

MINUTES

HERSTMONCEUX PARISH COUNCIL PLANNING (PLN) COMMITTEE Tuesday 1st February 2022 7.00 p.m. Herstmonceux Village Hall

Councillors in attendance: Jenny Alder; Jo Angear; Ketill Game; Graham Lee; Heather Kenward; Bryan Naish; Ian Stewart; David Harding; Emma Goodsell; Peter Watson.

Wealden Councillors: Cllr Pam Doodes

Council Staff in attendance – Clerk and Admin Officer

Members of the Public – Two

| Minute no | Item | Action |
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| 1. PLN_22.02.01 | APOLOGIES FOR ABSENCE The Chair opened the meeting at 19.00 pm, thanked everyone for coming and reminded all that this meeting was being recorded. Apologies had been received from the following Herstmonceux Parish Councillors: Nick Porter | Apologies accepted and recorded |
| 2. PLN_22.02.02 | DECLARATIONS OF MEMBERS' INTERESTS As at beginning of the administration term. Declarations specific to this agenda: There were none. | Declarations recorded |
| 3. PLN_22.02.03 | DISPENSATION REQUESTS None. | Dispensations noted |
| 4. PLN_22.02.04 | PUBLIC QUESTIONS OR COMMENTS ON AGENDA ITEMS This item shall last not more than 15 minutes or at Chairman's discretion and no contribution shall last more than 3 minutes. | |
| 5. PLN_22.02.05 | PLANNING APPLICATIONS RECEIVED FOR CONSIDERATION, COMMENTS AND OBSERVATIONS FOR SUBMISSION TO WEALDEN DISTRICT COUNCIL | |
| 5.1 | Info only - Agreed by Email and submitted under Clerks Delegated Authority 05.01.2021 Application No. WD/2021/2548/LB Application Type: Listed Building Consent Expiry date for comments: 11 January 2022 Location: COWBEECH HOUSE, COWBEECH. BN27 4JF Description: THE REMOVAL OF ROTTEN FLOOR JOISTS IN KITCHEN AND REPLACEMENT WITH NEW This application was supported, subject to Listed Building Officer approval of the plans. | |
| 5.2 | Information only - Permitted Development Application No. WD/2021/3003/LDP Location: HERSTMONCEUX CASTLE, WARTLING ROAD, WARTLING, BN27 1RN Description: REMOVAL AND RELAYING OF EXTERNAL TERRACE ON WEST SIDE OF CASTLE WITH WATERPROOFING. ALTERATION TO OIL SUPPLY FEED | |

Comments and Observations:

This application is supported. All in favour.

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| 5.3 | <p>Application No. WD/2021/2998/MFA Application Type: Major Application - Non-compliance of Condition Expiry date for comments: 3 February 2022 Case Officer: Mrs C Turner Tel: 01892 602541 Location: LAND ADJACENT TO LIME CROSS RECREATION GROUND, GARDNER STREET, HERSTMONCEUX Description: MINOR MATERIAL AMENDMENT TO WD/2018/1584/MRM (RESERVED MATTERS PURSUANT TO OUTLINE PERMISSION WD/2015/0090/MAO (ERECTION OF UP TO 70 RESIDENTIAL DWELLINGS (INCLUDING AFFORDABLE HOUSING), VEHICULAR ACCESS FROM GARDNER STREET, OPEN SPACE, LANDSCAPING INCLUDING SUSTAINABLE URBAN DRAINAGE SYSTEMS AND ALL NECESSARY GROUND WORKS) INVOLVING VARIATION OF CONDITION 5 TO ENABLE THE SUBSTITUTION OF THE APPROVED SCHEDULE OF ACCOMMODATION (REV K) WITH THE SCHEDULE OF ACCOMMODATION (REV P01) DATED 23 FEBRUARY 2021. Applicant: Clarion Housing Group Agent: Barton Willmore LLP</p> | <p>Comments and observations to Planning at Wealden</p> <p>Clerks to request further meeting following submission of comments</p> |
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Comments and Observations:

Please see **below**.

Council felt strongly that this application does not meet local needs with the future of the properties being managed and owned by Clarion and no freehold properties available for full purchase.

Standing Orders closed at 19.21 to allow questions be put to Cllr Pam Doodes.

Cllr Doodes emphasised the importance of the Herstmonceux Neighbourhood Plan regarding homes to allow local residents to stay in the area which may not be possible if homes are 100% affordable.

Standing Orders re-opened at 19.2

Cllr Doodes will request this application be called in and presented to Wealden Planning Committee South for determination, but wanted Council to note that it is classed as a 'minor amendment application', however conflicting this description is locally to Herstmonceux Parish.

Proposed by Cllr Alder to adopt the response below. Seconded Cllr Game. **All in favour.**

Land Adjacent to Lime Cross Recreation Ground

WD/2022/2998/MFA

Herstmonceux Parish Council very strongly object to this application and are looking to Wealden District Council to support us, our existing and our future residents by refusing this application.

The application states it is a "**Minor Amendment**" to WD/2018/1584/MRM and WD/2015/0090/MAO.

It is not **Minor** but a **seriously major variation** which could have far reaching consequences for Wealden D C. **It is also non-compliant with the legally binding provisions of the Herstmonceux Neighbourhood Plan.**

Herstmonceux Parish Council does not object to any development with a maximum 35% affordable housing allocation. In addition to the 35% agreed affordable housing on this site, the parish has more affordable housing in the pipeline. As a Parish Council representing 3 village and outlying communities, we want to ensure that any new housing provides for all our requirements or we would not be upholding our duties. We need a variety of properties for purchase ie different sized family homes, downsizing accommodation and smaller properties to enable our young to start on the property ladder within their own community.

The Applicant has tried to get 100% affordable housing in the past under s69A T&CPA 1990 but this was refused by Wealden District Council as it was contrary to Wealden District Council's policy of no more than 35% affordable housing in developments and required consultation on the Applicants proposals. The wording of the application purports to state that "the change to the Accommodation Schedule is to facilitate **further discussion** with Wealden District Council on the quantum of affordable homes that then Site could deliver".

In reality the amended wording to the s106 Agreement effectively gives the Applicant 100% control over the number of Affordable homes. The new definition of "**Affordable Housing Tenure Plan**" is wide and effectively the Applicant could proceed with their wish for 100% affordable homes.

Wealden District Council recently won a court case against developers Stonewater, who applied for 100% affordable housing to avoid paying C.I.L.. The current application, if passed, could have very serious consequences for Wealden D C.

C.I.L. is not relevant to this application but this application, seeking to avoid the failed review under S96A of the T&CPA 1990 and using the **minor material amendment** route, if it were successful could result in another developer in the future applying for 100% affordable, using the permission granted under this application as a precedent. This would mean that Wealden D C and its residents would not receive any C.I.L. The developer would profit and the community would get no help with its infrastructure.

The Application does not conform with the fully legally binding Herstmonceux Neighbourhood Plan. Herstmonceux Parish Council wants 35% affordable and a mix of other types of properties to comply with its Neighbourhood Plan.

The relevant policies that are not complied with are:

Policy 1 Section 2 where it states that proposals must deliver sustainable development which improves the environmental, social and economic conditions in the area, in particular those that meet local need and deliver community benefit. Our Council does not believe that 100% affordable as desired by the applicant is sustainable and has great concerns that shared ownership is under review by Central Government and others as non-viable. It is also noted that some Housing Associations have been under great criticism for their total failure to maintain some affordable rented accommodation.

Policy 13 whilst relating to Windfall Sites (which this site was effectively one as it was outside the Development boundary) states “New housing developments will be expected to provide for a mix of dwelling size, type and tenure that meet the identified housing needs of the community. This includes affordable housing, and where appropriate, Starter Homes and housing for older people.”. The Applicants proposal totally contras this statement.

Policy 14 states “The Herstmonceux Parish Neighbourhood Plan will support proposals for the development of a range of housing for older people, available to rent or to purchase, and the provision of sheltered and affordable housing, provided that proposals are in conformity with other relevant policies.

Particular support shall be given to proposals that are located close to village facilities and services and which provide smaller dwellings built to appropriate standards, such as those for accessible and adaptable dwellings as set out within the Building Regulations M4 (2), specialist care homes and purpose built sheltered housing.”. The Applicants proposal for 100% affordable again totally fails to meet this policy and the needs of the Community. Affordable housing has rules that preclude downsizing and the like and also you do not comply if you have previously owned a property of any sort.

In the applicants submission there are various statements which we dispute. In the supporting documents and in particular Section 4.0 it states that whilst there is no statutory definition of “minor material amendment” where the scale or nature “is not substantially different from the one which has been approved”. The reality of the amendment by the removal of the schedule of accommodation and replacing it with the bland wording of the revised s106 agreement will have a major and potentially completely different effect on the development. The application and the evidence supplied will result in development that is 100% different from the original application.

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| 5.4 | The item was brought forward to agenda item 5.1 | Comments and observations to Planning at Wealden |
| | Application No. WD/2021/3024/F | |
| | Application Type: Full | |
| | Expiry date for comments: 8 February 2022 | |
| | Case Officer: Sally Simpson | |
| | Tel: 01892 60255 | |

Location: HEDGEHOG COTTAGE, STUNTS GREEN,
HERSTMONCEUX, BN27 4PR
Description: ERECTION OF SUN ROOM AND SUMMERHOUSE

Comments and Observations:

This application is supported.

Proposed Cllr Kenward, Seconded Cllr Stewart. **All in favour.**

5.5

WD/2021/3091/F and Application No. WD/2021/3092/LB

Application Type: Listed Building Consent

Expiry date for comments: 14 February 2022

Case Officer: Mrs S Buckingham

Tel: 01892 602707

Location: HERSTMONCEUX PLACE, FLAT 5, CHURCH ROAD,
FLOWERS GREEN, HERSTMONCEUX, BN27 1RL

Description: PROPOSED ALTERATIONS TO TWO EXISTING
EDWARDIAN SASH WINDOWS ON SOUTH ELEVATION OF
THE HOUSE AT GROUND FLOOR LEVEL. ONE WINDOW TO
BE CONVERTED INTO NEW OPENING BY DISMANTLING
BRICK APRON AND INSTALLING NEW TIMBER DOUBLE
DOORS TO PROVIDE ACCESS TO EXTERNAL TERRACE.
REMAINING WINDOW TO BE ALTERED TO MATCH
APPEARANCE OF NEW DOUBLE DOORS TO MAINTAIN THE
SYMMETRY OF THE ELEVATION.

Applicant: Sir Philip & Lady June Dilley

**Comments and
observations
to Planning at
Wealden**

Comments and Observations:

Council considered the comments in the Wealden Head of
Planning and Environment Services letter dated 11.05.2021 and
the presented application. Whilst sympathetic to the reasons for
the application, Council does not support this application,
regarding the plans not to be in keeping with the original listed
building, or aesthetically pleasing.

Proposed Cllr Game, Seconded Cllr Alder. There were 2
abstentions. **All others in favour. Comments to be submitted.**

6.
PLN_22.02.06

**NOTICES OF CONSENTS, REFUSALS, WITHDRAWALS,
APPEALS, ENFORCEMENT RECEIVED FOLLOWING
PUBLICATION OF THIS AGENDA**

Noted

Consents

Application No. WD/2021/1263/O

OUTLINE APPLICATION FOR THE ERECTION OF A
DWELLING AND NEW INTERNAL DRIVEWAY HAZELDENE,
CRICKETING LANE, HERSTMONCEUX, BN27 1QL

Application No. WD/2021/1555/F

CONVERSION OF GARAGE INTO STUDIO FOR HOME
WORKING AND AMENDMENTS TO
GRANNY ANNEXE WHICH INCLUDE ALTERATIONS TO
WINDOWS AND DOORS .

HOLLINGWOOD, THE OLD COACH HOUSE, CHILSHAM LANE,
HERSTMONCEUX, BN27 4QG

Application No. WD/2021/2631/F

TWO STOREY SIDE EXTENSION WITH NEW ENTRANCE
PORCH.

2 WARGROVE COTTAGES, LOWER ROAD, HERSTMONCEUX,
BN27 1QG

Application No. WD/2019/0543/RM
RESERVED MATTERS PURSUANT TO OUTLINE PERMISSION
WD/2015/1379/O (FOUR NEW DWELLINGS AND ACCESS).
LAND OFF WEST TERRACE, WEST END, HERSTMONCEUX,
BN27 4NT

Application No. WD/2021/1945/LB
ROOF REPAIRS INCLUDING RETILING OF NORTH EAST
ROOF SLOPE
ROSE COTTAGE, CHAPEL ROW, HERSTMONCEUX, BN27
1RB

Application No. WD/2021/2550/F
PROPOSED SIDE EXTENSION ALTERATIONS & ADDITIONS
LITTLE DALMORE, VICTORIA ROAD, HERSTMONCEUX, BN27
4TG

Application No. WD/2021/1572/F
CONSTRUCTION OF EXTENSION TO EXISTING
AGRICULTURAL BUILDING TO PROVIDE
STORAGE FOR ANIMAL FEED AND BEDDING.
DEUDNEYS FARM, OLD ROAD, HERSTMONCEUX, BN27 1PU

7.
PLN_22.02.07
- i Any significant information to note or action
As per above agenda item

8.
PLN_22.02.08
- ONGOING APPLICATIONS AND ITEMS – UPDATES WHERE AVAILABLE**
- i Horseshoe at Windmill Hill
Street Naming & Numbering SNN1433D, Development at
The Horseshoe Inn, Comphurst Lane. Respond to WDC
by 03.02.2022. Options as below:
Weald Place
Horseshoe Place
Other suggestions made on the night – Posey Place

Comments to
WDC

Herstmonceux Parish Council felt that whilst the suggestion including the word Horseshoe above was reasonable and reflective of the history of the site, they did not like the use of 'place'.

They would therefore like to propose that the Street Name be **Horseshoe Close. All in favour.**

- ii Horseshoe at Windmill Hill - any other updates
Circulated and posted on social media.
 1. The site is due to be hoarded and painted
 2. The old pub will be demolished towards the end of February
 3. We expect to start construction of the new houses during March and April
 4. The new pub site will be marketed for sale (by local commercial agents Dyer & Hobbis) shortly
 5. We anticipate completing the new residential properties before Christmas. They will be marketed off-plan from around May 2022
 6. We will remove the benches on Posey Green as soon as possible as requested
 7. We will transfer Posey Green once the car parking spaces have been implemented. I expect this will be in Q3 / Q4. Posey Green is on a separate title so this should be very straightforward.

Committee Discussions for Clerk's communication to developer:

Flag Pole – keep if they are in good condition. Fibre Glass. **Cllr Goodsell to undertake a preliminary check of them.**

Correspondence with developer and demolition team

Picnic Benches – keep 2 on the green. Cllr Alder to identify which benches HPC will ask to be retained.

iii Community Land Trust – any updates
None received.

iv Update from Eastwood Farm, Chilsham Lane
An update that had been received from the owner had been circulated.

'Work is progressing well at Eastwood, and we're hoping to be finished in mid Feb 2022'.

v Wealden Local Plan
No update apart from keeping to timescales and portfolio leader meeting with high profile MPs, particularly in relation to development numbers.

9.
PLN_22.02.09

CORRESPONDENCE FOR NOTING INCLUDING THAT RECEIVED AFTER PUBLICATION OF THIS AGENDA

i Correspondence between resident and Chris Bending – SHELAA query

Clerks actions

To support residents understanding of the SHELAA exercise, it was suggested that a link to the WDC council relevant page be added to the HPC website.

ii Over Development in Wealden – lobbying letter from Wealden Parishes (6th December 2021) to Rt. Hon Michael Gove MP and follow up communications – as per report in WDALC draft minutes, 12th January 2022

iii Discussion and Agreed action for Herstmonceux Parish Council for working in conjunction with other Councils in and around Wealden, in expressing concerns about central government planning strategy and its impact on constituency areas. **Inclusion in any forums.**

10.
PLN_22.02.10

ITEMS FOR NEXT MEETING

Woolpack updates.

S106 footpath include bin and bollards

11.
PLN_22.02.11

CLOSE OF MEETING

The meeting closed at 19.57

Date of next meeting – 1st March 2022