

**Minutes of a Meeting of the Planning & Townscape Committee  
held at the Town Hall, Rye on Monday 17 September 2007**

**PRESENT** Councillors John Breeds, Bernardine Fiddimore, Lorna Hall, Jo Kirkham, Paul Osborne (**Mayor/Committee Vice Chairman**), Frank Palmer (**Committee Chairman**), Ian Potter, Shaun Rogers, Sam Souster (Deputy Mayor), Sylvia Willgoss, David Wright

**IN ATTENDANCE** Richard Farhall - Town Clerk; Cllrs Granville Bantick, Sonia Holmes and David Russell; County Cllr Keith Glazier; Andy Hemsley – *Rye Observer*; 12 members of the public

*The meeting commenced at 6.30.*

**70 APOLOGIES**

There were no apologies for absence.

6.31 *Cllr Jonathan Breeds arrived.*

**71 DISCLOSURES OF INTEREST**

Cllr Granville Bantick	<i>personal</i>	<b>RR/2007/2365/P</b>	Resident of Udimore Road with no view of site
Cllr John Breeds	<i>prejudicial</i>	<b>RR/2007/2365/P</b>	Home backs on to site.
Cllr Jonathan Breeds	<i>prejudicial</i>	<b>RR/2007/2365/P</b>	Parents own property adjacent to site
Cllr Paul Osborne	<i>personal</i>	<b>RR/2007/2365/P</b>	Udimore Road resident
Cllr Ian Potter	<i>prejudicial</i>	<b>RR/2007/2365/P</b>	Parents own house in Udimore Rd. Director of a company with reg. office in Udimore Road.
Cllr Sam Souster	<i>prejudicial</i>	<b>RR/2007/2365/P</b>	Lives in Udimore Road
Cllr Sylvia Willgoss	<i>prejudicial</i>	<b>RR/2007/2365/P</b>	Home backs on to site.

*The Chairman adjourned the meeting for questions – other than those concerning RR/2007/2365/P - from members of the public. There was none.*

*The meeting reconvened.*

## **72 MINUTES**

The Minutes of the Planning and Townscape meeting of 3 September 2007 (PT09) were approved as a correct record and signed by the Chairman.

## **73 MATTERS ARISING**

*Page 4*

*Camber Castle Car park (further considering taking on responsibility for it)*  
The Clerk advised that, given the presence of RR/2007/2365/P on the agenda – together with the volume of business to be discussed at the subsequent Council meeting – he had taken the view that Members were unlikely to object to the item being postponed until the next meeting.

## **74 PLANNING APPLICATIONS**

6.35 *The Committee Chairman adjourned the meeting to hear from members of the public and Members with a prejudicial interest wishing to speak (Appendix A).*

7.00 *The meeting reconvened.*

*Cllrs John Breeds, Jonathan Breeds, Potter, Souster and Willgoss – having a prejudicial interest in the application following - left the Chamber.*

<b>RR/2007/2365P</b>	Land fronting Udimore Road and to the rear of 39-129
(Com)	(odds) Udimore Road, The Old Brickyard, 69-83
Outline	Cooper Road and Tillingham Court, Rye
	Residential development of 135 dwellings (40% affordable) with vehicular access from Udimore Road, play space, open space and landscaping.

Cllr Hall considered that many valid points had been raised during the adjournment. She observed that the *South-East Plan* (2006-26) required 27,000 new homes to be built – including 5,600 in Rother, 4,000 in the 'coastal belt' (which includes Bexhill) and 1,600 in inland rural areas. As Rye's population is 4.77% of Rother's 87,243, the number of new homes that Rye should reasonably be expected to contribute is 260 – or 13pa over a 20-year period.

The Plan states that at least 60% of new dwellings should be provided on previously-developed land or comprise conversions of existing buildings. In the case of Rye, this would mean a maximum of 5 houses on greenfield land pa over 20 years.

Recent and imminent residential developments at Rye View, Burnhams, the Ferry Road Pottery site, former Cinque Ports Surgery, 59-59a Cinque Ports Street – as well as the possibility of 170 houses at Rock Channel – would provide nearly all of Rye's quota for the next 20 years.

Cllr Osborne observed that the applicant had stated that Rye was '90 houses down' on its quota; whereas, this applied actually to the whole district. Furthermore, 196 dwellings were currently being constructed in Camber – the occupants of which would use Rye facilities - and around 300 at Battle.

**RESOLVED 1 SUPPORT REFUSAL (unanimous) (see Appendix B).**

*Cllrs John Breeds, Jonathan Breeds, Potter, Souster and Willgoss returned to the Chamber.*

**RESOLVED 2 That the Council's comments on the Planning Applications remaining be submitted to the District Planning Authority:**

**RR/2007/2356/A** 18-20 High Street, Rye  
(Del) Non-illuminated projecting sign. Non-illuminated shop fascia sign with internally-illuminated static logo. SUPPORT REFUSAL. Out of character. Illumination inappropriate in Conservation Area.

**RR/2007/2372/L** 8 Mermaid Street, Rye  
(Del) Demolition of dilapidated boiler outhouse and construction of new boiler room and concrete plinth for Aga cooker to facilitate installation of fitted handmade painted kitchen. Formation of first floor dressing room together with scheduled of works attached. SUPPORT APPROVAL

**RR/2007/2385/P** Belle View Nursery, Ferry Road, Rye  
(Del) Redevelopment of existing nursery site to provide 3 residential units including alterations to an existing vehicular access and construction of new road. SUPPORT APPROVAL

**75 A259 MONKBRETTON BRIDGE**

Members were advised that parking permits for Lucknow Place and Bedford Place car parks had been secured for residents of New Road, Kings Avenue and East Guldeford as part of a joint RTC-RDC initiative and would be distributed by RTC shortly.

Further information about the closure – as well as revised bus routes – would appear within the Council's newsletter to be published in the October *Fixtures*.

A 50m section of King's Avenue would be closed to traffic to facilitate the turning of any HGV drivers who had ignored diversion signs.

*The meeting closed at 7.21*

Date.....

Chairman.....

**74 PLANNING APPLICATIONS  
RR/2007/2365P**

Cllr Souster observed that it was a very detailed outline application – and costly - suggesting the applicant was determined to succeed. He reminded the meeting that the Planning Authority had turned down their previous applications to develop the site on the grounds of loss of green space and adverse impact on the character/profile of the town. Cllr Souster suggested that the proposed 135 dwellings was excessive and questioned who would purchase/occupy the dwellings. Much hinged on the views of Southern Water and the Environment Agency. The habitat assessment did not rule out the possible presence of protected species. He considered that the proposed access road and mini roundabout was inadequate to cope with the additional traffic movements generated by around 200 extra cars. Around 4,000 vehicles use the B2089 weekdays and the Highways Agency encourages HGV drivers to use it to relieve pressure on the A259. It was regrettable that the Planning Inspector who had reviewed the Local Plan had stated that the road could satisfactorily accommodate the additional traffic associated with the proposed development. Cllr Souster concluded by suggesting that the Council's priority should be to prevent the site being removed from the reserve list and he hoped Rye's District Councillors would keep up the pressure on RDC officers to identify alternative brownfield sites.

Cllr Willgoss advised that the site had a long history of agricultural use. It was frequently boggy at the bottom – something which would be exacerbated by much of the site being developed. There is a badger sett in the garden of one of the properties backing on to the site and it was reasonable to suppose that badgers traversed the site to/from foraging areas. The development would take away the rural outlook enjoyed by many Udimore Road residents and light pollution would increase.

Cllr Osborne had concerns about traffic approaching Rye at speed failing to slow sufficiently to negotiate the mini roundabout proposed. He had advised the developer that approval to utilise part of Oast House Drive would not be granted. He noted that the plans submitted allowed for the retention of a water course down the middle of the site – something which might not be appreciated by prospective purchasers.

Cllr Palmer observed that the Planning Inspector had agreed with RDC that the site should be held in reserve and released only if sufficient sites could not be found elsewhere.

Cllr John Breeds was opposed to development on greenfield sites in principle and had voted in favour of the new Primary School being built at Love Lane solely on the grounds that Rye was in desperate need of the facility. He considered there were more than enough brownfield sites available and noted that there were a number of new build dwellings in Rye which remained unsold. He considered that, with the increased occurrence of severe 'freak' weather conditions, it was inevitable that there would be flooding attributable to run-off.

Speaking from the Gallery, Cllr Bantick emphasised the importance of the issue and the need to head off an undesirable precedent. Release of the site

before other (brownfield) options had been explored would be unacceptable. Development opportunities were likely to arise at Rock Channel and the Freda Gardham and Tilling Green school sites. Surface water would end up in the River Tillingham and, if the sluice gate was closed, flooding would result. Additionally, climate change was thought to be responsible for more frequent violent flooding. Increased traffic movements on the B2089 posed risks for vulnerable road users. Sewage in the Old Brickyard already has to be pumped away from the area.

Cllr Potter highlighted the problem of younger people moving away from Rye to areas with relatively cheaper living accommodation – such as Hastings. It was unlikely that the development proposed would provide truly affordable homes.

Mr Short, who lives at the bottom of the site in the Old Brickyard, highlighted the problems he – and previous occupants – had had with flooding over a number of years. He considered the application was flawed. It suggested misleadingly that some work had already been undertaken.

Speaking from the Gallery, Cllr Russell stressed that RDC's position remained that the site was not to be considered for release until all brownfield sites across the district had been assessed. He would oppose strenuously the release of the site.

Cllr Palmer understood that the final decision would be made by the full RDC council.

Mr Mash considered that the applicant's flood assessment did not take into account the thin topsoil on the site, which overlays heavy clay.

Speaking from the Gallery, Cllr Holmes stated that she was a member of RDC's Planning Committee and would make the points raised to officers and support vehemently opposition to the application.

Frank Rallings  
Head of Planning  
Rother District Council  
Town Hall  
Bexhill  
TN39 3JX

by fax

18 September 2007

Dear Frank

**Planning application RR/2007/2365/P  
Land fronting Udimore Road, Rye and to the rear of 39-129 etc**

Rye Town Council supports refusal of this outline planning application for the reasons following:

- 1 The area has not been released for development (*Policy DS6, Rother District Local Plan, July 2006*)
- 2 It has not been demonstrated that there is 'a need to consider development beyond the existing urban limits of the town' (*para 12.17 Rother District Local Plan, July 2006*). The Planning Authority has a policy of giving 'priority to reusing urban land' (*para 12.18, Rother District Local Plan, July 2006*) and is 'keen to avoid the unnecessary development of greenfield sites' (*para 4.68, Rother District Local Plan, July 2006*)

The general thrust of Government policy is to encourage the reuse of previously developed land in order to promote regeneration and minimise use of greenfield land.

The *East Sussex and Brighton & Hove County Structure Plan 1991-2011* Policy S1 states that planning activities and development decisions should take account of a number of criteria – including: 'efficient and effective renewal and re-use of existing premises and "brown" sites, particularly in the urban areas to reduce the need for greenfield sites' and 'protecting and enhancing the attractiveness and individual character of urban and rural areas for residents, businesses and visitors.'

One of the key principles set out in *Regional Planning Guidance for the South-East* (RPG9 - 1994) is that 'the fullest use should be made of opportunities for the redevelopment and recycling of urban land' (*ESB&H Structure Plan*).

- 3 The Planning Authority has a policy objective of 'only relatively modest growth in Rye' (*para 12.18, Rother District Local Plan, July 2006*). The town has recently accommodated new dwellings at Burnhams (12), Rye View (24), the former Cinque Ports Surgery (5) and 59a-59b Cinque Ports Street (9). Further dwellings are under construction or are likely in the immediate future at the former Rye Pottery site, Ferry Road (7) and Belle View Nursery (3) – making a total of 60 in all.

The Draft Rock Channel Development Brief suggests that, excluding allotment land, the Rock Channel area could accommodate up to 115

(brownfield) dwellings. With the completion of the new Rye Primary School in September 2008, the Freda Gardham (New Road) and Tilling Green (Masons Road) school sites will be declared surplus. The former Thomas Peacock lower school site has been surplus for some years and is 'suitable for at least 32 dwellings' (*Policy RY4, Rother District Local Plan, July 2006*)

- 4 The development would give rise to an increase in vehicular traffic and would be detrimental to the free flow and safety of persons and vehicles using the B2089 (*RN7A*) and the single access road proposed is not considered to be adequate to serve the development (*RN7C*). *Note:* The Highways Agency encourages HGV drivers to use the B2089 to relieve pressure on the A259.
- 5 The site abuts the High Weald Area of Outstanding Natural Beauty and the proposed development would harm the rural character of the area (*RN4A*).
- 6 The proposal constitutes over-development which, if permitted, would be out of character with and detrimental to the amenities of the locality (*RN8A*).
- 7 The route to Rye along the B2089 (Udimore Road) from the south-west is one of three striking approaches to the town. The installation of a roundabout and service road for the proposed development would affect adversely the appearance of this 'gateway'. Indeed, this was the conclusion of the Planning Inspector considering an appeal against the refusal by Rother District Council to permit a *smaller* number of dwellings on the site at an Inquiry held on 30 September 1975 – a view accepted by the Secretary of State for the Environment.
- 8 The site consists mainly of Wadhurst Clay which is largely impervious and exacerbates drainage difficulties. Models generated by the University of East Anglia's Climatic Research Unit show that, over the past 40 years, there has been an increase in the intensity of UK precipitation in the winter (when the ground is more likely to be saturated). The incidence of atypical severe weather conditions is increasing. A combination of the large volume of surface water run-off from the proposed development – together with a delay in opening sluice gates – could result in fluvial flooding off-site.

Yours sincerely

Richard Farhall  
Town Clerk