Villages Centres*- - It was asked if the descriptions in relation to village centres, the range of shops, and whether a post office or post office counter was provided be tightened up. This was noted.
- (37) *Policies for growth* – It was noted that many of these align with those used by other neighbouring Authorities with similar issues, in line with Duty to Co-operate requirements. It was confirmed that Policy RAS(5) would be amended to state ‘Not an abandoned residential use’.
- (38) *Tourism in the Countryside* – It was asked if the paragraph at page 451 could be more ambitious. The Chairman agreed to look at this.
- (39) *Rural Economy and Tourism* – It was noted that these sections were important to the development of the District over the next 10 years. It was suggested that the ongoing issue on Gatwick flight paths should be referenced, and it was noted this was covered by policy NE1.
- (40) *Mobile Phone and Broadband Coverage?* Miss Brigginsaw confirmed that the final chapter on communications covered this, and that such a chapter was included in the Plan showed its importance.
- (41) *Requirements for Windfarms, Solar Farms and renewables in new builds?* Miss Brigginsaw confirmed that the Plan included a policy on local carbon and renewable energy which would include wind and solar farms. The ability for the Council to require solar panels on new builds was removed with the introduction of the NNPF, but were encouraged through design policies.
- (42) *Parking standards in the Transport and Design Policy* – It was commented that it was important that sufficient parking was provided, as often historically this was not adequate. This was noted.

- (43) *Accessible Housing Policy* – It was noted that this policy needed to be re-worked, and a revised version would be provided to Full Council.
- (44) *Waste Policy* – It was noted that this was included at the request at the County Council.
- (45) *Housing Mix*- The housing mix was welcomed, and it was confirmed that the Housing Company that the Council was setting up would help with this provision.
- (46) *Affordable Housing Paragraph* – It was asked if the affordable housing paragraph could be revised to that requested by a previous Joint Planning Committee and approved in the May 2016, to ensure that affordable housing was located alongside and was of a similar appearance to the rest of developments. The Chairman confirmed she was happy to look at re-instating the words as approved by the Council in May 2016.

The Director of Planning Policy and Economic Development confirmed that it would be necessary to re-calculate the five year land supply, and the evidence would be pulled together further to be presented in suitable form for the start of the consultation period.

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: The meeting was adjourned for a 10 minute break at 12.05 am during the discussion of this item).

(Note: Cllr S Shing left the meeting at 12.55 pm and returned during the discussion of this item at 13.05 pm)

17/4 WEALDEN LOCAL PLAN- CONSERVATION AREA DESIGNATION

Jo Tucker (Senior Heritage Officer) introduced the report and advised that in accordance with the statutory duty set out in The Planning (Listed Buildings and Conservation Areas) Act 1990 a review had been undertaken of all existing and potential conservation areas in the District over the last three years and was carried out in line with Historic England guidance. An extensive consultation had been carried out and 148 responses had been received and considered.

The proposal before the Committee was to designate the 26 existing and 12 new conservation areas, which had been drawn into 33 identified conservation areas with new boundaries. It was noted that the proposals map in the proposed local plan submission would need to include the new conservation area boundaries.

Once designated, Officers would consult over the next 18 months on detailed character appraisal documents for each of the 33 areas, setting out what was significant and distinctive.

A question was asked as to what this would mean in practice as to what would be allowed in an area. Ms Tucker confirmed that the first stage was to

designate the area, the second stage was to identify what was important and significant and what was being protected and enhanced, and the final stage was a management plan and article 4 directions. She confirmed that there were some restrictions under the permitted development order as a result of designation. However, to restrict the types of windows, tiles, boundary walls and other key details, there would need to be article 4 directions. It was confirmed that Officers would work with Parish and Town Councils on these article 4 directions at their request, and these could take between 6 and 12 months to be put in place.

The intention was also to put together a local list of buildings with Town and Parish Councils that were not statutorily listed but were of local importance.

The Committee thanked Jo Tucker and her colleagues for all the work in reviewing the conservation areas.

RESOLVED:

- A. To note the work that has been undertaken to identify the conservation area boundaries for the District; and
- B. To request that the Portfolio Holder for Planning and Development recommends 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 Appendix A

Councillor A Newton
Chairman