

WESTHAM PARISH COUNCIL

DRAFT MINUTES OF THE FULL COUNCIL MEETING OF

12th September 2016

held at The Amenity Hall, Stone Cross

56 Present

Councillors K Stevens, G Garner, N Beaney, F Durling, A Lovell, J McClarty, G Parsons, R Perrin and T Bruce.

County Councillor M Pursglove, District Councillor Clark, A Stevens (Clerk) and three members of the public were also in attendance.

57 Apologies for Absence

Apologies for absence were received from Councillor T Comerford and accepted by those present.

Apologies for absence were also received from District Councillor D Dear.

58 Minutes of the Previous Meeting

The Minutes of the Full Council Meeting held on 18th July 2016 were read, confirmed as a true and accurate record and signed by the Chairman.

59 Clerk's Report

The Parish Council received notification that an oak was felled in Peelings Lane recently. Councillor McClarty asked the Parish Council to consider applying for tree preservation orders to protect the others. This will be an agenda item for the October meeting and Councillor Durling will carry out a site survey in the meantime.

60 Disclosures of Interests

No disclosures of interests were declared at this point, nor were there any changes to the Register of Interests.

The meeting was then suspended.

61 Reports from the County Councillor

County Councillor Pursglove said he has nothing new to report from County because of the summer break but he has been dealing with complaints about the verge cutting in the meantime.

62 Report from the District Councillors

District Councillor Clark updated everyone on the New Homes Bonus, Planning, Finance, Parking and Events from the District Council. A full copy of District Councillor Clark's report is available upon request.

63 Questions from Members of the Public

Residents asked if Wealden's housing numbers in the latest Local Plan will be reduced now Eastbourne has announced it has enough land to meet its housing need. District Councillor Clark said she will find out and report back.

Mr McMillan from Foxes Hollow Residents' Association reported;

- there has been an increased amount of out of hours work taking place on the Wells development.
- the brambles on the central path through the estate need cutting back more than twice a year.

The meeting was then re-opened.

64 Reports on Committee Meetings held

There have been no Committee Meetings since the last Full Council Meeting.

65 Reports from Outside Meetings

Councillor Stevens attended the September Planning Panel Meeting at Wealden District Council. The District Council is currently carrying out studies to support the proposed new Local Plan and new sites are being put forward to be assessed for development. Traveller Sites are also being reviewed and plans are being submitted for a new crematorium near Horam. Development boundaries and conservation areas are also being looked at.

Councillor McClarty said as Chairman of the Westham Conservation Group, he called a meeting to brief Westham residents on the latest Wealden Local Plan. Residents who attended the meeting were asked to complete a form containing five questions. The Group will collate the responses and compile a report which they will send to Wealden. They will also let the Parish Council have a copy.

66 Westham Pond

The Clerk had previously distributed the report from the recent Ecological Assessment of Westham Village Pond to the Councillors and Councillor Durling asked when the second samples will be taken. The Clerk will find out and report back.

67 Neighbourhood Plan

Councillor Stevens distributed copies of Wealden's Guide to Neighbourhood Planning. The revised Local Plan is going to its Full Council on 23rd November but should be on the Wealden District Council website before then. A consultation period will then follow. A Neighbourhood Plan will need to comply with the new Local Plan. It was reported that the current land supply for housing has fallen to 3.9 years which is of concern as it puts pressure on planning applications and reduces AOB protection. Wealden are seeking to have the 5 year requirement reduced because of Wealden's unique position.

A new Neighbourhood Planning Bill was introduced to Parliament on the 7th September and a second reading will take place next month. It is expected to simplify and quicken the Neighbourhood Plan process so if the Parish Council was to produce a Plan it may be better to wait.

Councillors Lovell and McClarty suggested Neighbourhood Plans may not be the best way forward.

Councillor Durling asked how we can protect our assets without one. The Clerk said the Parish Council can apply to put any assets on the Community Asset Register. Councillor Durling asked for Neighbourhood Plan update/Community Asset Register to be an agenda item for the next Full Council Meeting.

68 Business Plan

Councillors **resolved** to form a Working Party to review the Business Plan in line with SSALC's guidelines. The Working Party will consist of Councillors Stevens, Garner, Parsons, Lovell, Durling, McClarty, Saxby and Comerford. Councillor Stevens will email Councillors and ask what they would like the Parish Council to achieve over the next three to five years. The Working Party will then meet and draft a 'wish list' which will be turned into a report for the next appropriate Council Meeting.

69 Westham High Street –

- i: to consider working with Pevensey Parish Council to form a Working Party to try and stop 44 tonne lorries driving through Pevensey and Westham High Streets.

Councillors discussed whether or not to form a Joint Working Party with Pevensey Parish Council but agreed that the road needs to be downgraded before anything can be done. Councillors decided instead to write to ESCC to see if they will downgrade it.

- ii: to consider funding hanging baskets in Westham High Street.

Councillors **resolved** by six votes to three to supply and install hanging baskets on twelve lamp posts in Westham High Street. The Parish Council will meet the initial cost of £1240.72 and maintenance of £1246.56 for the first year. Businesses have been approached for sponsorship but none were forthcoming.

- iii: to consider approaching Highways for a loading/unloading area near Vines Flowers.

Councillors discussed whether or not to ask County to provide a loading/unloading area near Vines Flowers in Westham High Street. Councillors resolved by six votes to three not to take this matter forward.

70 St John the Baptist Trust

Councillors **resolved** unanimously that Denise Marples continues as the Parish Council's representative on the St John the Baptist Trust.

71 Questions from Parish Councillors

Councillor McClarty asked;

- if the Parish Council can have copies of the 'licence to cultivate' given to residents in Romans Way by County. The Clerk will make enquiries to ESCC.
- the Parish Council to keep chasing for a collapsible bollard in Peelings Lane alongside Foxes Hollow. The Chairman suggested it might be better to defer this until after the erection of collapsible bollards have been installed at the Wells site which was agreed.

Councillor Bruce asked;

- the Parish Council to commend the landlords of the Heron and the Red Lion for their hanging basket displays.
- the Parish Council to seek sponsorship or consider adopting the mini roundabout by Tesco.

Councillor Garner drew Councillors attention to two letters thanking the Parish Council for its help with the Summer Fayre.

Councillor Beaney reported the car park barrier has been hit again.

72 Planning Applications

The following planning applications were considered;

WD2016/1602LB – Brick Barn, Peelings Manor Farm – Strip roof tiles to allow for treatment of timber roof beams on the barn and adjoining veranda. Replacement guttering. Re-leading of valleys if necessary – Westham Parish Council has no objections on any planning grounds to this application.

WD2016/2160F – Land between Memorial Hall, Peelings Lane – Erect block of three garages. – Westham Parish Council objects to this application because the access is poor and potentially dangerous.

WD2016/1629MRM – The Wells, Rattle Road - Reserved matters pursuant to WD2013/1564/MAO for the development of phases 2 and 3 for 189 dwellings together with access roads, footpaths, drainage, associated car/bicycle parking provision, groundworks, landscaping and infrastructure.

Westham Parish Council objects to this application on the following grounds;

The northern edge of the site borders Peelings Lane which is an ancient, 'sunken lane'. It is part of the original route from Polegate to Pevensey Castle and port. Two sections of Roman Road have been found here. The hedgerows are continuous with the 'Ancient Woodland' at Pickens Wood and contain many ancient woodland species. One section of the hedge has 9 different native tree species which indicates an age of at least 900 years. The sunken section next to the development is particularly wildlife sensitive, with evidence of badgers, ground nesting bees, and diverse native flora.

Vehicle traffic is minimal. The lane is part of the 1066 long distance tourist footpath and the E9 European Walking Route. It is much used by cyclists and children. Westham Village Conservation Group has spoken to Mellisa Cooper the Conservation Officer for Wealden District Council who said that the lane is likely to meet the local listing criteria for designation as a 'Local Heritage Asset'. Sussex Wildlife Trust and an Environment Agency expert have said that the lane should meet 'Local Nature Reserve' criteria. This official designation takes time. It is essential that the lane which is a precious local health, wildlife and income generating resource is not damaged by the proposed housing development. Local businesses rely on tourist income.

There are many factors in the substantially revised plans for phase 2 and 3 which would drastically reduce the wildlife, aesthetic and amenity value of the landscape. These are some OBJECTIONS :-

1. The previous plan included a more robust, "Reptile Mitigation Strategy", with a permanent grass border, ("to be cut on a 3 year rotation"), around the residential areas to provide managed habitat. This has been significantly reduced. Also all public amenity and wildlife space needs to be enshrined in perpetuity in some way. A robust wild life friendly management plan needs to have a mechanism to ensure that it is implemented.
2. The previous plan for phase 3 had a perimeter road at the north running parallel with a grass buffer zone bordering Peelings Lane. The new plan has houses with gardens backing onto a noise reducing fence. Then a thin strip of grass in front of the Peelings Lane hedge. The concern is that fences will deteriorate over the years. There will be a huge temptation for residents to incorporate the grass strip and the ancient native hedge into their gardens and to block access for maintenance. Thus destroying much of the wildlife and heritage value of the lane. Jess Price from Sussex Wildlife Trust (SWT) objects to the new line of the houses and gardens as there is not a wide enough buffer zone between the hedge, reptile habitat and the houses/ gardens. This contradicts condition 14 of the outline application. See important objections and comments from Jess at the end of this. Jess states that "the developers need to make the ecological plans for phase 2 & 3 much clearer before Wealden District Council can make an informed decision". Please see the document below.
3. Phase 2, the northern border with Peelings Lane. Some of the planned houses have gardens extended right up to the lane hedgerow with no wildlife buffer zone. This would damage the character of the lane. Cat and dog predation would increase.
4. Height of housing planned for the north edge against Peelings Lane. 4 dwellings are 2.5 x height (in effect 3 stories high). The others are 2 stories plus a high pitched roof. This will impinge upon the character of the lane and wildlife. Roof heights should be high standard energy efficient flat roofs to reduce the visual impact. The 3 story buildings should be positioned further south in the development to reduce the impact on the lane.
5. Pedestrian access to Peelings Lane there are 2 access points planned. The eastern one has drop down bollards for emergency access. These access points need to be constructed with a design sensitive to the existing ancient hedgerow and 'sunken lane'. Drainage pipes beneath the access need to be easily maintained to minimise blocking of the ditch and flooding of the lane.
6. Flooding, Peelings Lane floods every year and at the bottom of Rattle Road floods 9 out of ten years, there is a high risk of increase. The reliability of the SUDS, holding ponds and sewer plans is being questioned by ESCC Flood Authority in their comments which request changes and more detail.
7. Original reptile mitigation plan for retention of existing wildlife pond:- This has disappeared from the plan. The pond is likely to contain Great Crested newts as the local area is recorded as a 'Hot Spot', for them. Ponds used for SUDS are likely to have contaminants from road run off and habitation which are detrimental to wildlife.
8. Comments from a neighbour, a resident in Rattle Road has suggested linking the estate with the A27 to the north. This would totally destroy Peelings Lane and be prohibitively expensive.
9. Traffic increase from hundreds of new houses on both sides of Rattle Road and increased accident risk. A new 30 mile an hour limit from the estate access should extend all the way east to the Gallows Lane roundabout. Cars speed up when they go down the hill. A lady standing on the pavement the other side of the Rattle Stream was

killed by a car a few years ago. Over the last 10 years at least 3 cars have been destroyed by veering off the road when driving too fast down the hill and up the other side. In another accident a motor cyclist has received severe injuries.

Sussex Wildlife Trust have commented with their objections to the plans. Please see the document below which was sent to Councillor Durling on 19th August 2016.

'Dear Fiona

Thank you for sending all this through. I have had a look at various documents from all three applications and can understand your concern. The reptile mitigation strategy presented within the Wildlife Management Plan - which was produced to discharge a condition from the original outline planning permission - clearly shows that the reptile mitigation fence crosses some of the new development areas in both phase 2 and 3. This seems to be because the layout of phase 2 and 3 has changed quite significantly from the proposed layout in the outline application.

Therefore the question is whether the reptile mitigation on these two fields has started. If the work has already happened, i.e. the exclusion fence was laid along the original red line and reptiles translocated to the other side of it, then I don't see how they can start to develop the site without moving the fence to the new line and doing more translocations. If the mitigation work has not happened yet, then the developers could just get Wealden to agree to the new fence line.

However if this were to happen I would definitely want to see an updated Wildlife Management Plan produced and an updated Landscaping and Ecological Enhancements scheme. This is particularly important as there now appears to be a large green space with a pond proposed for the east end of the phase 3 section. I have looked at the landscaping plans for phase 3 and can't find anything that refers to this space, it seems to be ignored within the planning documents.

Therefore I recommend that you contact the Planning Case Officer with some clear questions/points along the lines of:

- Has the reptile mitigation work happened yet? And if so, what line did the reptile exclusion fence follow.
- Has a new Wildlife Management Plan and/or Enhancement Scheme been submitted to match the new plans. If not, this needs to be done.
- I would object to the new line of the gardens as this does not leave a wide enough buffer between the hedge/reptile habitat and the houses – this would seem to contradict condition 14 of the outline application, which states:
'No works shall take place for the development hereby approved until a detailed landscaping and ecological enhancements scheme, which shall include a programme for the implementation of the works and long term management, shall be submitted to and approved in writing to the Local Planning Authority. This detailed scheme shall include:
 - (i) appropriate ecological enhancements, (including wetland habitats incorporated into the SUDS scheme and attenuation pond areas)*
 - (ii) compensatory habitat creation (including replacement ponds) and landscaping planting;*
 - (iii) measures specifically to address retention and enhancement of the site's ecological connectivity through ecological corridors and networks***
 - (iv) works to all areas of retained habitat and an agreed future management and maintenance strategy for all habitats on the site, including enhancement areas;*

(v) details of all management and enhancement works to the existing water-bodies and design and management details for the new water-bodies/reed-beds to be created which shall include:

- a) considerations of water quality impacts of surface water runoff on existing ponds/waterbodies, including designs for pollution control and interception facilities*
- b) how ponds will be designed to maximise wildlife value*
- c) clearance of shading and trees and scrub, other vegetation clearance, creation of habitat piles*

(vi) a scheme for human access restrictions to the retained and created habitats; Thereafter, the scheme shall be completed in accordance with the approved plans and programme to the satisfaction of the Local Planning Authority and the management and maintenance arrangements shall be carried out in accordance with the approved details over the period specified'

- Without the buffer around the outside of the development it is hard to see how 'measures specifically to address retention and enhancement of the site's ecological connectivity through ecological corridors and networks' have been incorporated into the design. Additionally I do not think that the ancient hedgerow, which is a priority habitat is sufficiently protected.
- I would also be interested to know what compensatory habitat is being created as per point (ii) of condition 14.
- I do recommend that you request a copy of the 'Landscaping and Ecological Enhancements Scheme' so that you can see for yourself if phase 2 and 3 fit with it.
- In particular there was a requirement for details of the new ponds to be created, but this seems to have moved location to the east end of phase 3. It is important that the developers provide details of this new pond and landscaping.

In conclusion, I believe the developers need to make the ecological plans for phases 2 and 3 much clearer before Wealden DC can make an informed decision.

It might be possible to get the ancient lane designated as a local nature reserve, however you will need Wealden DC's support as they must put in the request. I recommend that you have a look at the information on the [gov.uk](https://www.gov.uk) website which explains how LNRs are designated: <https://www.gov.uk/guidance/create-and-manage-local-nature-reserves>. You might also like to consider some kind of legal covenant which protects the lane, however this will certainly require the expertise of a lawyer and may be expensive to do.

I hope you find this information useful. Please don't hesitate to contact me again'.

Councillors also added that the proposed buffer zone is too thin and needs widening.

There being no further business, the meeting finished at 8.55pm.