

**Minutes of a Meeting of the Planning & Townscape Committee
held at the Town Hall, Rye on Monday 21 January 2008**

PRESENT Councillors John Breeds, Bernardine Fiddimore, Jo Kirkham, Paul Osborne (Mayor – **Committee Vice-Chairman**), Frank Palmer (**Committee Chairman**), 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*; 9 members of the public

The meeting commenced at 8.15.

133 APOLOGIES

Apologies for absence were accepted from Cllrs Jonathan Breeds, Lorna Hall and Ian Potter.

134 DISCLOSURES OF INTEREST

Cllr Bantick	<i>personal</i>	RR/2007/3578/P and item 138(a) & (b) Lives in a road adjoining the site
Cllr John Breeds	<i>prejudicial</i>	RR/2007/3578/P and item 138(a) & (b) Lives adjacent to site
Cllr Souster	<i>personal</i>	RR/2007/3578/P and item 138(a) & (b) Lives in a road adjoining the site
Cllr Sylvia Willgoss	<i>prejudicial</i>	RR/2007/3578/P and item 138(a) & (b) Lives adjacent to site

The Chairman adjourned the meeting for public questions (see Appendix).

The meeting reconvened.

135 MINUTES

The Minutes of the Planning and Townscape meeting of 7 January 2008 (PT18) were approved as a correct record and signed by the Chairman.

136 MATTERS ARISING

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81 Camber Castle Car Park (obtaining details of ownership from Land Registry) See main agenda item – 139.

100 A259 (Strand Quay): parking bays (obtaining further information from InterRoute on its methodology) Response outstanding.

113a) Section 106 Agreements: funding (writing to ESCC, RDC and the Highways Agency to ascertain if they are holding any monies earmarked for Rye) A response from the Highways Authority was awaited.

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131 Land north of Udimore Road See main agenda item – 138.

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132 Local Development Framework (drawing RDC's attention to local needs) Actioned.

137 PLANNING APPLICATIONS

RESOLVED That the comments following be submitted to the Planning

RR/2007/3470/P Del <i>Retrospective</i>	79 Military Road, Rye. Provision of an off-road parking space for 1 vehicle SUPPORT APPROVAL
RR/2007/3573/P Del	8 New Winchelsea Road, Rye. Addition of first floor extension to form bedroom, render whole building and add new roof. SUPPORT APPROVAL
RR/2007/3584/L Del	7 Watchbell Street, Rye. Erection of single storey rear extension to enlarge kitchen. Addition of dormer window and shower room in roof space. SUPPORT APPROVAL Subject to the approval of the Conservation Officer.

RESOLVED For the benefit of Cllrs John Breeds and Willgoss: To bring forward consideration of agenda items 139 and 140.

139 CAMBER CASTLE CAR PARK

The Clerk reported that the Land Registry had advised that the site is not registered (nor has a caution against first registration or application for a caution against first registration). This did not mean there was no owner; however, if, after extensive enquiries, the absolute title could not be established, it was likely that it would be claimed by the Crown.

The Clerk considered that the current occupant of the land would not be able to take adverse possession after 12 years because he had not enclosed the site nor tried to prevent others from accessing it.

If the Council was keen to acquire the site for (continued) public use, ideally, it should seek agreement with the owner; however, it could – with the help of RDC – pursue compulsory purchase.

RECOMMENDATION That the Council takes steps to ascertain the ownership of the site.
Clerk

140 LDF: SITE IDENTIFICATION CONSULTATION

It was noted that RDC had written to parishes asking them to identify new

development sites within Rother.

RESOLVED To remind Rother of the existing and upcoming brownfield sites within the Parish. Clerk

137 PLANNING APPLICATIONS (CONTINUED)

Cllrs John Breeds and Willgoss re-stated their prejudicial interests in the application following – and agenda item 138 - and left the Chamber.

RR/2007/3578/P Udimore Road – Land fronting (rear of 39-129 Udimore
Com Road,
Outline The Old Brickyard, 69-83 Cooper Road)
Residential development of 135 dwellings (40% affordable) with vehicular access from Udimore Road, including play space, open space and landscaping.

RESOLVED To submit the Council's response to the original application but to add/expand references to the soil, flooding/emergency planning, sewerage and the local Drainage Board. Clerk

138 LAND NORTH OF UDIMORE ROAD

(a) Proposed release of land

Members were invited to consider further a course of action in relation to the Cabinet Recommendation to Rother's full Council meeting on 3 March that the land north of Udimore Road be released for development.

RESOLVED To lobby District Councillors beforehand. Clerk

Speaking from the Gallery, Cllr Glazier suggested that if the Town Council was not allowed to address the Council meeting, use could be made of Public Question Time. Clerk

(b) Appeal (Inquiry)

The meeting was invited to agree the initial comments to be submitted to the Planning Inspectorate concerning Aroncorps appeal against Rother's refusal to grant it outline planning permission to build 135 dwellings on the site. (*deadline: 29 January*)

Speaking from the Gallery, Cllr Glazier advised that planning appeals were taking currently in the region of 6-9 months.

RESOLVED To submit comments based on the Council's response/s to the outline planning application/s. Clerk

The meeting ended at 9.07.

Date.....

Chairman.....

PUBLIC QUESTION TIME

In accordance with para 12(2) of the Council's new Code of Conduct, Cllr John Breeds re-stated his prejudicial interest in the agenda items relating to the possible development of land north of Udimore Road and made the statement following:

Cllr Breeds expressed his total opposition to development on the field – not only for environmental reasons – and the fact that it is a greenfield site – but because he suspected that whatever 'technical solutions' were applied flooding could not be avoided. He considered also that the developer's surface water run-off/dispersal calculations were inaccurate.

In accordance with para 12(2) of the Council's new Code of Conduct, Cllr Willgoss re-stated her prejudicial interest in the agenda items relating to the possible development of land north of Udimore Road and stated that she agreed with the comments made by Cllr John Breeds.

Cllrs John Breeds and Willgoss left the Chamber.

Alan Nash noted that Aroncorp proposed installing storage tanks to collect surface water and asked who would meet the cost of pumping them out. If Aroncorp obtained planning permission he wondered if the public could appeal against the decision. The Clerk suggested that the public could write to the Secretary of State but, because provision for the development of the site appeared in the adopted (Planning Inspectorate-approved) *Rother District Local Plan* – produced after many years of consultation – it was unlikely that the decision would be 'called in'.

Mr Nash was concerned also about references made at a public exhibition organised by Green Issues at Tilling Green School to the site having the capacity to accommodate 400+ dwellings.

Jim Hollands observed that under certain conditions – high tide:high river levels – the proposed storage tanks would have nothing to discharge into once full. The ditch running alongside the TG Estate would quickly become saturated. Water would rise up through the drains in Cooper Road. The Tillingham was within a few inches of bursting its banks in 2002. If this was repeated where would residents be evacuated?

The Clerk advised that the local Emergency Planning Officer was about to start work on a more detailed flood plan for Tilling Green.

The Mayor suggested the developer's aggressive pursuit of an appeal whilst submitting a revised outline planning application was irrational. The key to the issue was the outcome of the full Rother Council meeting on 3 March when Members would be invited to release the site for development.

The Committee Chairman observed that when Rother's Planning Committee refused the first outline planning application one of the reasons was concerns about drainage. He wondered what the view was of the Romney Marsh Area Drainage Board. The revised application had, supposedly, incorporated concerns expressed by the Environment Agency. It also included a new landscaped buffer strip.

Mrs Rison suggested that 135 additional houses for Rye was excessive and would make Rye less attractive for visitors.

Cllr Souster observed that Rother had refused 3 previous planning applications to develop the site. He summarised Aroncorp's grounds for appeal:

- a) the release of the land is necessary to provide adequate housing supply in the District;
- b) the development will provide affordable housing;
- c) the EA is content that a satisfactory surface water drainage strategy can be designed.

He – and Cllr Glazier – considered that the key to stopping the development was to ensure that Rother did not release the land on 3 March.

Cllr Bantick advised that he was in contact with Robert Martindale of the EA and hoped to meet the Drainage Board shortly. The EA remains in discussion with Aroncorp's engineering consultants over 'outstanding issues'.

Mr Nash observed that the application documentation made reference to the site consisting of alluvium soil over Hastings shingle. This was incorrect – it is clay.

Betty Ellwood recalled that there are at least two underwater springs at the top of Udimore Road.

Cllr Kirkham observed that drains regularly burst at the top of Udimore Road, necessitating highways repairs. It was known commonly that Rye's sewage pipes would not be able to cope with an additional 135 properties.

Cllrs John Breeds and Willgoss returned to the Chamber.