

## MINUTES

### HERSTMONCEUX PARISH COUNCIL PLANNING (PLN) COMMITTEE

Tuesday 20<sup>th</sup> June, 2017, 7.30 p.m.  
Small Hall, Herstmonceux Village Hall

**Councillors in attendance:** Jenny Alder; Jo Angear - **Ch**; Mick Goodsell; Bryan Naish; Stephen Nash; Ian Stewart; Catherine Stirling-Reed.

**Clerk** – Clare Harrison

**Members of the Public** – Two

No.	Agenda Item	Action
1. PLN 17.06.01	<b>APOLOGIES FOR ABSENCE</b>  <b>Apologies had been received from the following Councillors:</b> Malcolm Bradshaw; Heather Kenward.	<b>Apologies to be recorded</b>
2. PLN 17.06.02	<b>DECLARATIONS OF MEMBERS' INTERESTS</b>  i Cllr Goodsell stated he would declare an interest as and when it may occur against matters of private tenders and contract works on trees / hedgerow cutting and other general maintenance issues / works needed in the parish.  ii Cllr Nash declared an interest in Agenda Item 7.2 Application No. WD/2017/0860/F as the applicant is a next door neighbour to Cllr Nash.	<b>Dols to be recorded</b>
3. PLN 17.06.03	<b>DISPENSATION REQUESTS</b> None had been received.	
4. PLN 17.06.04	<b>PUBLIC QUESTIONS OR COMMENTS ON AGENDA ITEMS</b> This item shall last not more than 15 minutes or at Chairman's discretion and no contribution shall last more than 3 minutes.  Members of the public were both present for Agenda Item 7.3, <b>Application No. WD/2017/1174/MRM</b> and so would be invited to speak immediately prior to the item.	
5. PLN 17.06.05	<b>ELECTION OF PLANNING COMMITTEE VICE CHAIR</b> A <b>PROPOSAL</b> was received for Cllr Alder to be nominated as Vice Chair of the Planning Committee. All in Favour.  <b>Cllr Alder was declared Vice-Chair of the Planning Committee</b>	
6. PLN 17.06.06	<b>PLANNING COMMITTEE TERMS OF REFERENCE</b> Review of TOR and recommendations for any amendments for FCL approval The following changes were requested to the Planning Committee Terms of Reference (TOR), to read as:	<b>Recommendation to FCL. TOR to be amended</b>

7. The Committee Chair will be appointed at the Annual Council Meeting'.
8. Meeting dates for the next year will be set at the Annual Council Meeting
19. Removal of this bullet point.
20. Removal of this bullet point as it is a repeat from point 8.

Other changes recommended are:

11. The quorum shall be **four** councillors.

Planning Committee **RECOMMEND to FCL** that the quorum for this Committee be four, to provide continuity in decision making and submission of comments and observations to the Local Planning Authority, as per FCL quorum.

7. **PLANNING APPLICATIONS RECEIVED**

PLN  
17.06.07 Consideration of Planning Applications including those received after this agenda has been published:

7.1 **Application No. WD/2017/0989/FR**

PLN  
17.06.07.1 Application Type: Full - Retrospective

**Expiry date for comments: 23 June 2017** Grid Reference: 561971 112989  
Case Officer: Mr A Battams Tel: 01892 602487

**Comments and  
Observations to  
be submitted**

Location: ERREYS, STUNTS GREEN, HERSTMONCEUX, BN27 4PP  
Description: RETROSPECTIVE APPLICATION FOR AMENDMENT TO APPROVED  
PLAN WD/2015/0684/F - INCREASE IN SIZE OF APPROVED PORCH.  
Applicant: Mr Mark Saunders Agent: Building Technical Services

**Comments and Observations:**

Council wish to remain consistent in their approach.

The former application on this property was objected to on size. Therefore, Council re-issue their objections to the over-expansion of this site, of which the latest development should have been submitted for appropriate planning permissions, prior to its build.

7.2 **Cllr Nash left the meeting at 19.51pm.**

PLN  
17.06.07.2 **Application No. WD/2017/0860/F**

Application Type: Full

**Expiry date for comments: 22 June 2017** Grid Reference: 563569 112561  
Case Officer: Ms A Choudhury Tel: 01892 602473

**Comments and  
Observations to  
be submitted**

Location: BANK HOUSE, GARDNER STREET, HERSTMONCEUX, BN27 4LE  
Description: PROPOSED CHANGE OF USE FROM ESTATE AGENT'S OFFICE TO RESIDENTIAL STUDIO.  
Applicant: Mr & Mrs L Williams Agent: Peter G V Kenward

**Comments and Observations:**

Voting on this application was split, however, the result was to **object** to this application.

- The location of the application site lies within the Neighbourhood Plan retail preservation area. Conversion to residential accommodation would take away potential business from the Parish.
- No meaningful accommodation is gained from this proposal to add to housing stock.
- There is inadequate parking in the immediate vicinity. The designated space in the application removes this facility from a neighbouring five bedroomed family house.
- There is no space for amenities.

**Cllr Nash re-joined the meeting.**

7.3  
PLN  
17.06.07.3

**Application No. WD/2017/1174/MRM**

Application Type: Major Application – Reserved Matters

**Expiry date for comments: 28 June 2017** Grid Reference: 563084 112184

Case Officer: Mr C Bending Tel: 01892 602478

Location: LAND OFF HAILSHAM ROAD, HERSTMONCEUX

Description: RESERVED MATTERS PURSUANT TO OUTLINE PERMISSION WD/2015/0136/MAO (PROPOSED DEVELOPMENT OF 40 NO. RESIDENTIAL DWELLINGS COMPRISING 4 NO. 1 BED APARTMENTS, 9 NO. 2 BED HOUSES, 12 NO. 3 BED HOUSES AND 15 NO. 4 BED HOUSES TOGETHER WITH ASSOCIATED ACCESS, ROADS, PARKING PROVISION AND OPEN SPACE).

**Standing Orders were suspended at 20:15 to allow members of the public to speak.**

Strong concerns were expressed by the MOP regarding the proposals for the waste drainage disposal via a Sewer Treatment Works, as presented in the Reserved Matters application. The MOP is liaising with the Pevensy and Cuckmere Water Level Management Board, East Sussex Flood Management Team (official consultee) and Natural England. The organisations will combine to submit a response as a matter of principal regarding all potential sites that skirt The Levels. Objections for the Reserved Matters will flag up the change from Outline Permissions; increase of flooding issues in the village from additional houses plus sewage; the impact poor or no maintenance would have on the environment; drainage issues from high rainfall. Questions were asked by Councillors.

**Standing Orders were resumed at 20:22.**

A detailed reported outlining comments and observations to this major planning application Reserve Matters had been drafted and circulated. This was to enable a fully considered response and allowed all Councillors an opportunity to agree and amend any detail they felt necessary. The **response document** was **AGREED** in principle, requiring very little change other than some further clarification over the applicant's inference in the Design and Access Statement, (pg 6) that the result of discussion with the

**Comments and Observations to be submitted.**

**Copy of response to Cllr Bentley, who will forward a copy to local MP Huw Merriman; Cllr Long; WGower.**

**Copy of WDC Planning Officer communication to WGower as requested.**

Parish Council was favourable to all of the submitted Reserved Matters, which was stated to be untrue.

**Standing Orders were re-suspended at 20:28** for Councillor questions to MOP.

**Standing Orders were resumed at 20:29.**

**Standing Orders were suspended at 20:39** for further MOP to speak regarding housing layout and considerations for older people and those needing support of Adult Social Care.

**Standing Orders were resumed at 20:41.**

The response document is to include a reminder about a previous request for smaller chalet type properties for Older Residents and those wishing to downsize and continue to reside in the village.

**Council express their comments, observations and concerns to these reserve matters as below:**

This Reserved Matters application is **STRONGLY OBJECTED** to on matters of inappropriate and unsuitable SUDS and Foul Drainage provisions. The applicant has failed to deal with conditions 6,7,8,9 and 10 of the outline Planning Permission WD/2015/0136/MAO.

Outline Planning Permissions for this site were approved on the understanding of the SUDS and Foul Drainage being connected to the mainline sewer, by way of improved pipe networks. This Reserved Matters offers an entirely alternative proposal which is potentially damaging to the local environment, insufficient for needs from the outset and would be ineffective in an area where flooding is already an issue.

**In summary, this Reserved Matters application is STRONGLY OBJECTED to on matters, including the inappropriate and unsuitable SUDS and Foul Drainage provisions. The applicant has failed to deal with conditions 6,7,8,9 and 10 of the Outline Planning Permission WD/2015/0136/MAO.**

**It is noted that the Case Officer has indicated to HPC that SUDS and Foul Drainage are not the subject of this application, however in the opinion of HPC this is totally incorrect. HPC details in this objection the reason for this opinion and respectfully requests that this matter be referred to the Chief Planning Officer and that an urgent meeting take place with HPC and other interested parties to discuss the implications of this application. HPC has the very greatest concerns following the email exchange with the Case Officer that the issues are not being addressed correctly for the protection of the environment.**

**Outline Planning Permission for this site was approved on the basis Foul Drainage being connected to the mainline sewer, by way of improved pipe networks. This Reserved Matters Application offers an entirely alternative proposal, which is potentially damaging to the local environment,**

**insufficient for needs from the outset and would be ineffective in an area where flooding is already an issue.**

The application deals with the Reserved Matters of Appearance, Landscaping, Scale and Layout, which will be dealt with in this response. In the Layout response we will deal with the failure of the applicant to deal with Conditions 6,7,8,9 and 10 of the Planning Permission WD/2015/0136/MAO and SUDS.

**The current application seeks to imply into approval of the Layout a completely different foul drainage and SUDS scenario than that for which permission was granted under WD/2015/0136/MAO.**

For the record HPC notes that in its Design and Access Statement (DAS) the Applicants state that the Design arose in part following discussions with HPC. HPC was pleased that the Applicants did consult and HPC were able to assist. However, it should not be implied that HPC agrees with all aspects of the current application.

**1. Appearance**

HPC were pleased with the proposed appearance of the dwellings. However, HPC would wish to ensure that the proposals if approved are “written in stone” and not changed without further applications and consultations with HPC.

HPC is mindful that the development at North Lodge Herstmonceux by Town and Country Housing (the owners of the Applicant company) started life as a development of tile hung Wealden type properties and ended up looking a complete eyesore that does not blend in with the remainder of the Parish. It is unfortunate that Wealden District Council approved these changes without any further consultation with HPC. It is noted by HPC that senior members of the officer Planning Team at Wealden District Council have agreed that North Lodge is a very poorly designed development. HPC wishes to ensure that this cannot and will not happen again.

**2. Landscaping**

HPC notes that although the DAS refers to some minor detail it does not deal with the requirements of Conditions 14 and 15 of the permission was granted under WD/2015/0136/MAO. HPC believes that some trees have already been removed from the site; fencing erected and therefore requires that this permission be not granted until:

- a full and detailed Landscaping Scheme is submitted and the Ecology and Archaeological Issues are dealt with as required by the WD/2015/0136/MAO
- an order issued that no further work be undertaken on site until the condition referred to above are complied with by the applicant.

### 3. Scale

HPC notes that the type and scale of the buildings proposed is set out in the DAS.

HPC would like to point out that during discussions with the Applicant, there was a request for a small number of chalet type properties for the Older Residents to purchase who wish to downsize and continue to reside in the village. HPC is disappointed that this has not been acknowledged in the design and layout of the site and provided these wishes are included then HPC has no objection.

### 4. Layout

HPC notes the proposed layout of the site with the roads and open spaces and would prefer that the Intermediate, Social and Affordable Rent and Shared Ownership dwellings were more widely distributed in the development rather than all concentrated in the Eastern end of the site.

**HPC has MAJOR concerns about this application and its implication in the DAS and this application of the layout of the Foul and Surface Water drainage systems. HPC believes that these issues need to be addressed before the current application is approved.**

The Applicant in the Layout Plan and the additional "Below Ground Drainage Strategy – Layout Plan" has set out a Foul and SUDS scheme. These two plans are part of the current Reserved Matters application.

**The Applicant seeks to obtain tacit approval to the revised scheme by the back door! Approval of these two plans implies without doubt the approval of the revised Foul Sewerage and SUDS scheme. If the Foul drainage and storm water were to be connected to the existing drainage system the drains would be in an entirely different format and location.**

HPC do not understand why this is not understood by the Wealden District Council Case Officer.

HPC have been requested by the Case Officer to state its views on the Foul Drainage and SUDS situation and these are as follows:

#### 4.1 Foul Drainage

Whilst it is appreciated that Licences may have to be granted by other bodies, such as the Environment Agency, to the proposed scheme HPC believes that it is beholden on Wealden District Council under Planning Legislation and the Permission WD/2015/0136/MAO already granted to refuse this Application.

The Applicant in its discussion with HPC seemed to be unaware of the foul drainage problems in the village. When asked by HPC where it was going to connect the foul drainage the Applicants representatives pointed to the



main sewer in the A271 road. It was pointed out to the applicant that this was a major problem as the pipe work leading to the treatment plant lacked capacity.

There is no doubt that a Packaged Sewerage Treatment Plant is a cheap solution for the Applicant to the detriment of the environment.

The history of the problem is clear. HPC notes that in Southern Water's letter of 16 February 2015 to Wealden District Council Planning Department in response to WD/2015/0136/MAO it stated in no uncertain terms that:

"there is currently inadequate capacity in the local network to provide foul sewerage disposal to service the proposed development"

and

"Additional off-site sewers, or improvements to existing sewers, will be required..."

Southern Water sought to have conditions imposed to prevent the increased risk of flooding of foul sewerage from the proposed development. Southern Water suggested a Condition in the then planning application, which requested that the Developer "enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development..." but this was not imposed in the form Southern Water required when Wealden District Council granted the permission.

The permission WD/2015/0136/MAO did impose as mentioned above conditions but these clearly have not been addressed by the Applicants.

The proposed Packaged Treatment Plant states that it is to provide for the additional 40 homes BUT

- It will actually have to deal with 46. The Layout Plan, for which approval is sought, states that it is intended to connect the 4 existing house in Ferndale (and the two additional dwellings at Ferndale for which permission has already been granted) to the proposed Packaged Treatment Plant. The proposed Plant is for 40 dwellings and is immediately inadequate and over capacity!!! This evidences the lack of planning from the Applicants!!
- The plant is immediately above the Attenuation Pond for SUDS and any excess outflow would drain first in to this pond
- There does not appear to be any right for the applicants to drain in to the adjacent stream. The Applicant only has the right to drain from the site at the same quantity and rate of flow as exists. This is, of course, a private issue between the Applicant and the adjacent landowner but Wealden District Council must take this in to account
- The stream adjacent drains into the highly protected Pevensey Levels. It is appreciated that Licences may be required for the Environment Agency but Wealden District council has an overriding

obligation under the Planning Conditions imposed in WD/2015/0136/MAO to protect the environment.

- It is noted that the adjacent site at Collins has permission for 17 homes with a Packaged Treatment Plant. This means that if granted under the current application there are potentially SIXTY THREE (63) dwellings discharging into the SSSI and RAMSAR protected Pevensey Levels. This is an unacceptable risk.
- HPC has videos of the stream in full flood without the increased outflow from the proposed development. This causes road flooding downstream and increased flooding on the Pevensey Levels.

#### **4.2 SUDS**

The Applicants have not provided an adequate scheme within its application.

- The Attenuation Pond drains into the adjacent stream. As stated above there is not believed to be any right to do so at present.
- The incapacity of the stream is mentioned above. This would be exacerbated by a micro storm, which could not be dealt with by the Attenuation system. This type of storm is not uncommon locally and has caused severe flooding in Willingdon and Eastbourne.
- No account appears to have been taken of any springs on the site. It is known that the adjoining Health Centre and Village Hall have had to take these in to account.

#### **8. CONSENTS, REFUSALS, WITHDRAWALS & APPEALS**

PLN Notification of notices received, including those arriving after agenda has  
17.06.08 been published. All decision notices were acknowledged.

##### **WDC Approval:**

##### **Application No. WD/2017/0433/F**

PROPOSED CONSERVATORY TO REPLACE EXISTING CONSERVATORY.  
SOUTHLEA, STUNTS GREEN, HERSTMONCEUX, BN27 4PR

##### **Application No. WD/2017/0129/LB & Application No. WD/2017/0130/F**

REMOVAL OF SANDTEX EXTERIOR PAINT FROM BRICKWORK AND  
RENDERING OF EXTERNAL WALLS WHERE APPLICABLE WITH LIME RENDER.  
RENOVATION OF OTHER EXTERNAL RENDERING. REPLACEMENT OF SOME  
BROKEN GUTTERING/ RAINWATER  
GOODS at PASTURES, CHURCH ROAD, HERTSMONCEUX, BN27 1RJ

##### **Application No. WD/2016/2951/F**

THE DEMOLITION OF AN EXISTING AGRICULTURAL BUILDING AND THE  
ERECTION OF A NEW DWELLING. UPPER HOUSE FARM, NEW ROAD,  
HERSTMONCEUX, BN27 1PX



**Application No. WD/2017/0732/F**

PROPOSED FIRST FLOOR EXTENSION AND LOFT CONVERSION WITHIN  
EXISTING ROOF AND NEW WITH PORCH REPLACEMENT. 20 FAIRFIELD,  
HERSTMONCEUX, BN27 4NE

**WDC Appeals:**

Appeal Ref: **APP/C1435/W/17/3167086**

Robin Post, Gingers Green, Herstmonceux BN27 4PT

**Appeal Dismissed** Decision date: 11 May 2017

9. **FORMER PUBLIC CONVENIENCE**  
PLN i FCL agreed Next Steps discussions follow up  
17.06.09

No further discussions were needed as this item was discussed at FCL on  
the 19<sup>th</sup> and actions agreed.

**Member of the Public left at 20:52**

10. **ITEMS FOR NEXT MEETING**  
PLN Clerk – to  
17.06.10 convene meeting  
It was **AGREED** that and Extra-Ordinary Full Council meeting would be  
convened, from 7.00 – 7.30pm, on Monday 17<sup>th</sup> July, for presentation of  
the Full Neighbourhood Plan and associated documents to be approved for  
submission to WDC.

**CLr Alder gave her apologies for the next Planning Committee meeting.**

11. **CLOSE OF MEETING**  
PLN The meeting closed at 20.52.  
17.06.11  
Date of Next PLN(COM) Meeting 11<sup>th</sup> July, 2017