

## Worth Parish Council

### **Minutes of the Crawley Down Neighbourhood Plan Advisory Sub Committee, held at the Haven Centre Tuesday, 31st October 2017 at 19.30hrs**

**Present:**

Cllr Gibson (Chairman)	Cllr Lord
Cllr Anscomb	Mr Brooks
Mr Burberry	Cllr Cruickshank
Mr Dobson	Mr Hitchcock
Mr S. Plank	Cllr Webb
Mrs J Nagy (Clerk)	4 Members of the Public

#### **13 Public Question Time**

Members of the public had no matters that they wished to raise.

#### **14 Apologies**

Apologies were NOTED from Cllr Coote and Mr John Plank

#### **15 Declaration of Pecuniary and Other Interests**

Mr Dobson declared a personal and pecuniary interest in Item 22 as he lives adjacent to the proposed development. However, it was agreed the Advisory Sub Committee is not a decision making body, but his declaration was NOTED.

#### **16 Minutes**

It was proposed by Mr Hitchcock seconded by Cllr Cruickshank and agreed by all that the Minutes of the Advisory Sub Committee meeting held on 29th August 2017 were a true and correct record

#### **17 Chairman's Announcements**

The Chairman advised that MSDC were holding a public consultation meeting for the Gypsy and Traveller site proposals on 7th November. However, the Clerk said that she had seen on social media that the event had been cancelled.

**The Clerk will try to ascertain if the event is going ahead or not, and will circulate this information.**

The Chairman reported that he had been on a SSALC planning training course which had covered Neighbourhood Planning and had made reference to the Neighbourhood Planning Act 2017. Enabling legislation had been passed in July, but there are some regulations in relation to updating or amending made Plans due to be issued imminently, although there is no date yet advised for this. The Chairman has written to Jeremy Quinn MP to ask if he could advise when these regulations would be confirmed.

It appears that if revisions to a made Plan are non-material, and do not affect approved applications, then the amended Plan can go through a "light touch" process via MSDC as the Local Planning Authority. If more major revisions are required, then the Plan must go through the same process as for an entirely new plan except that the approval of a referendum is not required.

The Chairman suggested that Lindsay Frost, the planning consultant leading the SSALC training session should be invited to provide a similar session to the Parish Council, once the new regulations were in force, so possibly in the New Year.

**It was agreed by all present that a recommendation be made to the Planning & Highways Committee that Mr Frost be approached to provide an in house training session on the Neighbourhood Planning Act 2017 and its implications in the New Year. Once the cost of such provision is known, this to be put to the General Purpose & Finance Committee for financial approval.**

## **18 Progress on the Copthorne Neighbourhood Plan**

The Clerk reported that the issue of combining the made Crawley Down Neighbourhood Plan with the emerging Copthorne Plan had been discussed at the Full Council meeting the previous evening and it had been unanimously agreed that this was not the preferred option. The resolution had been to proceed with the Copthorne Plan to examination and referendum as soon as practical.

Meetings of the Copthorne Advisory Sub Committee would be recommence at the earliest opportunity.

**Members noted this information.**

## **19 Planning for the right homes in the right places – DCLG consultation**

The Chairman thanked Mr Brooks for compiling the draft response to this consultation, copies of which had been circulated.

Mr Brooks highlighted the issue in Question One, where the proposal is to base the proportion of the affordable housing requirement on the ratio between the average house price in the area and the average wages; this to replace the current generic 30% requirement. This approach is too simplistic in Mr Brooks' opinion, as other factors can influence this equation, such as interest rates, local infrastructure, availability of local employment (if no local employment then cost of travel to work would need to be considered) and private rental rates etc.

Members agreed with Mr Brooks, but suggested the addition of "mortgage" to "mortgage interest rates".

The Clerk suggested that a response should be submitted to Question 9 which related to cross boundary strategic priorities, as Crawley Down is sited close to both Crawley Borough and Tandridge District so perhaps should support such partnership working.

Members agreed with this suggestion.

The Chairman advised that he had learnt at the SSALC planning training that a developer could pay monies in lieu of providing affordable homes which could then be used to fund provision on a different site. The Clerk warned that such monies were not necessarily spent in the same parish however – the "different site" could be anywhere in the District.

Mr Brooks clarified the issue of the 5 year land supply in that MSDC were being penalised for under provision in previous years. Therefore the land supply would be 5 years plus 20% buffer plus previous years' shortcomings. This "sum" came to a land supply of around 6.2 years.

The Chairman said that consideration needed to be given to such properties as Tiltwood, which had had 19 applications for smaller developments where each fell below the threshold for affordable homes and s106 commuted sums need to provide affordable homes.

**It was agreed the following amendments would be made this draft response;**

- **That "mortgage" be added to "mortgage interest rates" in Question 1**
- **That a response would be drafted to support Question 9**
- **That the Clerk would check wording to ensure that correct terminology was used, for example, "salami slicing" is more properly known as "piecemeal development".**
- **That the Wates 9 development would be cited as an example of piecemeal development.**

**It was further agreed that that this amended draft response be submitted to the Planning & Highways Committee for consideration and final approval.**

## **20 Progress of Mid Sussex District Plan 2017-2031**

The MSDC Call for Sites closed today, asking for submission of sites that could accommodate 6 or more dwellings. On Monday, the Chairman was told that they had received 98 submissions,

but more were expected today.

The District Plan allows for 876 homes for the first 10 years, then an uplift of 1090 per year for the remaining Plan period to assist in meeting Crawley's unmet need. This equates to a total of 16340 over the Plan period, plus the 20% buffer, which would be around 40 per year.

MSDC has confirmed that it has a five year land supply, but will not use this to refuse planning applications until the Inspector has "signed off" the Plan, hopefully at the end of this year.

A recent planning application for 63 homes in Felbridge (DM/17/2570 refers) was refused by MSDC as it was deemed contrary to the East Grinstead Neighbourhood Plan; a consideration which was not taken into account when MSDC permitted DM/17/1148 – the Wates 9.

MSDC are currently consulting on Modifications to policies within the District Plan. It is hoped that the Plan will be adopted in January.

Worth Parish has been allocated 878 homes over the Plan period, but have already fulfilled 786 of these, leaving a balance of 102. This figure is divided equally between Copthorne and Crawley Down; 51 each. However, the permissions granted do not reflect the housing mix required under the Crawley Down Neighbourhood Plan.

Copthorne have taken the majority of the parish allocation with 500 on the St Modwen's site, and an overall total of 540, which is 100 over the level required. It would appear from this data that Copthorne could have no site allocations in its Plan, having taken more than its quota.

Therefore, perhaps Crawley Down should be considering the whole of the remaining parish allocation, that is, 102 homes. The current rate of infill in the village is between 4-6 homes per year, so this alone would meet that target over the District Plan period. To allow for any future increase on the parish allocation, Crawley Down could consider provision for around 80 additional homes.

Obviously, if the Secretary of State does not find in Crawley Down's favour, then permission would be granted for the 104 homes that are the subject of the Inquiry, so the basic allocation would be met.

**Members noted this information.**

## **21 Planning Inquiry into proposals for 60 and 30 new homes on land South of Hazel Close and 44 or 30 new homes on land west of Turners Hill Rd**

**Mr Dobson declared a personal and pecuniary interest in this matter, as he lives adjacent to the site. As this is not a decision making body, he did not leave the room.**

The Chairman advised that the decision of the Secretary of State has been deferred again, and is now expected on the 14th December.

Wates has written to DCLG asking that the Article 31 holding directive on the Wates 9 be lifted, but DCLG has refused, and had indicated that it may call in this application itself. The Chairman advised that the Council itself cannot call in the application, as the threshold for such call-ins is sites of 10 dwellings or more.

Mr Brooks noted that the Hazel Close site lies within the Ashdown Forest air quality zone. The cumulative effect of development within the zone should be taken into account, and this should include the Miller Homes development in Burleigh Woods. As there were only three routes in and out of the village, this could be considered to be constrained access, and perhaps the whole village should be designated as being within the zone.

DCLG has asked the Council for a response to the District Plan Modifications document "Considerations of Options Strengthen the Five Year Housing Supply", this to be supplied by 14th November. The Council is seeking a quotation from its legal team to do so, with delegated powers given to Cllrs Gibson and Hitchcock, together with the Clerk, to progress this in time for the deadline. The Council's barrister made reference to the 5.2 year housing supply in his closing submission; now that this is confirmed he may wish to underline this point

The Chairman has advised MSDC of inaccuracies in the MSDC22 document to and this will be re-issued. MSDC will advise DCLG accordingly.

## **22 Application DM/17/1148 for 9 new homes on land west of Turners Hill Rd**

The Chairman suggested that in light of the recent decision to permit the 63 homes in Felbridge, referenced earlier in the meeting, that a recommendation be made to the Planning & Highways Committee that it writes to Mid Sussex to request that the District Council reconsiders its decision to approve the application for the Wates, as it too is in conflict with a made neighbourhood plan.

**This was AGREED by all present.**

The Chairman further suggested that in the light of the information that the DCLG may call in the Wates 9 application, as advised earlier in the meeting, that a recommendation be made to the Planning & Highways Committee that the Council writes to DCLG to register its support for application DM/17/1148 be 'Called-In' by the Secretary of State should he be minded to do so. Reference should be made in the letter to the Planning for the right homes in the right places White Paper, and the Council's concerns over piecemeal development.

**This was AGREED by all present.**

The Chairman reminded members that the Council had asked DCLG for a delay in lifting the Article 31 after the Inquiry decision, to allow the Council time to consider the implications.

If the decision went against Crawley Down, then the resulting Wates development would probably lead to a change in the BUAB.

## **23 Review of Crawley Down Neighbourhood Plan**

To receive and consider a verbal report on a meeting with Mid Sussex on 30th October to discuss issues relating to the monitoring and review of NHPs

The Clerk reported that the Council had requested a meeting with Sally Blomfeld and Lois Partridge, MSDC strategic development officers, and this had taken place with Cllrs Gibson and Hitchcock and herself in attendance.

The meeting had been productive, and the Clerk will be liaising with MSDC over the Parish Council's Call for Sites submissions, to consider duplicates received as part of the District Council's Call for Sites process.

The Chairman agreed that the meeting had been productive, and noted that MSDC are recognising the need for supporting infrastructure. If this Sub Committee agrees with sites that MSDC are proposing to allocation in Crawley Down, then there may be no need for site allocation in any revised Neighbourhood Plan. However, he did have concerns over the implications of the recent DCLG Fontwell decision, whereby if the parish council did not consider a site, then it was "silent" on the issue, so could not be deemed for or against development. This could be a problem if the landowner indicated a site was not available at the time of assessment, but then brought it forward some time afterwards.

The Clerk suggested that the Neighbourhood Plan could formally note such sites being unavailable, and this may be sufficient to "recognise" it; legal advice should be sought.

**Members NOTED this information**

To note that the Council issued a Call for Sites in the Parish which closed on 27th October and receive details of nominated sites in the NPA.

The Clerk said that she had not yet had the opportunity to make an initial assessment of submission, recording details and checking if in the SHLAA.

Mr Hitchcock said that any plot of land in the village should be considered, whether it had been submitted or not, and the landowner approached direct.

The Chairman said that he had three sites in mind – two owned by MSDC, and one adjacent to The Pheasantry.

The Clerk asked if members intended approaching residents with large gardens that could accommodate infill, or just owners of open space land. It was agreed that only open space land would be considered.

Mr Brooks suggested that the Sub Committee produce its own simplified SHLAA document, using MSDC methodology, and with supporting evidence.

MSDC are in the process of reviewing the SHELAA methodology to make it more compatible with the NPPG. This will be completed before Christmas 2017.

Cllr Webb thought that this approach was worth progressing, as the Sub Committee could decide to cease this at a later date.

To consider whether the Sub-Committee should propose sites suitable for small scale development of one and two bed affordable market homes within the BUAB

The Chairman suggested that the recycling site could accommodate some housing.

Mr Brooks remembered that in the early stages of the Crawley Down Neighbourhood Plan, residential flats had been proposed on this site.

The Chairman said that such small sites could assist in meeting local need, whilst having little impact.

**It was agreed by all present that a recommendation be made to the Planning & Highways Committee that the Sub Committee would start a process of identifying sites within the village for small scale development.**

To note the results of an analysis of new homes in the Parish by Council Tax band as evidence of the small numbers of affordable homes to buy

The Chairman circulated copies of spreadsheets showing the number of properties in each Council tax band. It was difficult to analyse these figures in depth, due to the complicated formulae used to allow for single person occupation and student reductions etc.

However, the data did prove that new housing in the village has been within the higher tax brackets, i.e. large executive homes, rather than the smaller homes identified as local housing need.

The data also supported the results of the 2014 Housing Survey which was reassuring as this could be cited as evidence.

**Members NOTED this information**

Need to update evidence base – validity of the 2014 housing survey

Given that the 2014 Survey matched available current data, as advised above, the Chairman was of the opinion that this document was still valid, although it may need to be reviewed at a later date in the Plan process.

**This was AGREED by all present.**

Other issues – traffic modelling/windfall numbers; treatment of further applications and approvals.

The Chairman asked Mr Brooks if he was still noting windfall numbers; he said that he needed to update this document.

With regard to traffic modelling, Mr Brooks noted that currently the impact of development was measured as the resultant increase in traffic being a proportion of existing levels. Therefore, more developments in the same area would result in less overall impact. This should be addressed.

To consider whether (and how) the Council should undertake a site selection exercise to identify suitable sites to meet housing need allocated by MSDC, currently 51. In particular, the criteria for including and assessing sites and the extent of public consultation on the conclusions.

As previously advised, the Clerk will be logging sites submitted as part of the Call for Sites. It was envisaged that these would be assessed in January. The Sub Committee could then use this data to decide if a full site selection would take place. This was also dependent on the guidance issued under the Neighbourhood Planning Act 2017 with regard to "material modifications" requiring a new Plan.

Mr Hitchcock suggested that the Sub Committee should consider aligning its Call for Sites assessment with that of MSDC, including whether each site would be suitable to meet the residential local requirement identified in the made neighbourhood plan. The neighbourhood plan would then be modified to refer to the assessments in the MSDC SHEELA following the process for a non-material modification.

This approach could avoid the challenge that the neighbourhood plan or development plan is silent on a site when an application is brought forward. The application would need to comply with the policies in the neighbourhood plan. There would still be an issue for sites that are not nominated to either WPC or MSDC, but it may be possible to include a blanket assessment that such sites are deemed unsustainable in the plan period.

**Members NOTED this information, and agreed it was a topic for future debate.**

## **24 Wider Community Issues**

Progress on a new car park for the Village Hall

The Chairman advised that the Crawley Down Village Hall had submitted an application for a grant of approximately £2200 to the County Local Committee to draw up plans for a new car park to the rear of the Hall. The Village Hall is one of the community assets referenced in Proposal 1 of the Neighbourhood Plan, and the project has the support of the Parish Council.

**Members NOTED this information**

The Council's role in delivering affordable home for young families to buy

It was felt that this matter had been covered earlier in the meeting.

Whether to invite the CDRA and the Save the Pub Group to be represented on the Sub Committee

The Clerk advised that membership of the Sub Committee was set at 12, and any increase in this figure would need a change to the Terms of Reference.

The Chairman said that he envisaged representatives attending in an advisory capacity, to assist in delivering facilities within the village.

**It was AGREED by all present that the Clerk would contact both organisations to invite them to send a representative to future meetings. Mr Burberry would supply the Clerk with a contact for the Save the Pub Group.**

## **25 Date of next meeting**

It was agreed that the next meeting would be Thursday, 7th December, subject to the availability of the room. Mr Hitchcock offered to Minute the meeting, with actions being given to the Clerk to progress. This was AGREED by all present.

*Meeting closed at 9.05 hrs*

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_