

## NEWICK PARISH COUNCIL

**MINUTES** of the Meeting of the Neighbourhood Plan Committee of Newick Parish Council held at the Sports Pavilion, King George V Playing Field, Allington Road on Tuesday, 14<sup>th</sup> March 2017 at 7.00 p.m.

**Present:** Councillors: B. Horsfall, G. Jones, I. Nesbitt, J. Smerdon and K. Wrench

**In Attendance:** Mrs. S. Berry (Clerk)  
Estelle Maisonnial (Lewes District Council Neighbourhood Planning Officer)  
Max Woodford (Lewes District Council Head of Regeneration and Investment).  
Fourteen members of the public

An audio recording was made of the meeting

- 1. Appointment of Chairman for this Committee** – It was agreed that Cllr. Jenny Smerdon should be appointed as Chairman for this committee (proposed by Cllr. Nesbitt and seconded by Cllr. Jones).
- 2. Apologies for absence** – There were no apologies for absence.
- 3. Disclosure by Members of personal interest in matters on the agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct.** There were no disclosures.
- 4. Questions or Statements by Members of the Public**

Baroness Cumberlege advised those present that she was a Member of the House of Lords and that she had taken a great interest in the Neighbourhood Planning Bill, the third reading of which would take place in The House of Lords the following day. She read out a letter received from the Treasury Solicitor in connection with her application to quash the Secretary of State's decision, made in November 2016, to grant permission for a development of up to 50 dwellings on land at Mitchelswood Farm. The letter stated that the Secretary of State had conceded that this decision should be quashed because of a failure on his part to take into consideration a previous decision made in the Broyle Gate Farm (Ringmer) Appeal case which was also relevant to the Mitchelswood Farm case. Baroness Cumberlege stated that this could not have been achieved without the support of the village and Lewes District Council (LDC) and thanked all those who had given this support. Finally, she cautioned that the Mitchelswood Farm developer may still wish to proceed to a hearing at the High Court.

Mr Cumberlege stated that the message to come out of this should be that Newick should not 'give an inch' on the Neighbourhood Plan.

The Chairman thanked Baroness and Mr Cumberlege for all that they had done.

Max Woodford advised the meeting that LDC had also received confirmation through another planning appeal case in Wivelsfield that the policy referred to in the letter from the Treasury Solicitor, saved Policy CT1 (Planning Boundary and Key Countryside Policy) from the Lewes Local Plan, could still be considered up to date.

Mr Turk referred to a letter sent by Newick Village Society to LDC and highlighted two questions that had not been addressed in the reply – 1) Does LDC truly recognise the merits of a village? 2) Does the District Council have any desire to keep Newick as a village and resist continual growth?

Mrs Goddard asked four questions – 1) What is the position with the Habitats Regulations Issue and how does this affect planning applications for Newick which have not yet been

granted? 2) What is the position regarding the SANG now that the 7km protection zone for Ashdown Forest appears to be irrelevant? 3) What is Lewes District Council's view of Thakeham Homes request to extend the size of its development site in Goldbridge Road against the backdrop of the allocations made in the Newick Neighbourhood Plan? and 4) what is the process and timescale for the LDC Local Plan Part 2?

Mr Smith asked for clarification over the provision of a play area on the Newick Hill development site. The Chairman advised that LDC Planning Committee would be considering the modified and improved proposals for the play area on this site on Wednesday 15<sup>th</sup> March. She confirmed that Newick Parish Council had viewed the plans at its last meeting and agreed them.

#### **5. Presentation by Estelle Maisonnial, Lewes District Council Neighbourhood Planning Officer –**

Max Woodford spoke first about the issue of a legal challenge by Wealden District Council to Lewes District Council's Core Strategy. He confirmed that the court hearing had taken place and a judgement was awaited. He advised that Wealden District Council was taking a very robust stance around Nitrogen depositions affecting the Ashdown Forest area, but that LDC had not changed its approach. He confirmed that, as far as LDC was concerned, the SANG rules including the 7km area of protection for Ashdown Forest still applied and LDC was in the process of setting the SANG tariff for all new homes in the affected area.

Estelle Maisonnial spoke about the options for amending the Neighbourhood Plan. She advised that the only option currently available would be to repeat the whole process that had already been followed by the Parish Council, with the exception of the designation of the Neighbourhood Plan Area. However, the Neighbourhood Planning Bill proposed a new way to modify neighbourhood plans which would not require a referendum. If the amendments did not involve material changes to the neighbourhood plan policies the process to be followed would be quite easy, but if policy changes were involved the process would involve a further examination and possibly a further referendum. Estelle recommended that any amendment to Newick's Neighbourhood Plan should wait until the new legislation, associated guidance and any funding was in place. At that point, changes should only be made if the parish considered that they were necessary.

Max Woodford advised the LDC Local Plan Part 2 had been delayed by the legal challenge to the Core Strategy brought by Wealden District Council and that it was possible that amendments to the Local Plan Part 1 may be necessary. He advised that LDC was just about to appoint a new Head of Planning, a post which he had been covering on a temporary basis, and that the appointee would be responsible for seeing the Local Plan Part 2 through its consultation phase. It was hoped that Part 2 would be out for consultation in summer 2017.

Max Woodford addressed the questions raised by Mr Turk, stating that Newick's village status was part of its fundamental character and any policies would look to retain this. However, there would have to be a balance between protecting the character of the community and providing the number of new homes required by the government. It was noted that at the Local Plan Part 2 stage, LDC would need to allocate sites for an additional 200 hundred new homes across the district and that this would be a consultative process.

Estelle Maisonnial reiterated that the Secretary of State's decisions regarding the Mitchelswood Farm case referred to above and another case in Wivelsfield confirmed that LDC saved policy CT1, which referred to the protection of planning boundaries, should be given full weight. She advised that this policy and all other saved policies would be reviewed as part of the Local Plan part 2 process.

Max Woodford explained that habitat regulations were complex but that essentially they were European led requirements requiring assessment of proposed development schemes in terms of increased vehicle movements, nitrogen depositions and their likely impact on the environment.

In answer to Mrs Goddard's question about LDC's attitude towards Thakeham Homes' proposal to increase the size of its site on land south of Goldbridge Road, Max Woodford explained that the proposal would need to be considered as part of the Local Plan Part 2 and that it would be open for consultation at that stage.

In response to a suggestion that Newick might consider that it should take additional housing in order to share the burden with the rest of the district, the Chairman stated that in allocating sites for 100 houses in the Neighbourhood Plan, Newick felt that it had already taken its share.

Max and Estelle were thanked for attending and contributing to the meeting. They left the meeting at 7.40 p.m. along with several members of the public.

6. **Review of Terms of Reference for Neighbourhood Plan Committee** – It was agreed to make no changes to the Terms of Reference for the Neighbourhood Plan Committee at the present time.
7. **To be noted - DLA Delivery Ltd v Lewes District Council and Newick Parish Council Application for Permission to Appeal from the Court of Appeal [IM-Active.FID1508433]**  
It was noted that DLA Delivery Ltd had made a further application to appeal to the Supreme Court.

The Meeting Closed at 7.44 p.m.

**Signed:** ..... **Dated:**.....

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