

**Minutes of the Wivelsfield Neighbourhood Plan Steering Group Meeting  
Held Tuesday 21 April 2015, 8pm, Renshaw Room, Wivelsfield Village Hall**

**Attending:** Jason Stoner (Chair), Craig Bowden, John Wigzell, Gordon Harper, Angus Thwaites, Neil Homer (rCOH), Liz Gander (Clerk), and approximately ten members of the public.

**1. Apologies for Absence**

Apologies had been received from Ian Dawson, Dave Wright, Sheila Blair, Dionne Franks and Richard Jephcott. The Chairman advised the Steering Group that Nick Dutt has stepped down from the Council and Steering Group.

**2. Declarations of Interest**

None noted.

**3. To Accept Minutes of the Steering Group Meeting Held 2 February 2015**

The minutes of the meeting held 2 February 2015 were agreed.

**4. To Discuss Initial Results of the Public Consultation**

The Chairman introduced Neil Homer, planning consultant who has been assisting with the Neighbourhood Plan (NP). Neil provided a brief outline of rCOH's experience in the NP field, which includes supporting 52 communities with their NPs and seeing nine through referendum.

**Regulation 14 Report – Statutory and Landowner/Developer Responses**

Neil explained that analysis of the results of the statutory consultation had been divided in two, with rCOH looking at the statutory consultee responses alongside those from landowners/developers (as summarised in the Regulation 14 report) and the Steering Group (SG) focussing on community responses (in the consultation statement).

It was noted that Lewes District Council (LDC) had submitted extensive comments which were quite critical of the plan and therefore disappointing. Neil, alongside representatives from the SG had met with LDC officers prior to the SG meeting to discuss LDC's concerns. Neil felt that LDC had not quite understood what the SG was trying to achieve and that they had not fully grasped some of the important differences in the expectations of parishes undertaking a NP as compared with a district council making a joint core strategy. The meeting was felt to have gone well and whilst LDC may not have had every single concern allayed, Neil was confident that the SG will be able to amend the plan for submission in a way that makes LDC broadly happy. LDC had said that their comments were designed to help the SG so it didn't fall foul later, rather than with the intention of being overtly critical.

With respect to other representations made, feedback from other local government bodies was generally positive and none had identified significant problems. East Sussex County Council (ESCC) had suggested minor changes to wording to improve clarity. Of the landowners/developers that commented, those whose land was not favoured for development within the plan had objected, but this is to be expected and has been seen elsewhere. Such developers will argue that you have not played the game by the rules, will say that the Joint Core Strategy is not making sufficient provision for housing, that the NP isn't making sufficient provision either and that therefore their site should also be allocated.

Re the Springfield site, the land agent has confirmed that the land is available and there is no greater sign that a site is deliverable than the submission of a planning application for it, as has happened here. Furthermore the land agent has confirmed that his client is happy with

the provisions of the NP policies in relation to it. If LDC refuses the current application but our NP policy remains, this will give LDC a policy against which to assess any future planning applications.

#### Community Consultation Feedback

The Chairman confirmed that 219 consultation responses had been received from residents. These will be made available to the public in due course, but it is quite a big job to get them all typed up, with personal information removed.

In response to the three main questions posed on the response form: 82% of respondents said that the Plan identified important aspects, 61% gave overall support to the Plan and 53% would support the Plan if it went to referendum now.

With respect to individual policies, policy 1 – the Spatial Plan was fairly well supported, policy 2 – housing development had received more no than yes responses, but all other policies were pretty well supported, although, as might be expected the policy on green spaces also received some objections. The Chairman ran through a powerpoint presentation showing summary responses to each policy.

#### Duplicate Forms

At the Parish Council meeting of 20 April, concern had been expressed about duplicate forms. There were 27 duplicate forms submitted (repeating two different duplicate forms and a partial duplicate). If the SG used LDC's approach, the duplicate submissions would simply be treated as one form. The Chairman was concerned to have learned having spoken to two residents who had filled out these pre-filled forms, that they believed they were helping the NP by filling out the forms they'd been given and therefore the forms received may not have been a true representation of the residents' views had they been aware that these were not original forms.

The fact remains however that, even if the duplicates were to be treated as one form, there would still be a significant number of people who did not like policy 2. Many of those who objected to policy 2 had postcodes close to the Slugwash Lane sites.

#### Policies to be Revisited

The Chairman recommended that the SG revisit policies 2 and 7 – site allocations and green spaces.

Neil Homer agreed and said that it was important to remember that just after our public consultation period opened, LDC received the Inspector's initial findings on the Joint Core Strategy (JCS). As a consequence of these, whereas we had been expecting the NP to come about at around the same time as the JCS, the JCS will now be delayed until the end of the year. As such our justification will need to be based upon the 2003 policies and a small number of strategic policies. However, importantly, because the inspector was broadly ok with the housing strategy, we can continue to use the new local plan to justify our housing policy; the policy requiring 30 or more dwellings from Wivelsfield Green will remain valid policy, so we can continue to base the Plan on this.

#### Policy 2

Asked to give some input on the SG's options re policy 2, Neil Homer said that, as the Springfield site could deliver more than 30 dwellings, the SG could choose to confine policy 2 to that site alone and delete others. Alternatively, given the feedback received, the SG could choose to retain the Coldharbour sites and delete one or both of the Slugwash Lane sites.

If the SG was minded to retain the Slugwash Lane sites, Neil advised that it should listen to the advice of LDC which said that having two sites was an artificial subdivision of land, based on land ownership, but did not reflect that it was, in practise, one site and should be treated as such – ie a single allocation of approximately 14 dwellings, (thus necessitating the landowners to work collaboratively).

With respect to the Coldharbour Farm sites, the SG is not sure whether satisfactory access can be gained to the most southerly site. Letters are being sent to the landowner and respondents who have raised the access issue, in order to try to clarify the position. If access cannot be demonstrated, the site will need to be removed from the Plan. (This position was subsequently reviewed and updated at the meeting of 18 May).

With regard to the Springfield site, the greatest risk when the agent decided to submit an early application, was that the site would be approved before submission of the NP, and claimed as windfall. The land agent has now been advised that the application will not be determined until 22 May. Once the NP has been submitted, LDC will be obliged to determine the application in light of its policies and those of the NP. If LDC refuses the application because it gives greater weight to the emerging JCS rather than the NP, the application could go to appeal and since the application is for more than ten dwellings, it would be taken over by the Secretary of State. To date the Secretary of State has backed up the position of the NP on appeal without exception.

Reports this week that Bovis is looking to have 100 homes behind Baldocks and surveyors have been seen in the field at Coldharbour Farm illustrate the attempts of developers to pre-empt the NP. Neil said that where there is no up-to-date local plan, even though LDC appears confident that it has its five year land supply, it will always be vulnerable until such time as the JCS is made. There is however no better defensive mechanism than the NP provided it has played by the rules and been positive about development – which ours has as we consulted on a plan including 40-45 dwellings.

When asked how confident he was that LDC will not be given an increased housing target, Neil answered that the target may be increased, but LDC has said that it is not its intention to revisit local parish allocations to meet an increased need. If a District Council is looking to find housing will they look at a parish with an up to date, made plan, or look for those areas without? As a planning authority, LDC could choose to accept these potential new applications, but they would face lots of flack and it would be against the development plan.

If LDC were to refuse the Springfield application and the application were to be refused on appeal, Neil advised that it wouldn't make the Plan worthless, but that when the SG came to review it, it could reflect on how well plan policies were being implemented. If it became clear that Springfield wouldn't come forward, we would have to find an alternative.

Neil however said that once the NP is submitted, LDC will find it difficult to refuse the Springfield application as the NP will become the most relevant, up-to-date document against which to assess it.

#### Policy 2 – Recommendations

The Chairman recommended that, in the light of the comments received by statutory consultees and residents, both Slugwash Lane sites be removed from the Plan. This was unanimously supported by SG members present.

The SG further agreed that the rear most site at Coldharbour Farm will be dropped if the landowner cannot prove control over access. (See minutes of 18 May item 4 for subsequent decision about this).

These recommendations to go forward to the Parish Council for approval, as a part of the revised (submission) Plan.

#### Policy 7 – Green Spaces

With respect to green spaces, Neil advised that the SG needs to be clear about its justification for the inclusion of green spaces in the Plan. If green spaces cannot be shown to meet para 77 of the NPPF, they should be removed. Likewise, there is a danger that, by including all green spaces as shown, the examiner may feel that there is an attempt to create a mini green belt and there have been incidents with other Plans whereby rather than expect the removal of one or two green spaces, the examiner has asked for the removal of them all.

The SG agreed that the Gleasons site should be removed as, with planning permission granted, it cannot be a green space. Likewise the recreation ground will be removed since it has its own protection by being under Parish Council ownership. The other sites will be assessed against the NPPF.

#### **5. Project Plan/Tasks to be Completed**

- Preparation of Submission Plan – NH to undertake minor rewording of policies as suggested by certain responses, to tighten up meanings etc. Draft to be forwarded to SG before being sent to LDC who have offered to review changes informally before submission. (Clerk to forward Word version of Plan to NH)
- Basic Conditions Statement – NH
- Consultation Statement - GH to prepare draft – NH advised that this should summarise the comments made by residents, in the format of ‘there were x key issues, overall x% said they didn’t like y, z% expressed concern about.... and this is how we have responded’.
- Site Assessment Report – NH to add a few more words to better explain what was done (Clerk to forward Word version to NH)
- Springfield determination – Clerk to check when this application is due to be determined and why by delegated powers when the Parish Council made an objection (since Neil believes this should be the trigger for an application to go to Committee).
- Re Process going forward – Neil advised that once the Plan is submitted to LDC it becomes LDC’s project. Once they have validated the documents they will publish the info on their website for six weeks. This gives an opportunity for those who objected to the Pre-Submission plan an opportunity to write in to say that the reasons for their objections have been removed and that they now support the plan, or for people to say that they liked the initial version and continue to support the Submission document. All representations are sent directly to LDC, however the SG should be given sight of them and offered the opportunity to make comments for the examiner to see. The Parish Council will get to pick an examiner from a list of three (or if unhappy with the initial list, can ask for another three). An examination will take place, the examiners report will be published and any resulting changes will be made by LDC. Thereafter it can be 28 days to a public referendum. (If submitting towards the end of May, we could therefore be looking at a referendum around November).

#### **6. Date of Next Meeting**

## Minutes from the Wivelsfield Neighbourhood Planning Meeting Held Tuesday 21 April 2015

Tentative date for next SG meeting of 18 May (prior to Parish Council meeting). Working group meetings to be held at weekly intervals in the interim in order to progress and review work required.

The meeting closed at 8.40pm.