



PEACEHAVEN TOWN COUNCIL

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DRAFT Minutes of the meeting of the Planning & Highways Committee held at Community House, Meridian Centre at 7.30pm on Tuesday 6th July 2021

Present; Cllr A Milliner (Chair) Cllr D Seabrook (Vice Chair), Cllr S Griffiths, Cllr D Paul, Cllr C Gallagher, Cllr G Hill, Cllr I Sharkey.

Officers; Michelle Edser (PTC SPO), Victoria Onis (Admin & Meeting Officer).

Public; Two members of the public were present.

1 PH1002 CHAIR ANNOUNCEMENTS

The Chairman welcomed everyone to the meeting.

2 PH1003 PUBLIC QUESTIONS

A member of the public referred to Item 18 PH1105 land at Telscombe Road – The Peacehaven Focus Group investigated this item in 2017/18, this is the same proposal but different application. The Focus Group may have some information on this subject that may be useful, if needed.

3 PH1004 TO CONSIDER APOLOGIES FOR ABSENCE & SUBSTITUTIONS

It was resolved to accept apologies from Tony Allen (Town Clerk) Cllr A Goble, Cllr J Harris and Cllr R White (Substituted by Cllr Cathy Gallagher).

4 PH1005 TO RECEIVE DECLARATIONS OF INTEREST FROM COMMITTEE MEMBERS

There were no declarations of interests.

5 PH1006 TO ADOPT THE MINUTES FROM THE 2ND FEBRUARY 2021

It was resolved to adopt the minutes as a true record.

6 PH1093 TO NOTE THE DESIGN GUIDE FOR PEACEHAVEN AND TELSCOMBE TOWNS. A PRESENTATION BY NANCY ASTLEY NDP SG.

A presentation on The Design Codes given by Nancy Astley, supported by Cllr Cathy Gallagher from the Neighbourhood Development Plan Steering Group.

Nancy reported that later in 2021 a new planning act will take effect, this will change Planning decisions, which will then need to be in accordance with the design element and this will be more important.

- The Design codes are an element of the Neighbour Plan, which are a tool to use to help design future development within the area and will change the way planning applications are decided.
- Planning decisions will need to be in accordance with the design element and this will be more important.
- Matters such as street greening, plants and trees are considered. Detailed matters which you do not get at the district level are highlighted, as each area is unique. The Guides also consider technology, such as carbon free, solar panels, wind turbines, and also cycle storage, waste, recycling.
- The NDP Design Codes are a tool that LDC will also use when making planning decisions in this area.
- LDC & SDNP have both been sent a copy, and these will be formally adopted along with the Neighbourhood Plan.
- The NDP SG will have some future workshops to go through this in more detail.

Minutes of the meeting of the Planning & Highways Committee – Tuesday 6th July 2021

- The Presentation is available to view on the Town Council Website.

7 PH1094 UPDATE FROM CLLR GALLAGHER CHAIR OF THE STEERING GROUP FOR THE NDP

Cllr Gallagher noted that the next Steering group meeting will be on Thursday 8th July at 7pm via Zoom
There will be Updates from Jim Boot & Nancy Astley.

8 PH1095 TO NOTE AND REVIEW THE COMMITTEES BUDGETARY REPORT

The Committee noted the report.

9 PH1096 TO CONSIDER THE PURCHASE OF BOLLARDS ON THE SOUTH COAST ROAD AT GREGGS/COSTA/SUBWAY

The report was discussed and noted.

- Cllr Seabrook reported that ESCC have said they do not install Bollards anymore.
- Newhaven TC have recently purchased their own Bollards for an area outside of the Co-Op in Fort Road. The Admin Officer has been in contact with their Town Clerk for advice.

It was Proposed that Peacehaven Town Council fund the installation and purchase of recycled bollards for the two shopping areas on the South Coast Road, which will be funded from the CIL, which is for maintenance and improvement of infrastructure.

Proposed by Cllr Seabrook and Seconded by Cllr Hill.

All in Favour

Recommendation will be submitted to Policy & Finance on the 17th August 2021.

4 PH1097 TO DISCUSS THE PLANTERS OUTSIDE OF SUBWAY AND A VERBAL DISCUSSION ON HOW TO PROCEED.

Cllr Seabrook reported that the Cycle planters intended for sub-way have become very difficult to install due to excavation and contractor costs.

It was agreed that the Planters would be better placed in one of the Town's Parks. The recommendation will be referred back to the Leisure and Amenities Committee to decide on placement.

5 PH1098 TO DISCUSS THE REPLACEMENT OF THE BUS SHELTER AT KEMPTON HOUSE

The bus shelter rust has been maintained for many years but now is beyond repair. The bus shelter recommendations were discussed.

Cllr Griffiths proposed (and seconded by Cllr Seabrook), to use CIL money to purchase a new shelter and investigate a green roofed shelter.

Recommendation to be submitted to Policy & Finance.

All in Favour

6 PH1099 LOWER HODDERN FARM MEETING MINUTES

The SPO reported that Communication is open and working well.

Cllr Seabrook noted that the travel survey keeps being pushed back – The SPO reported that to carry out the survey accurately it has been delayed until travel is more back to normal, people have not been moving around so much due to Covid, working from home etc.

7 PH1100 ARTICLE 4 DIRECTION LAND TO THE WEST OF HODDERN FARM, HODDERN FARM LANE PEACEHAVEN

Item was noted as per SPO's report. SPO to thank SDNPA for applying this Article and to suggest a good idea to extend afterwards.

Cllr Paul suggested this needs to be applied for every 6 months. Process for doing this to be agreed at the Committee's next meeting.

8 PH1101 SDNP/21/02749/PRE (99 dwellings at Morestead adj Lower Hodder Farm)

Appendices/Background papers

- 1 Email trail June 2021
- 2 SDNP_21_02749_PRE-PLANNING_STATEMENT-1498187
- 3 SDNP_21_02749_PRE-COVERING_LETTER-1504436

Minutes of the meeting of the Planning & Highways Committee – Tuesday 6th July 2021

LW/21/0281 3 Crocks Dean Peacehaven Case officer Tom Bagshaw	Proposed single storey rear extension to provide self-contained annexe ancillary to the host dwelling The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
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16 PH1103 TO NOTE the following planning applications:-

LW/20/0616 139 South Coast Road Peacehaven East Case Officer Julie Cattell	Notification of Committee Meeting – full details in papers Demolition of existing chalet bungalow and garage and construction of a block of 6 flats with associated car parking, refuse/recycling store and bicycle store The above application, which you submitted, will be considered by the Planning Applications Committee on Wednesday 7 July 2021 at Lewes Leisure Centre, Mountfield Road, Lewes, BN7 2XG starting at 5pm . In addition to attending to listen to any debate on the item, there is an opportunity for members of the public to speak (up to 3 objectors and 3 supporters) on a first come, first served basis. Each speaker will be able to address the meeting for a maximum of 3 minutes.
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17 PH1104 TO REVIEW & UPDATE THE P&H ACTION PLAN.

Updates discussed and Admin Officer to update Action plan.

The member of the public left the meeting.

CONFIDENTIAL

In accordance with Standing Order 3(d) and the Public Bodies (Admission to Meetings) Act 1960, Section 1, in view of the confidential nature of the business to be transacted, the public and press are excluded from the discussion of the following items:-

18 PH1105 LAND AT TELSCOMBE ROAD PEACEHAVEN BN10 8AG

Land at Telscombe Road Peacehaven, BN10 8AG – **CONFIDENTIAL ITEM**

Appendices/Background papers

- 1 Bellway Homes Layout Proposal
- 2 Plot Map (red line boundary)
- 3 Lewes District Local Plan Land Availability Assessment Letter 10th March 2021

The SPO introduced this item. The matter was discussed and appropriate actions agreed

DATE OF NEXT MEETING 3RD AUGUST 2021 AT 7.30PM

There being no further business, the meeting closed at 20.55

Minutes of the meeting of the Planning & Highways Committee – Tuesday 6th July 2021

The SPO reported that there is no formal consultation at this stage but would like Committee to be aware.

Standing orders were suspended to allow the member of Public, Mike Gatti, to speak.

Mr Gatti reiterated what was reported in Public questions and provided background information on this Item.

- Land banking scheme – still running now.
- Case goes back to 2017 SJ capital (offshore company) sold off plots on this site.
- Promoted as being in Peacehaven which it is not.
- Scheme still running now and 75% sold.
- Claremont did a presentation to Peacehaven in 2018. Same applications just new dates.
- SDNP planning have refused to comment until planning application submitted.
- CLM money will go to South Downs but the impact will be felt in Peacehaven.
- The SPO will continue to monitor.

Standing order reinstated

15 PH1102 The below Planning Application Decisions made under Delegated Powers were noted.

LW/21/0324 12 Tor Road Case Officer James Emery	Demolition of existing conservatory and creation of single storey rear extension The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
LW/21/0184 57 Rowe Avenue Peacehaven Case Officer Rita Burns	Front extension to facilitate a larger kitchen and new side entrance door. The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
LW/21/0323 9 Jason Close Peacehaven Case Officer Tom Bagshaw	Erection of rear extension and front porch The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
LW/21/0284 71 Ashington Gardens Peacehaven Case Officer Tom Bagshaw	Erection of single storey extension to rear and side. The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
LW/21/0114 Unit 5 Bolney Avenue Peacehaven Case officer Tom Bagshaw	Erection of security fence and gates on land to side of unit The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.
LW/21/0256 104 Malines Avenue Peacehaven Case officer James Emery	single storey side extension The Town Clerk of Peacehaven Town Council recommended to Approve. Recommendation made by the Town Clerk under delegated powers.

Detailed Income & Expenditure by Budget Heading 20/07/2021

Month No: 4

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>200 Planning & Highways</u>							
4851 Noticeboards	0	1,100	1,100		1,100	0.0%	
4852 Monument & War Memorial	0	600	600		600	0.0%	
4853 Street Furniture	0	600	600		600	0.0%	
Planning & Highways :- Direct Expenditure	<u>0</u>	<u>2,300</u>	<u>2,300</u>	<u>0</u>	<u>2,300</u>	<u>0.0%</u>	<u>0</u>
4101 Repair/Alteration of Premises	24	1,000	976		976	2.4%	
4111 Electricity	456	1,092	636		636	41.8%	91
4171 Grounds Maintenance Costs	198	500	302		302	39.7%	
4850 Grass Cutting Contract	8,687	8,687	0		0	100.0%	
Planning & Highways :- Indirect Expenditure	<u>9,366</u>	<u>11,279</u>	<u>1,913</u>	<u>0</u>	<u>1,913</u>	<u>83.0%</u>	<u>91</u>
Net Expenditure	<u>(9,366)</u>	<u>(13,579)</u>	<u>(4,213)</u>				
6000 plus Transfer from EMR	91						
Movement to/(from) Gen Reserve	<u>(9,275)</u>						
Grand Totals:- Income	0	0	0			0.0%	
Expenditure	9,366	13,579	4,213	0	4,213	69.0%	
Net Income over Expenditure	<u>(9,366)</u>	<u>(13,579)</u>	<u>(4,213)</u>				
plus Transfer from EMR	91						
Movement to/(from) Gen Reserve	<u>(9,275)</u>						

Agenda Item: PH1113
Committee: PLANNING & HIGHWAYS
Date: 3 August 2021
Title: Land north of Lower Hoddern Farm
Report Authors: Senior Projects Officer
Purpose of Report: To note and facilitate future monitoring

Introduction

This report is provided further to the item introduced at the previous committee meeting re: potential redevelopment for housing on land north of Lower Hoddern Farm. This was logged as a pre-planning enquiry to South Downs National Park Authority (SDNPA).

Background

The proposals sought to deliver a residential development on land to the east of Telscombe Road, comprising in the region of 99 dwellings with a mix of market and affordable housing provision.

Analysis

This was a pre-planning enquiry with no duty for the SDNPA to consult neighbouring authorities. PTC were however pro-active and the SPO made contact with the SDNPA outlining PTC's concerns and recommendations of matters for future consideration. The SDNPA has now responded to the developer (see letter at Appendix 1).

Conclusions

Committee is asked to please note the firm stance taken by the SDNPA against the proposals, citing them as "unacceptable" and applying an "in principle objection". The developer could still put in a planning application but it is hoped this response will cease further consideration of this site.

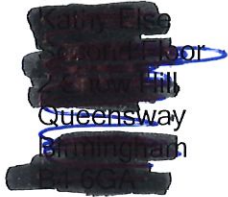
Recommendations

To note the SDNPA position and monitor for any future planning application.

Implications

The Town Council has a duty to consider the following implications:

<u>Financial</u>	<ul style="list-style-type: none">N/A
<u>Legal</u>	<ul style="list-style-type: none">UK Law, Council Powers/Duties
<u>Health & Safety</u>	<ul style="list-style-type: none">Accessibility
<u>Planning</u>	<ul style="list-style-type: none">Planning and Property Law
<u>Environmental and sustainability</u>	<ul style="list-style-type: none">Biodiversity, Green spaces, Walking/cycling
<u>Crime and disorder</u>	<ul style="list-style-type: none">N/A
<u>Social value</u>	<ul style="list-style-type: none">CIL
<u>Climate</u>	<ul style="list-style-type: none">Buildings fit for the future



Our Ref: SDNP/21/02749/PRE
Contact Officer: David Easton
Tel. No.: 01730 819346

12 July 2021

Dear [Redacted]

PRE-APPLICATION ADVICE

Applicant Name: European Property Ventures - East Sussex (EPV)
Proposal: The proposals seek to deliver a residential development on land to the east of Telscombe Road, Peacehaven. The development proposals will comprise in the region of 99 dwellings with a mix of market and affordable housing provision.
Site Address: East of Telscombe Road, Peacehaven, East Sussex

Thank you for your correspondence received 13 April 2021 seeking pre-application advice.

Executive Summary

In this case the proposed development is entirely unacceptable in principle and would introduce major development outside of the defined settlement boundary in conflict with relevant development plan policies. Given the in principle objection to the proposed development further consideration of the landscape impacts of development have not been undertaken especially in the absence of detailed site layout plans or information concerning the density, scale and form of the proposed residential development.

I am aware that the fee paid in this case included up to 3x 1hr meetings. However, given the in principle objection and the unacceptable nature of the proposals it is considered unnecessary and inappropriate for such meetings to take place. Therefore, I have secured manager agreement that a refund of £144 can be made to cover the costs of these meetings not taking place, please contact our Technical Support Team to arrange this.

Planning Policy

Please see Appendix.

Planning Assessment

Based upon the information provided in support of this pre-application submission I understand that you propose a residential development in the region of 99 dwellings on land at Hoddern

South Downs National Park Authority, South Downs Centre, Midhurst, GU29 9DH
Tel: 01730 814810 Email: planning@southdowns.gov.uk

ACKAPP

Farm, Peacehaven. It is noted that the indicative masterplan also shows an area of land marked employment but no detailed information has been provided in regards to this element of the proposal.

The proposed development site is situated on land to the north-east of Peacehaven outside of the defined settlement boundary within the South Downs National Park. The indicative masterplan shows that the site would be accessed from Pelham Rise. The existing site is undeveloped agricultural land used for growing cereal crops and measures approximately 22.6ha in area.

Principle

The application site is situated within the South Downs National Park and the Development Plan in this case would consist of the South Downs Local Plan. The planning statement submitted in support of the application incorrectly identifies that the Lewes Core Strategy Local Plan Part 1 and Lewes District Local Plan Part 2 would constitute part of the Development Plan. However, following the Adoption of the South Downs Local Plan in 2019 The Lewes District Local Plan Part 1 has been superseded whilst the application site falls outside of the Local Plan area for Part 2 of the Local Plan as shown on Lewes District Policies Map (February 2020).

The site is located outside of the defined settlement boundary and as such the proposed residential development would be contrary to policy SD25(1) of the South Downs Local Plan. However, Policy SD25(2) identifies that exceptionally development outside of the settlement boundaries will be permitted where it complies with relevant policies in the Local Plan, responds to the context of the relevant broad area and accords with one of the following limitations;

- (a) Allocated for development or safeguarded for the use proposed as part of the Development Plan; or
- (b) There is an essential need for a countryside location; or
- (c) In the case of community infrastructure, there is a proven need for the development that demonstrably cannot be met elsewhere; or
- (d) It is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park.

The planning statement submitted in support of the application has failed to adequately consider policy SD25 or set out in any detail how the proposal would accord with relevant development plan policies. The submitted planning statement makes reference to site promotion identifying that allocation SP8 through the Lewes Local Plan is located to the south of the application site and that a further need for 253 additional dwellings in policy SP2 of the Lewes Local Plan.

The planning statement also makes reference to the sustainable location of the site and that any development would seek to secure net benefits to the environment, landscape setting and local economy. In addition to this reference is made to the affordable housing needs of local communities and how this development could help to meet those. However, exceptions to the development plan exist and policy SD29 pertains to rural exception sites and allows for residential development consisting of 100 percent affordable housing outside of the settlement boundary subject to its accordance with the policies limitations as well as other policies contained within the Development Plan. Therefore, affordable housing is not considered to be a suitable justification for the development of market housing outside of the settlement boundary when the Local Plan already allows for 100% affordable developments outside of settlement boundaries.

The Local Plan was adopted on the 2nd July 2019 and policy SD26 identifies housing need with the plan making allocations to meet the National Parks objectively assessed housing need (OAN). Paragraph 7.18 of the SDLP identifies that the provision of housing should not be at the expense of a nationally protected landscape, with the NPPF identifying national parks as areas where development should be restricted and objectively assessed need not met. The SDLP identifies that a windfall allowance of 51 dwellings per annum for the National Park area will count towards the Local Plan housing provision figure. However, this figure takes into account the emphasis on future growth taking place primarily within tightly drawn settlement boundaries,

generally in the form of infill development. Therefore, the proposed residential development outside of the settlement boundary is not required in order to meet the OAN of the South Downs National Park.

Therefore, in this case there is considered to be no exceptional circumstances which would justify the proposed development outside of the settlement boundary. In addition to the absence of any exceptional circumstance the proposed development would not accord with SD25(2)(a), (b), (c) or (d) as the site is not allocated for development; there is no essential need for a countryside location; it is not for community infrastructure; or an appropriate reuse of a previously developed site. In this case there are considered to be no material considerations which would warrant a decision other than in accordance with the development plan.

The South Downs Local Plan under paragraph 7.11 states that Policy SD25 provides **some** limited flexibility, in exceptional circumstances, to allow 'brownfield' development outside of settlement boundaries, where demonstrably necessary to meet the wider objectives of the South Downs Local Plan. However, as this development is not on brownfield land, nor does it seek to meet the wider objectives of the South Downs Local Plan the proposed development is in conflict with policy SD25(2).

In addition to the considerations of the principle of the proposals, within their planning statement, the applicant identified a number of queries that they wished the Authority to consider. A number of these matters have been considered above already but further comments are provided on the other queries below.

Determination of the appropriateness of site development extent?

As has been identified above the proposed development is unacceptable in principle and as such the site development extent is therefore inappropriate.

Confirmation of support for landscape enhancements to this edge of the SDNP

The South Downs National Park Authority would encourage landscape enhancements but these would need to be fully justified. However, landscape enhancements would not provide justification for inappropriate residential development within the National Park.

The site layout and scale considerations for the proposed development

The development should be landscape led in accordance with policies SD4 and SD5 of the South Downs Local Plan. This should be informed by appropriate studies and assessments and would be the responsibility of the applicant to undertake.

affordable housing requirements as well as housing type and mix requirements

Please refer to policies SD27 and SD28 within the South Downs Local Plan for guidance on the housing mix and affordable housing requirements. Additional information on affordable housing requirements can also be found within the Affordable Housing SPD which is available through the South Downs National Park website at <https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/affordable-housing-spd/>

open space requirements

The Authorities open space requirements are set out within policies SD45 and SD46 of the South Downs Local Plan.

Sustainable design considerations

Please refer to policy SD48 of the South Downs Local Plan as well as the adopted Sustainable Construction SPD which can be found on the South Downs National Park website at <https://www.southdowns.gov.uk/planning-policy/supplementary-planning-documents/sustainable-construction-supplementary-planning-document/>

Planning application validation criteria

The South Downs National Park validation criteria will depend upon the type of application that

you seek to make but the validation list can be found online at <https://www.southdowns.gov.uk/planning-applications/apply/local-validation-list/>.

Consultations

The application has been the subject of consultation with a number of consultees which are summarised below. Full comments are available online through the South Downs National Park website.

Ecology

A full application should be informed by an Ecological Impact Assessment. Extensive grassland restoration would be welcomed.

Archaeology

The site lies within an Archaeological Notification Area relating to extensive evidence for prehistoric and Roman activity. Recent archaeological investigations in the surrounding area ahead of the construction of the Brighton and Hove Wastewater Treatment works and a number of housing developments south of the site have identified evidence of activity from the Mesolithic, Neolithic, Bronze Age, Iron Age and Roman Periods, including significant activity comprising settlement, burials, agriculture and land management.

The existing evidence suggests that the site has the potential to contain important heritage assets and that under these proposals, would be subject to impact from the proposed development. Due to the potential significance of the heritage assets and their below-ground archaeological potential it is our opinion that the proposed development could lead to significant impacts and that the application should be advised to submit a desk-based heritage impact assessment with any planning application in compliance with NPPF para 189. This document should be compliant with industry standards. We can provide further advice to the agent, applicant or appointed heritage consultant if required. We would also recommend that geophysical survey is undertaken and the results included in the desk-based heritage assessment.

ESCC Drainage

Our pre-application advice is chargeable and we would request that the applicant contacts us directly to enter discussions regarding the site.

There are no surface water sewers serving the site and it is not clear how the surface water runoff will be managed. The site is underlain by the Newhaven Chalk Formation and infiltration may be feasible however this should be supported by infiltration testing to BRE365 standard and groundwater monitoring between November and April when groundwater levels are at their highest.

British geological survey data that we hold indicates that there may be significant constraints for infiltration at the site due to the presence of soluble rocks which could be worsened by infiltration, leading to subsidence. Proposals to utilise infiltration at the site should be supported by a geotechnical investigation to determine whether infiltration of surface water runoff is safe.

Representations

A number of letters were received from interest parties in regards to the proposals and these comments have been summarised for reference solely for the purposes of identifying the concerns.

- o The National Parks Boundary was drawn closely around the northern perimeter of Peacehaven in order to definitively contain further encroachment into the Downs.
- o There are fundamental objections in principle and a myriad more specific objections of course, not least the significant visual intrusion across rising land and the further pressure on

infrastructure and services.

If you pursue a formal planning application please note that the requirements of the South Downs National Park Authority Local Validation List will apply with regard to the information required to be submitted. Further information is available at

<https://www.southdowns.gov.uk/planning/making-an-application/local-validation-list/> .

It would be advisable to contact the Building Control department at your Local Authority to check if building regulation approval is required.

Please note that the advice contained within this letter constitutes an informal Officer's opinion and does not prejudice, nor is binding upon, any future decision taken by the South Downs National Park Authority.

Yours sincerely,

David Easton
Development Management Lead (Eastern Area)
For and on behalf of South Downs National Park

Appendix

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications.

The following Policies and Outcomes are of particular relevance to this case:

National Planning Policy Framework (NPPF) and Circular 2010

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

Development Plan

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Core Policy SD3 - Major Development
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity

- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings
- Development Management Policy SD16 - Archaeology
- Strategic Policy SD20 - Walking, Cycling and Equestrian Routes
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD26 - Supply of Homes
- Strategic Policy SD27 - Mix of Homes
- Strategic Policy SD28 - Affordable Homes
- Strategic Policy SD45 - Green Infrastructure
- Development Management Policy SD47 - Local Green Spaces
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources
- Strategic Policy SD49 - Flood Risk Management
- Development Management Policy SD50 - Sustainable Drainage Systems

Other plans considered

-

End of Document

Minutes Lower Hodder Farm Development Peacehaven

Date 14/07/21

Attendees

Cllr Collier

Michelle Edser Peacehaven Town Council

Jessica Sparks BDW

Richard Faulkner BDW

Sean Havis BDW

Dan Reid (apologies given)

Dan Witcher ESCC Highways (apologies given)

Mark Weston ESCC Highways

Paul Cranley PellFrischmass

Simon Cullen LDC Enforcement (apologies given)

Chris Wright/Tom Bagshaw LDC Planning (apologies given)

Viv Carrick Residents Association (apologies given)

Patrick Warner Brighton and Hove Busses (apologies given)

Leigh Palmer LDC

Minutes

Minutes from the previous meeting were tabled and agreed as an accurate record and the actions falling from the minutes would be covered on the main agenda.

Planning Issues

Deed of Variation? Currently with ESCC but close to signing. It is acknowledged speed of construction is picking up post Covid and the unit threshold is looming.

ACTION LP to chase ESCC legal for sign off.

ACTION BDW & LDC to review the S106 and to report to the next meeting if there any S106 milestones approaching.

Highways Update

Improvements in and working, due to finish A259 roundabout works next week and move on to Greenwich Way. Mid-August should be finished and gone. No complaints received by County or District, thanks to team

Telscombe Cliffs Way signals – waiting updated package of details, for review and sign off.

PC chased ESCC for travel plan triggers

Buses update

B&H looking to rescope their request. CIL money to support public transport. Bid awaited.
Community expected enhancements

ACTION PW & B&H Busses to update at the next meeting the progress of their CIL bid.

Construction Team Update

No complaints

Revisited footpath – groundworkers to be undertaking remedial works this shortly

143 units Phase 1 (private)

Phase 2 (5 units)

July 10 units completions for housing association

Labour shortages / materials problems? There are longer lead times, concrete is a particular issue, additional silos added. Raw timber is also an issue, doors. Having to request earlier.

Prices – also affected?

Pleased to hear construction continues, if issues arise in terms of materials, LDC will consider swiftly

Enforcement

No complaints received.

Residents Questions

None in attendance and apologies given

Town Council

When is the Travel Plan Survey likely to be undertaken? PC updated likely to be later in Sept/Oct which is the next neutral period (outside School holidays) and there may be a “new normal”. This is being discussed with ESCC

AOB

Dan Reid Awarded “pride in job” prestigious award those on the call congratulated Dan for this achievement

BDW recognise the issues of turning the blocks though 90 degrees and are aiming to split Phase 3 in the three smaller construction phase and their aim is to submit two of these by late August

Action BDW to update on progress next time.

Agenda Item: PH1116

Committee: Planning and Highways

Date: 28/7/21

Title: renewal of the bus shelter

Report Authors: Kevin Bray

Purpose of Report: to decide

Introduction

PTC own several bus shelters around the town, which looked after by the grounds team

Background

The shelter at Sutton Avenue outside Kempton house has deteriorated to the point of needing to be replaced.

Analysis

At the last planning and highways meeting officers were asked to look at a shelter with a sedum roof as part of the climate change aims of the Council.

Conclusions

Two companies have replied to a request for quotes to remove the existing shelter and fit a new shelter the same size as the existing shelter with a sedum roof

1. **GW shelters** £5,640.00 + vat Arun part enclosed shelter with sedum roof (like for like) Steel sandwich composite roof with aluminium surround 6mm Clear polycarbonate panels Polyester powder coated Green BS218 and to reuse the existing seat.
2. **Externiture Ltd** £5,085.00 + vat Mono Shelter 2 Bay, Flat Roof (Green Roof Option) open fronted Full End Panel Sedum roof bus shelter. Aluminium framed RAL 6005 moss green (TBC) 6mm polycarbonate glazing Sedum roof Seat DDRU board

Recommendations

The committee are asked to:

1. Choose a preferred design and to recommend to policy and finance that PTC CIL money is used to purchase the shelter.

Implications

The Town Council has a duty to consider the following implications:

<u>Financial</u> <ul style="list-style-type: none">• Use of capital?• Replacement of asset?• Reduced expenditure?• Increased income?• Budget provision?	<ul style="list-style-type: none">• PTC CIL money to be used• Replacing an existing shelter owned by PTC
<u>Legal</u>	

<u>Environmental and sustainability</u>	Bus shelters have a life span of up to 20 years
<u>Crime and disorder</u>	
<u>Social value</u>	
<u>Climate</u> <ul style="list-style-type: none"> Carbon footprint? 	Sedum roof option is environmentally friendly

Appendices/Background papers

Attached pictures of the shelters



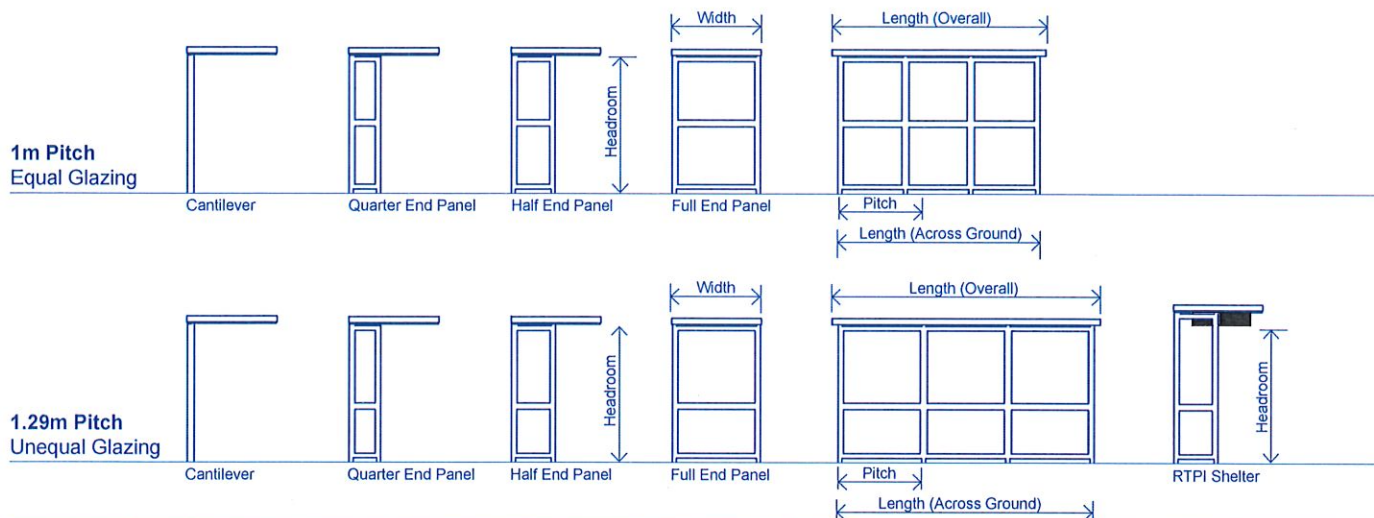
The flat roof Arun incorporates many of the features found throughout the GW Shelter Solutions ranges, including a safety mid-rail, making it an attractive, high quality vandal resistant shelter with a very clean and contemporary design.

Configurations for the bus shelter include both cantilever and enclosed designs for improved protection from the elements.

The flat roof Arun is designed around a steel frame, which can also be manufactured from stainless steel for a more premium look. The steel sandwich roof is edged with an aluminium extrusion for added strength. The glazing system utilised is secure and unobtrusive, yet easily accessible for maintenance. The glazing system can accept a variety of materials from toughened glass to solid painted galvanised panels.

The standard flat roof Arun bus shelter is available in 1290mm pitch bays, with a roof width of 1375mm.

Other sizes are available on request.



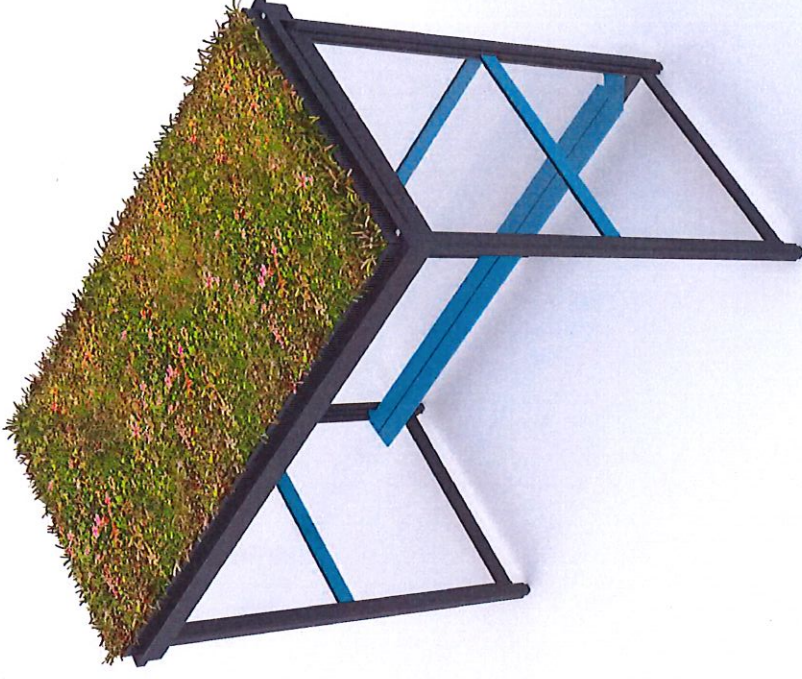
Cantilever	Enclosed	Width	Pitch	Length				Cantilever End Panels	Headroom
				Across Ground		Overall			
				2 Bay	3 Bay	2 Bay	3 Bay		
•	•	1375m	1000mm	2060mm	3060mm	2250mm	3250mm	QEP HEP FEP	2100mm
			1290mm	2640mm	3930mm	2830mm	4120mm		

SPECIFICATION

Frame:	Steel - zinc protected square section (60mm square)
Finish:	Powder coated to any standard RAL colour
Roof Shape:	Flat
Standard Headroom:	2100mm
Glazing System:	Glazing System: Extruded aluminium with mid rail
Side & End Glazing:	6mm UV protected clear polycarbonate, or 8mm toughened glass, or Solid panels (powder coated finish), or Mesh panels (powder coated finish)
Roof:	Steel sandwich roof with aluminium surround
Ground Fixing:	Ground Fixing: Dig in or Bolt down
Fixings:	Stainless steel
Configurations:	Enclosed Cantilever No end panel NEP Quarter end panel QEP Half end panel HEP Full end panel FEP

OPTIONS

Seating:	Aluminium perch (with or without handles) GRP pad (with or without handles) Wooden perch
Lighting:	LED mains
RTPI:	Fully compatible
Timetable Cases:	A4, AA4, AAA4 or DRU (Double Royal)
Bus Stop Flag Brackets:	Fully compatible
Signage:	Vinyl or screen printed graphics



Mono Shelter 2 Bay, Flat Roof (Green Roof Option) Full End Panels

Agenda Item:	PH1118
Committee:	Planning and Highways
Date:	3rd August 2021
Title:	Concrete Path
Report Authors:	Cllr. Griffiths
Purpose of Report:	Recognition of a public right of way and transfer of ownership to PTC

Introduction

Before lockdown the Public Rights of Way working Party were looking at the process of having the concrete path between Lower Hodder and Centenary Park registered as a Public Right of Way. Other councillors were asked to help in the evidence gathering but there were no volunteers. Working with the Communications Officer and Peter Seed the consultation started but covid 19 brought it to the end.

Background

The path was part of Lower Hodder Farm but a large part of it was sold to Barratt's to enable them to create a route for vehicles through their site. Part of the path now owned by Barratts lies alongside the area being given to extend Centenary Park.

Informal discussions took place with the then site manager, Craig McKenzie, who informed us that Barratts don't normally take ownership of Public Rights of Way. This led to a discussion about whether Barratts might gift their section of the path to Peacehaven Town Council at the same time as the park land which was part of the planning agreement. Unfortunately Craig McKenzie left his job and this has not been progressed.

Analysis

The consultation needs to be relaunched through the auspices of The Communications Officer. Some face to face consultation would be helpful if volunteers are available. This could be done in Centenary Park or locations such as Kempton House where people may have long term memories of using the path.

The potential acquisition of the Barratt owned length of pathway would need officer time to speak to the appropriate person at Barratts. This would have to go to full Council as that is the only place that decisions on acquiring land can take place.

Conclusions

This is an essential safe walking route between North Peacehaven and the Big park that can be used in all weathers.

Recommendations

- 1 That the consultation is relaunched.
2. That an Officer makes contact with the appropriate person at Barratts regarding the potential gifting of the path in their ownership and takes a report to Council.

Implications

The Town Council has a duty to consider the following implications:

<u>Financial</u>	<p>Future maintenance of the path.</p> <p>Legal fees to transfer ownership of the path to Peacehaven Town Council.</p> <p>A short extension will be needed to link the existing path to Centenary Park, Refer to Leisure, Amenities and Environment Committee</p>
<u>Legal</u>	<p>It will become a public right of way.</p>
<u>Environmental and sustainability</u>	<p>The path will encourage walking and reduce dependency of car travel.</p>
<u>Crime and disorder</u>	<p>It is a route used by off road motorbikes. Thought will need to be given to limit this illegal use which will pose a health and safety hazard to residents.</p>
<u>Social value</u>	<p>The path will encourage active travel, provide physical exercise, improve health and wellbeing and shift away from car dependency to reach Centenary Park.</p>
<u>Climate</u>	<p>Walking rather than using cars.</p>



Map Title: Area south of Peacehaven 4

Key: Public Footpath ———
Public Bridleway ———

Date: November 2019

Map No: PAE 23-Land south of Peacehaven 4

Scale: 1:5,000

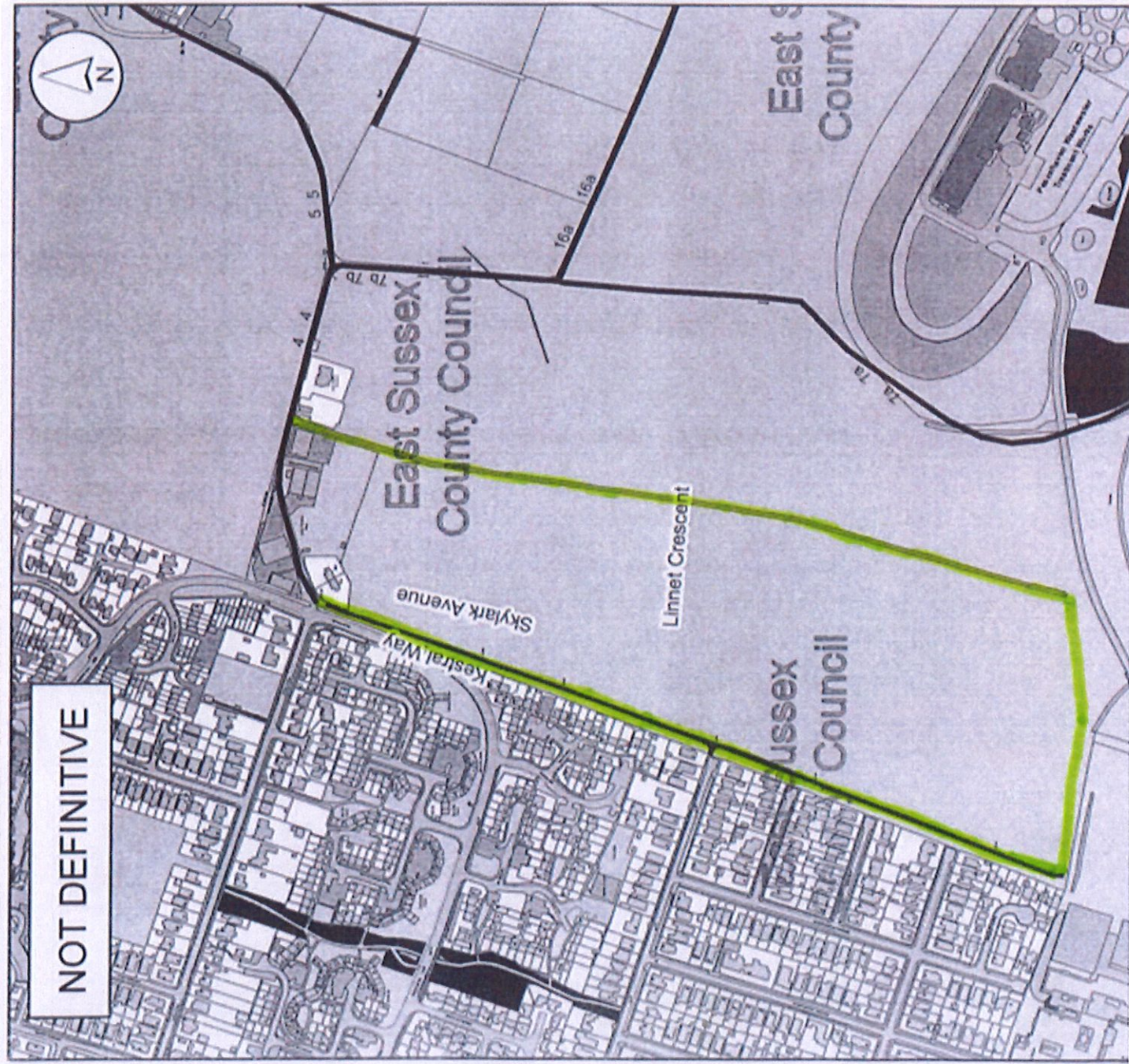
Author: SJK

East Sussex County Council
County Hall
St Annes Crescent
Lewes



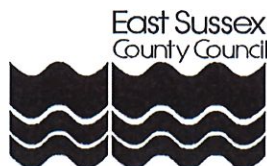
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NOT DEFINITIVE









Public Right of Way User Evidence Statement

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide evidence about the application. When East Sussex County Council (ESCC) as the Order-Making Authority (OMA) commences detailed research, an officer may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement. **If completing the statement by hand, please ensure it is written legibly and in black ink.**

Confidentiality - Please Read Carefully - The information you give in this statement cannot be treated as confidential.

- The information you provide will be retained by the OMA for the purposes of undertaking its statutory obligations in accordance with The Wildlife and Countryside Act 1981, section 53. For the purposes of data protection, the OMA is the data controller. It may use an Agent to undertake certain obligations on its behalf. If so, the Agent will be the data processor.
- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the General Data Protection Regulation. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to, and for no other purpose.

DECLARATION - Important, please read carefully

General Data Protection Regulation (GDPR)

Under the GDPR the OMA has a duty to inform you about how your personal data will be handled. Information provided in this statement will be used so that the OMA may undertake its statutory duties in accordance with the Wildlife and Countryside Act 1981 section 53. In order to determine if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature

contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be retained by the OMA and considered and published as part of its statutory duty to determine the application to establish whether a public right of way exists. In signing it, you are acknowledging that it may be made publically available. Please clearly circle your answers where necessary.

Full Name: Mr /Mrs /Ms /Miss/.....

Address:

.....Post Code:

Telephone No:Mobile No:

Email address:.....

Claim reference number (if known).....

Information on this page of the Statement will be redacted and not made publically available.

Wildlife & Countryside Act 1981
Claimed Public Right(s) of Way



USER EVIDENCE STATEMENT FORM

Claimed Public Right of Way

From (location).....

To (location).....

Via (location), if applicable.....

.....

Claim reference number if known.....

The object of this questionnaire is to reach the truth of the matter whatever that may be. Please answer the questions as accurately as possible and do not withhold any information, whether for or against the claim. The County Council may wish to take a fuller statement from you in due course should this be considered necessary.

NB: East Sussex County Council will process the information you provide in connection with Public Rights of Way only. Your information may be passed to the Planning Inspectorate in relation to this claim only. Information provided may pass into the public domain and therefore cannot be treated as confidential. Please clearly circle your answers where necessary.

ABOUT YOU:

Full Name: Mr /Mrs /Ms /Miss/.....

Address:

.....Post Code:

Telephone No: Age:.....

Email address:.....

MAP OF THE APPLICATION ROUTE:

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please put your initials on your map and date it. DO NOT ADD YOUR FULL SIGNATURE.

YOUR USE OF THE APPLICATION ROUTE:

1. Description of claimed public right of way: (please circle)

❖ Footpath

❖ Bridleway

❖ Restricted Byway

❖ Other public right of way – specify.....

From (location).....

To (location).....

Via (location), if applicable.....

.....

General description of route (include start and finish points and provide OS grid references if you can)

.....

.....

.....
2. How long have you lived in the area and during which years?

.....years from to.....

3. Have you moved house during that period? YES/NO

If YES, where did you live before?.....
.....

Did your pattern of use of the claimed right of way alter when you changed address?
YES/NO

If YES; please give details.....
.....

4a. Do any of the present landowners know you personally?

YES/NO

Other comments:

If YES; please give details.....
.....

b. Did any previous landowners know you personally?

YES/NO

If YES; please give details.....
.....

5. Do you know the names of any former landowners and the dates of their ownership?

YES/NO

If YES; please give details.....
.....

6a. Have you ever worked for any of the owners/occupiers of the land?

YES/NO

If YES, who did you work for and during which years?.....
.....

b. Have you ever been a tenant / licensee of any of the owners/occupiers of the land?

YES/NO

If YES, give details and dates of your tenancy.....

.....

7. How long have you known the claimed public right of way?.....years

Other period:

8a. During which years have you used the claimed public right of way?

From to

8b Were there any extended periods during which you did not use the route at all?
YES/NO

If so, please state when and why.....

.....

8c. Did you use the way: On foot YES/NO

On horseback YES/NO

On a bicycle YES/NO

By horse-drawn vehicle YES/NO

With a motor vehicle YES/NO

8d. How often did you use the way? (e.g. daily, weekly, monthly, yearly)

.....

9. Where were you going to and from?

.....

.....

10. Why did you use the way?.....

.....

11. Do you believe that the owner or occupier was aware the public was using the way?
YES/NO

If Yes, why?.....

.....

12. Has the way always run over the same route? YES/NO

.....
If NO, give details of any changes or diversions.....

.....
13. Has the way always been a clear and defined route? YES / NO

Other comments:

14a. How wide is the way?.....

14b. What type of surface does it have? (e.g grass, gravel, earth)

.....
15. Are there any signposts or concrete markers which indicate the claimed way to be a public highway? YES / NO

If YES, please give details.....

16. Has the claimed path been maintained? YES / NO

If YES, by whom and when?

.....
17a. Has anyone ever told you that they consider the claimed path to be a public right of way? YES / NO

If YES, please give details with dates

.....
17b. Has anyone ever told you the way was NOT public? YES/NO

If YES; please give details.....

18a. Did you ever seek permission to use the way? YES/NO

If YES; please give details.....

.....
18b. Have you ever had a private right to use the application route? (for example: an easement, private right of access, licence etc). YES/NO

If YES; please give details.....

.....
18c. Have you ever been stopped or turned back when using the application route? YES/NO

If YES; please give details.....

.....
19. Did you ever see anyone else using the way, and if so how often? YES/NO

If YES; please give details.....
.....

20a. Have you ever been verbally or physically challenged from using the way?
YES/NO

If YES, give details and dates.....
.....
.....

20b. Do you know of anyone else being challenged?

YES/NO

If YES; please give details.....
.....

21. Have you ever seen any notices saying "Private", "Keep Out", "Trespassers will be Prosecuted", or other signs that deterred use on or near the way?
YES/NO

If YES, please give details, dates and mark on the map.
.....
.....

22a. Have you ever seen gates or fences across the way? YES/NO

If YES, give details and mark their location on a plan if possible
.....
.....

22b. How long were they in place?
.....

22c. Were the gates ever locked? YES/NO

22d. Did these gates prevent you from using the application route? YES/NO

If YES, give details.....

23a. Have you ever seen stiles across the way? YES/NO

If YES, give details and mark their location on a plan if possible

.....
23b. How long were they in place?

23c.. Did these stiles prevent you from using the application route? YES/NO

If YES, give details.....

24a. Have you ever seen any other barriers or structures on or near the way which affected your use of it? (e.g. buildings, shelters or temporary obstructions)
YES/NO

If YES, please give details and mark their location on a plan if possible.

.....
.....
24b. How long were they in place?

24c. Did these barriers prevent you from using the application route? YES/NO

If YES, give details.....

25. Do you know of any documentary evidence which is relevant to the claimed path or which indicates public use? (e.g. photographs, guidebooks, letters sale documents, old maps etc)
YES/NO

If YES, please give details

.....
.....
26a. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

YES/NO

Other comments:

26b. Would you be prepared to attend a hearing or public inquiry to give evidence if necessary?

YES/NO

27. Other comments – please provide any further details you consider relevant.

.....
.....

.....

.....

.....

.....

.....

.....

.....

END OF DOCUMENT

		Planning & Highways Committee - Action Plan		updated 09.07.21	
CASE NUMBER	MEETING DATE	TASK	ACTION	PERSON RESPONSIBLE	UPDATE
1	03/09/2019	PUBLIC RIGHTS OF WAY WORKING GROUP - CONCRETE PATH LOWER HODDERN FARM TO CENTENARY PARK	Cllr Griffiths requested help from other councillors filling in evidence forms (extend of usage prior to 2005)	Cllr Griffiths - ongoing	consultation progressing for the concrete path
2	10/11/2020	Traffic Regulation Orders - In the interim, it was agreed to raise the issues of anti-social parking with the owners of the premises concerned and to encourage the use of Operation Crackdown reporting by residents.	Raise the issues of anti-social parking with the owners of premises	Admin. Officer	<ul style="list-style-type: none"> * ongoing - admin officer responding to residents as and when needed. * Admin Officer will be submitting a report to P&F for Bollards.
3	04/01/2021	6 lamp posts			<p>The Parks Officer Kevin Bray has been in contact with Eric Ware (electrical supervisor East Sussex Highways) and a meeting will be held to discuss all of our outside lighting issues once the covid restrictions have eased.</p> <p>* still waiting for Eric Ware to visit. 9/7/21</p>
4	09/07/2021	two planters intended for Subway area	<p>due to problems with Licences. The planters intended for outside subway, will be placed at The Dell or Howard Park</p>		It was decided at the L&A Meeting to place the two planters at Howard Park

