

# Salehurst and Robertsbridge Neighbourhood Development Plan

---

## Post Hearing Notes

**Prepared by**

**JOHN SLATER BA(Hons), DMS, MRTPI**

**John Slater Planning Ltd**

**Independent Examiner**

6<sup>th</sup> October 2017

## Introduction

1. I held a hearing into the Salehurst and Robertsbridge Neighbourhood Plan on Thursday 28<sup>th</sup> September 2017 which lasted a full day, from 9.30 until approximately 18.30. An accompanied site visit to the Grove Farm site was held that evening, whilst it was still light. The following day, more accompanied site visits were held, firstly to the Bishop Lane Fields site, including a stop off at Station Road to see the long-distance views of the site. Secondly, we moved to the Mill Site where we inspected the exterior of both the Mill Building and the listed Oast House and walked to the rear of the site. We then walked along the public footpath adjacent to the bungalow, Melrose and across the field and into the Woodland Trust owned woodland where the public footpath adjoins Mill Site.
2. During the hearing, I asked for some further information to be provided in response to particular issues. These are set out below.
3. I also have some comments regarding the Parish Council's Environmental Report.

## The Vicarage site

4. Mr Stringer's evidence on behalf of the Diocese of Chichester related to the engineering of a new access into the site and I asked, bearing in mind the difference in ground levels, what would be the likely gradient of that access road and whether it would be negotiable by refuse vehicles. I was told that the County Council accepted a gradient of 1 in 8. I requested information as to where in guidance that is set out. Following the hearing an email was sent to me via the Programme Officer including a third option for the access road which is set out at the end of this note. It also drew attention to the following document <https://www.eastsussex.gov.uk/media/1772/cd61-esccl-local-design-guide-for-residential-development-version-1-29-sep-10.pdf> and I am placing it in the public domain. The relevant text from the email is;

"This is principally for adopted roads, but the standards are also useful for roads that will remain private which is probably likely to be the case at Fair Lane. Gradients are provided on Page 6 under 'Street Geometry'. You will see that ideally 1:10 is the maximum although 1:8 in the inner radii of bends – there will be a bend in the road alignment similar to the current internal layout, so a 1:8 gradient is considered appropriate. However, there is no reason why a 1:10 gradient (or even shallower gradient) could not be achieved – it would simply require the slope of the road to be extended a short distance further into the site."

5. I do not invite any further comments on this aspect.

## The Mill Site

6. During the hearing, there was a good deal of discussion about the flooding question as it related to that site. In particular, under the Exception Test, it was necessary to be demonstrated that the site could be safe in the 1 in 100-year event and that part of the criteria for assessing if this can be kept safe is whether there could be vehicular access to the site in an emergency.
7. The Hodson Mill representatives have now proposed a new escape route for residents and an access route for emergency vehicles via a public footpath and private driveway to the north west of the development site. This could offer the possibility of the allocation passing the Exception Test.
8. However, the proposed route is across land outside the control of the Mill Landowner and to be a viable emergency route it would be necessary for the route to be upgraded to be capable of allowing the emergency vehicles such as fire and rescue appliances and ambulances, to be able to access the Mill site in all weather and ground conditions. This would require changes to gates, the provision of an appropriate surface and subbase and sufficient trees to be felled within the woodland to allow the size of vehicles referred to negotiate the route.
9. In addition, the necessary rights of access would have to be granted by all the landowners for the lifetime of the development, to ensure that the route remains always available. Further management arrangements would have to be put in place to ensure that the route was maintained and fit for that purpose, for the lifetime of the development.
10. Finally, I needed to be satisfied that the emergency services, notably the ambulance and the fire and rescue service would be prepared to support these arrangements.
11. Accordingly, at the hearing, I offered the promoters of the Hodson Mill Site, a period of grace, until the end of 30<sup>th</sup> November 2017 to provide me with the necessary evidence which would satisfy me that that all the necessary landowners along the route, including the entire driveway until it joins the A21, agree in principle, to allow both the physical improvements required and to grant the necessary rights of access over the lifetime of the development. This is critical to my conclusions, as to whether the Mill Site allocation can be included in the neighbourhood plan, by being safe for “the lifetime of the development”. I also need to be satisfied that the 2 emergency services are content to actually utilise these arrangements.

## Strategic Environmental Assessment

12. Some time at the hearing was spent examining the relative scoring of alternative sites, contained within the Environmental Report. Specific comments had already been made at Regulation 16 stage, by both the Local Planning Authority and also by Turnberry's planning consultant, on behalf of the owners of the Grove Farm site. I also raised some apparent inconsistencies with Mr Hardy on behalf of the Parish Council, who could not adequately explain some of the scoring decisions. I am therefore offering the Parish Council the opportunity to revisit its Environmental Report and in particular the comparative scoring of the alternative sites, to ensure that the relevant scoring of the alternative sites is shown to have been done in a fair, robust and objective manner.
13. Similarly, the Parish Council appeared to concede, that it had not carried out the sequential approach to housing site selection, as required by the national guidance, but relied on its contention that the benefits of using a major brownfield site, rather than green field sites and the imperative to put heritage assets to new uses, outweighed the need to take a sequential approach in terms of flood risk. Advice set out in Paragraph 22 of the section of the Planning Practice Guidance dealing with flood risk, states:

“Where other sustainability criteria outweigh flood risk issues, the decision-making process should be transparent with reasoned justification to allocate land in areas of high flood risk in the sustainability appraisal report”.
14. I am therefore offering the Parish Council the opportunity to set out its reasoned justification, as to why it decided not to adopt the sequential approach to housing site selection, specifically in the context of its consideration of sustainability factors, as set out in its Environmental Report.
15. If the Parish Council does accept this invitation to review its Environment Report, it will be necessary that the new report should be the subject of public consultation, including all parties who have made representations on this neighbourhood plan at Regulation 16 stage, to allow them the chance to comment on the latest version. It should also be publicised by the Parish Council around the Parish, via websites and public noticeboards. I believe a 28-day period would be appropriate, with any representations to be sent to me via the Programme Officer, Cheryl Poole at [Cheryl.Poole@rother.gov.uk](mailto:Cheryl.Poole@rother.gov.uk). I will ask the Programme Officer to notify the Regulation 16 parties of the revised Environmental Report if it is produced.
16. It would be helpful if the Parish Council could confirm to Cheryl Poole whether it will be taking the opportunity to review its Environmental Report or

whether it wishes me to reach my conclusions based on the current submitted version.

### **Concluding Remarks**

17. I have therefore decided that I will suspend the examination and not conclude my report until after 30<sup>th</sup> November 2017 or the expiry of the consultation period on any revised Environmental Report (if produced), whichever is later. I would ask that the necessary documentation from the Hodson Mill site owners, with the outcome of their discussions with adjacent landowners and the emergency services, is sent to me via the Programme Officer, Cheryl Poole, no later than the end of business on 30<sup>th</sup> November 2017.
18. If there are any questions arising from this note I would ask that they be directed to me via the Programme Officer.

John Slater BA(Hons), DMS, MRTPI.

John Slater Planning Ltd

6<sup>th</sup> October 2017

# Revised Access Drawing for the Vicarage Site

