

Minutes of a meeting of the JOINT PLANNING COMMITTEE NORTH AND SOUTH held on Friday, 6th July, 2018 in the Civic Community Hall, Vicarage Lane, HAILSHAM (10.00 a.m. to 1.15 p.m.).

PRESENT: Councillors D Angel, K Balsdon, B Bowdler, N Coltman, D Dear, H Firth, J Fox, J Howell, S Isted, D Murray, A O'Rawe, C Reynolds, Dr B Redman, S Shing, A Snell, S Stedman, R Thomas, C Triandafyllou, N Waller and D Watts.

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

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

APOLOGIES: Apologies for absence were received from Councillors P Dixon, J Dunk, P Holloway, M Lunn, P Roundell and J Towey.

17/1 DECLARATION OF SUBSTITUTE MEMBERS

Councillor Coltman attended the meeting as a substitute Member for Councillor Dixon; Councillor Fox attended the meeting as a substitute Member for Councillor Lunn; and Councillor Thomas attended the meeting as a substitute Member for Councillor Grocock.

17/2 APPOINTMENT OF CHAIRMAN

Councillor Stedman was appointed as Chairman for the meeting.

17/3 APPOINTMENT OF DEPUTY CHAIRMAN

Councillor Howell was appointment as Deputy Chairman for the meeting.

17/4 DECLARATIONS OF INTEREST

Minute 18/05:

- (1) Councillor Isted declared a personal interest arising from the fact that he had several relatives who were involved in property development within Wealden.
- (2) Councillor Stedman declared a personal interest arising from the fact that her ex in-laws owned a small plot of land in Horam.
- (3) Councillor Waller declared a personal interest as he was a Director of Sussex Weald Homes.
- (4) Councillor Murray declared a personal interest as he was a Director of Sussex Weald Homes and a member of the Pevensy and Cuckmere

17/5 MINUTES

RESOLVED that the minutes of the meeting held on 13 March 2017 be confirmed and signed as a correct record.

17/6 WEALDEN LOCAL PLAN – DRAFT PROPOSED SUBMISSION DOCUMENT

The Head of Planning Policy and Economic Development, Marina Briggshaw, presented the Wealden Local Plan – Draft Proposed Submission Document which had been prepared for publication for Representations from 13 August to 8 October 2018, following approval at the Full Council meeting on 18 July. She explained that the draft Proposed Submission Document (attached as Appendix A) was divided into three sections. The first section related to the vision, objectives and strategic growth policies including housing, the economy, infrastructure and environment and contained an overview of the Habitats Regulations Assessment conclusions for the Ashdown Forest SAC, Pevensey Levels SAC and Ramsar Site and Lewes Downs SAC in relation to air quality, along with the proposed approach to move forward with development despite the impacts of nitrogen deposition and other pollutants on these areas.

The second section covered the sustainable settlement strategy and identified specific policies relating to settlements, including housing allocations and town centre development. The third section dealt with Core Areas. The fourth section included planning themes and development policies, including housing, rural and countryside policies, the natural and historic environment and health and wellbeing.

The Sub-Committee considered each section in turn and the following comments and questions were raised by Members:

Section 1

(1) *Housing Allocation and Windfall Allowance* – In response to a question, Miss Briggshaw stressed that the Local Plan must be deliverable as the Council was unable to allocate land and then allow it to fall away. This would ensure clarity to developers and the general public as to where development was taking place. She confirmed that if it was not delivered within five years it would not become windfall.

With regard to Middle Super Output Areas, the three windfall sites in Crowborough were referred to and the question was asked whether the numbers could be amended if one site was able to deliver more than its allocation. Miss Briggshaw advised that each area had been given its allocation based upon the individual area's contribution to the transport outputs affecting Ashdown Forest or Pevensey Levels. In addition, the Habitats Regulations Assessment had been written in such a way to ensure that the windfall allowance could be accommodated in each area.

(2) *Neighbourhood Development Plan* – It was clarified that parish and town councils had been given the opportunity to direct growth within a Neighbourhood Development Plan, and a number of these Plans were

currently being progressed. However, it was clarified that if any parish or town council did not develop a Plan then there were other policies that would direct development. She confirmed that it was not too late to start a Neighbourhood Development Plan. It was noted that the cost of such a Plan was dependant on the topics covered, the level of population and the level of assessments necessary; however, there were some grants available.

- (3) *Policy WLP2 Gypsy and Traveller Provision* – The Committee was reassured that this provision was sufficiently robust and the allocation was adequate for the need required. In addition, 18 of the pitches were on a site owned by the District Council and therefore deliverability should not be an issue.
- (4) *Deliverable Sites* – In response to a question regarding sufficient proof from a developer that a particular site was viable, Miss Briginshaw confirmed that Officers would still undertake an independent viability study of the site. Developers would also attend the examination in public to defend their position.
- (5) *Ashdown Forest Mitigation Measures* – Miss Briginshaw confirmed that the Council was not looking at compensation measures (i.e buying land elsewhere and putting management measures in place to create heathland areas), but instead looking at ways of preventing pollution on the Forest and removing existing pollution. She referred to AF2, which outlined a package of measures, for example reducing local transport issues (queuing at junctions, speed limits etc.), reducing emissions from agriculture, supporting employment development in certain areas and behavioural change (encouraging use of electric vehicles etc.). It was noted that these mitigation measures were not limited, and would evolve as technologies advanced in future years.
- (6) *Off Line A27* – Miss Briginshaw provided the Committee with an explanation of the Off Line A27, which would commence at the Cophall Roundabout and head towards a junction with Lewes, diverting traffic going across the Forest and creating a new A27. The current A27 would then be downgraded and become a local road. Mr Hannam confirmed that the Government had earmarked funding for improvements to the A27 road network (approximately £75 million) and further funding for the proposal for an off line A27 was being put forward for approval next year. If successful, the estimated earliest completion for this scheme was 2030. He added that the Plan would be monitored and contingencies had been built in, in the event that the funding was not forthcoming.
- (7) *A22 Ridgewood* – A comment was made regarding the road works, including the road closures, currently being undertaken at the Ridgewood development and the disruption to residents and businesses in the area. It was felt that a slip road would be better to serve this new estate, rather than the proposed roundabout and that the A22 needed to be wider to accommodate the additional traffic. In response, Miss Briginshaw advised that this particular development had already been given planning consent and therefore did not form part of the Plan. However she referred to Chapter 7 of the Plan, and Policy INF3, which stated that East Sussex County Council had identified the need for further studies on the A22 corridor and acknowledged that increased capacity would be required.

- (8) *Delivery of Land* – Reference was made to Policy WLP11 which stated that allocated sites would be reassessed as part of the review of the Local Plan if planning consent was not applied for within three years. Miss Brigginsshaw was asked if there was anything more the Council could do to speed up delivery of those sites where planning consent had been granted, in order to meet the five year land supply target. Miss Brigginsshaw advised Members that this issue was a concern and was currently being considered by the Government as part of the new National Planning Policy Framework (NPPF). Mr Hannam advised that this Council did respond to the NPPF consultation requesting stronger measures to deal with these situations and a final version was due before the summer recess. The Policy WLP 11 referred to sites that had been approved but not yet built on and those sites would be investigated further as part of the future review of the Local Plan. It was stressed that an understanding of why developers were not delivering was important and therefore Officers would work with the developers to understand the reasons for any delays.

Section 2

- (9) *RUGA 17* - Land at Mayfield Cricket Club was discussed, as defined on the Mayfield proposal map as site MAY1, which was allocated for development of up to 50 houses. Officers reassured Members that development would only be permitted if certain criteria were met, i.e an alternative cricket pitch and associated facilities of the required standard being provided in a suitable location and a single point of access being provided.
- (10) *Sewage Package Treatment Works* – Concern was expressed regarding the sites facing the Pevensy Levels and the protection of the Pevensy Levels, as the outflow on to this area was already excessive. Miss Brigginsshaw advised Members that Officers worked closely with Southern Water and a new sewage treatment system was currently being tested, as well as on-going national trials, and improvements had to be in place by 2022. She acknowledged that this was an important area, and added that any Package Treatment Plant application would be required to meet the Habitat Directive and Regulations so safeguards were in place. In addition, every site was required to demonstrate that development would not have an adverse effect on the Pevensy Levels. The Plan sought to distribute development throughout Hailsham so that connection to road networks was also distributed.
- (11) *Marshfoot Lane Development, Hailsham-Infrastructure* – Concern was expressed at the lack of infrastructure required to support this development. Miss Brigginsshaw acknowledged that local road infrastructure would generally be required for all the new developments, as well as other infrastructure requirements, however this was a County Council matter and they had not expressed any concern in this regard.
- (12) *SWGA37, Polegate* – Miss Brigginsshaw stated that this site had been inadvertently excluded from the map within the plan, and this would be rectified. She confirmed that the allocation of development would be for up to three Gypsy and Traveller pitches. A pitch generally consisted of a space for a static caravan, a small touring caravan and an amenity shed.
- (13) *SWGA38, Polegate and Willingdon* – It was mentioned that this was a

shared parish site so clarification was sought regarding the potential development numbers. Miss Briginshaw confirmed that no housing had been identified for this site; however, there were opportunities for community facilities. It was agreed that an explanation of the location of this site would be added in to avoid confusion, as this site was in the ownership of the University of Brighton, although East Sussex County Council also owned a small proportion.

- (14) *WLP7 - East Hoathly and Halland* – A request was made to amend the table on page 57 to clarify that the allocation of housing was within the East Hoathly development boundary and not in Halland. In response to a question, Miss Briginshaw confirmed that the 48 dwellings proposed was the final number that had been modelled, however if a site came forward that demonstrated it did not have an adverse impact on Ashdown Forest, the Pevensey Levels, or Lewes Downs SAC, and it met with all the other policies, then further development could potentially take place within the development boundary.
- (15) *Use of Wording* – Mention was made of the use of the wording ‘where possible’ and ‘where appropriate’ throughout the document and it was felt that this could allow developers scope for negotiation. Miss Briginshaw explained that in some areas of the Plan this wording was deliberate and used specifically for a particular feature because there could be circumstances where certain things could not happen, or could not be retained.
- (16) *Odour Nuisance* – A comment was made that the Plan stated that development would not commence where there was an odour nuisance, however the Council had previously allowed this. Miss Briginshaw explained that the Council would require an agreed mitigation strategy before development took place in identified areas.
- (17) *Employment Space* – Miss Briginshaw confirmed that the employment space from the Core Strategy had been moved to along the A22 corridor in North Wealden.
- (18) *SWG34 – Lower Horsebridge* - Concern was expressed at the drainage problems in Lower Horsebridge. It was mentioned that alternative land was available which the Parish Council considered was more favourable and sustainable as it was less prone to surface water and ground water flooding. Miss Briginshaw confirmed that an application had already been received for this site and the local Flood Agency had responded with their advice and had not raised concerns that any issues could not be mitigated. She added that a Plan wide sequential test had been undertaken, which was required and that was incorporated within the Sustainability Appraisal Flood Risk Assessment which illustrated sites with certain types of flood risks. The Committee was advised that there was a need to build on land where there were surface water and ground water flood risks in order to meet the Objectively Assessed Housing Need, however mitigation measures would need to be put in place. Councillor Newton suggested that this site be discussed further outside of the meeting.
- (19) *HEA2* – Discussion took place on the inadequate current infrastructure, which would not be able cope with the increased development. It was noted that Officers had liaised with East Sussex County Council on every site, however they had not commented on this area.
- (20) *HEA1* – In response to a question regarding this allocation, Miss

Brigginshaw confirmed that this site had been submitted via the SHELAA process so there was a desire for it to be developed and the relevant permissions were in place.

- (21) *Horam* – A request was made to remove the word 'good' referring to the shops in Horam, on page 261. In addition, Officers were asked to re-word the sentence which referred to Horam as having a deficit of open space. It was felt that because Horam had 5.7 hectares of recreation ground (14 acres) it was misleading to say it had a deficit. Miss Brigginshaw explained that this deficit arose from an evidence base of green space and was factual so it was required to remain. She added that any new development would not meet that deficit, but was required to meet its own need.
- (22) *Street Lighting* - Mention was made of the fact that the County Council appeared to be erecting street lighting in areas where new developments were taking place, which was not always suitable or appropriate. It was confirmed that there were no plans to add any extra lighting at the entrance to the new crematorium.
- (23) *Cross in Hand* – Clarification was sought as to whether tennis courts within private gardens outside of the development boundary were classified as Brownfield Sites. Miss Brigginshaw advised that she would confirm this outside of the meeting. However she added that the new NPPF did state that it was not an automatic assumption that gardens were deemed as Greenfield.
- (24) *Expansion of shops in sensitive locations* – Mention was made of the small shop fronts within Cross-in-Hand situated on very narrow roads, and the desire to expand these shops perhaps to the rear of the properties. Miss Brigginshaw confirmed that Policy RAS 7 did protect individual shops and would seek to support them to be retained and expand, subject to the other relevant policies within the Plan.
- (25) *Crowborough* – Discussion took place on the three windfall sites in Crowborough. Reference was made to the two sites outside of the town centre, and the fact that one of them had a much better road network than the other. It was asked whether these two sites (003 and 006) could be amalgamated in order to improve flexibility to site the windfall allowance distribution and Miss Brigginshaw advised that this was not possible, as a Habitats Regulation Assessment would be needed to support this and those areas had very different traffic movements. Mr Hannam reminded Members that the Plan would be delivered through to 2028, so it was a long term plan in order to provide the County Council with the opportunities to implement highway improvements where needed.
- (26) *Education Issues* – Concern was expressed at the lack of education provision available to support the proposed developments. The Chairman, Councillor Stedman, advised Members to contact County Councillor Standley, the lead Member for Education, with specific issues in their areas regarding the education provision.

Section Three

- (27) *Core Area* – Miss Brigginshaw explained that a Core Area was a policy tool used to allow a small level of incremental growth in unsustainable settlements, dependent on capacity and subject to Ashdown Forest etc.

Section Four

- (28) *Equestrian Development* – A request was made to include in RAS 9 a further 'subject to', namely that development would not harm the amenity of surrounding residents.
- (29) *Farm Shops and Garden Centres* – Concern was expressed that the Plan favoured High Street shops and it was considered that more support should be given to retail development in rural areas, such as franchises in garden centres. In response to a question regarding the protection of local High Streets, Members were advised that Government guidance was directed towards protecting local shops in the High Street. It was agreed that RAS 10 would be amended to allow for differing circumstances in certain areas.
- (30) *Conversion of Dwellings* – In response to a question regarding 1 and 2 bedroom dwellings being extended and converted to 3-4 bedrooms, and therefore reducing the supply of smaller houses, Miss Briggshaw advised that this was covered by Permitted Development Rights and therefore was not a Local Plan issue, therefore there was no policy.
- (31) *Flooding* – Concern was expressed that the Council could be sued if they approved a development in a flood risk area, which was then flooded at a later date once residents had moved in. Miss Briggshaw advised that planning inspectors had previously allowed developers to build in flood risk areas, subject to mitigation so it was not an unusual situation and the Council would not be at risk of being sued.
- (32) *Mobility Scooters* – it was agreed that mention of these could be included in the accessibility section of the Local Plan.
- (33) *Consultation Process* – Mr Hannam confirmed that the draft Local Plan would go out to consultation from 13 August to 8 October. Councillor Newton stressed the importance of submitting the Plan to the Secretary of State as soon as possible.
- (34) *New Dwellings in the Countryside* – In response to a question, Miss Briggshaw confirmed that the situation of rural workers who needed to live where they worked was covered in the Plan. Buildings related to agriculture use was also included.

The Chairman, Councillor Stedman, thanked the relevant Officers who were involved in drafting the Local Plan, as well as the Councillors for their input. She gave special thanks to Councillor Newton for her hard work and contributions.

Members were invited to email any further concerns, factual comments or typographical errors to the Officers after the meeting.

RESOLVED - To request that the Portfolio Holder for Planning and Development recommends the Draft Submission Wealden Local Plan and the Wealden Local Plan Implementation and Monitoring Framework to Full Council, subject to the comments made by the Joint Planning Committee as identified above.

NOTE:

- (1) Councillor Balsdon arrived at 11.05am during discussion of the above item;
- (2) Councillor S Shing left the meeting at 11.25am;

- (3) The Committee adjourned at 11.35am for a 10 minute comfort break;
- (4) Councillors Dear and Reynolds left the meeting at 11.35am; and
- (5) Councillor Isted left the meeting at 1.05pm.

Councillor Stedman
Chairman