

Herstmonceux Neighbourhood Plan (HNP) 2014 - 2027

East Sussex County Council Response – January 2014

1. Introduction

1.1 Thank you for the opportunity to comment on the Neighbourhood Plan for Herstmonceux. The following are officer comments from East Sussex County Council which have been subdivided into the respective disciplines for ease of reference. Where appropriate, the specific section or policy within the consultation document has been referred to. Comments on the Draft Site Assessments are included in Appendix 1. Appendix 2 contains comments on the Draft SEA Report.

1.2 If you have any queries on the County Council's comments please contact:

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2. Pre-Submission Plan

Planning Policy Context

2.1 East Sussex County Council is the Highway Authority and the Waste and Minerals Authority for the HNP Area. The HNP should reference both the Local Transport Plan (2011-2026) and the Waste and Minerals Plan (adopted February 2013) within the section 'Planning Policy Context'.

2.2 The County works closely with Wealden District Council in preparation of their Local Plan documents, including the Infrastructure Delivery Plan (IDP), to ensure the infrastructure need arising from proposed development is planned for appropriately. For your information, as part of this work, the Wealden IDP notes that the proposed level of development within the Local Plan for Herstmonceux would give rise to the need for additional places for Early Years education within the plan period. In addition there may be a small shortfall of places at Herstmonceux CE Primary School.

2.3 Paragraph **5.19** should be updated to reflect recent changes to the CIL regulations, as laid before parliament in December 2013. The HNP should state that S106 agreements may still be entered into, in certain circumstances, although the agreements:

- 1) Cannot duplicate money collected under CIL; and
- 2) Can only 'pool' up to five contributions for a particular project or type of infrastructure (from April 2015).

Transport

- 2.4 We suggest additional wording for the Objectives and Measures at **paragraph 3.3**: *“To improve the accessibility of the Herstmonceux and Windmill Hill sites by ensuring that new developments contribute towards improvements to the bus service (increase to half hourly service), bus facilities (e.g. upgrade bus stops) and links to the facilitates (e.g. upgrade footways, pedestrian crossings). The need for Travel Plans to be provided as part of any new development should also be emphasised with measures put in place to encourage sustainable means of transport to and from the site”.*
- 2.5 Paragraph **4.36 Policy 5: Strawberry Field, Windmill Hill** should include the following additional wording to acknowledge the impact on transport from the proposed development: *“ In order to provide a suitable link to bus stops and facilities on the opposite side of the road a pedestrian crossing point would need to be provided in a safe and convenient location on the A271 to serve the proposed residential development and car park. Given the character and busy nature of the road a pedestrian refuge may also be required”.*

Cultural Strategy

- 2.6 We welcome the recognition of a need to support existing community facilities such as the Bowls Club and Scout Hut. Given that the population will grow with the planned housing growth, it may be worth considering if there are other opportunities for a community venue which could allow for a wider set of activities.

Archaeology and the Historic Environment

- 2.7 In line with the National Planning Practice Guidance (NPPG) the HNP should ‘include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale’. The HNP **Policies 1 – 17**, where relevant, should reflect this understanding of the parish’s historic and archaeological interest and potential as one of the core dimensions of sustainable development is the protection and enhancement of the historic environment.
- 2.8 Known heritage assets and sites are reflected in the Historic Environment Record (HER) by a range of records of evidence of past human activity within the parish from the prehistoric, Romano-British and subsequent historic periods. Particular areas of recorded heritage assets with historic and archaeological interest are defined by Archaeological Notification Areas (ANAs).
- 2.9 The plan would be stronger if, as well as reference to Listed Buildings (**Section 2.15**) and the Scheduled Ancient Monument and Registered Park and Garden at Herstmonceux Castle (Introduction), there was also a note in paragraph **2.15** that the parish has important historic landscape components (including fields, tracks, woods and farmsteads etc), a range of recorded un-designated heritage assets (sites) of historic and archaeological interest and areas of potential where no recorded research or discoveries have been made.

Ecology

- 2.10 Pevensey Levels is also designated as a Special Area of Conservation (SAC) under the Conservation of Habitats and Species Regulations 2010, as amended (**paragraphs 2.3 and 2.14**) and should be included. These paragraphs also refer to areas of ‘historic woodland’.

These should be properly referred to as ‘areas of ancient woodland’ to ensure they receive appropriate protection. Reference should also be made to ‘Local Sites’: Part of Jarvis’s Wood, Nobody’s Wood and Park Wood Complex Local Wildlife Site (LWS) (also known as Site of Nature Conservation Importance/SNCI) lies within the Parish. It is unclear what is meant by “Priority Habitats”; these could be priority habitats under the UK Biodiversity Action Plan (BAP) and/or Habitats of Principle Importance as identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

2.11 The plan should also make reference to rare and protected species known or likely to occur in the Parish. Known ecological assets and sites are available from the Sussex Biodiversity Record Centre (SxBRC). Reference should be made to the contribution these assets, along with others such as open spaces, waterbodies, hedgerows and green lanes make to a multi-functional Green Infrastructure (GI).

2.12 Community infrastructure should include the provision, protection and/or enhancement of GI (**paragraph 4.18**).

Landscape

2.13 Biodiversity and Landscape (**para. 2.4** and **Draft SEA**): should refer to the following as an evidence base for planning policy and decision making:

- The National Character Assessment (on the Natural England website).
- The County Landscape Assessment (East Sussex County Council website).

2.14 The 2009 County Landscape Character Assessment (referred to in Para 4.17) did identify some capacity for residential development at **Lime Cross (Policy 4)**. However it emphasised the importance of retaining a gap between the old settlement and the newer village. This would ensure conservation of the integrity of the setting and character of the old village. Consideration should be given to this requirement in the design brief for the area. The 6.55ha area of the site indicated in the Site Assessment Report would allow for the provision of 70 houses and still retain the green gap. The gap could become multifunctional Green Infrastructure which links with the recreation ground and existing public rights of way.

2.15 Development of the full extent of **Collins Garage (Policy 7)** could encroach into the open countryside of Area B identified in the 2009 County Landscape Character Assessment (referred to in Para 4.17). The detailed design brief would need to ensure development does not extend beyond the existing building line adjacent to the Hailsham Road, to avoid a significant encroachment into the countryside.

2.16 The designation of local green spaces, and **Policy 13: Local Green Spaces and Policy 17 Infrastructure Investment** are supported. These should include a policy to seek development contributions to protect, enhance or provide new green infrastructure, where necessary.

2.17 Please note: GI assets do not necessarily need to be publicly accessible, for example, some sensitive habitats are an asset but may be sensitive to disturbance.

Appendix 1: Environment Comments on Draft Site Assessments Report

Archaeology and the Historic Environment

1. For a sound plan under the NPPF the Historic Environment Record (HER) should be referenced and used to assess the significance of heritage assets in the area. This should cover designated and un-designated assets including sites of, or with, archaeological and historic interest. To help the HNP **Table 1** is a rapid appraisal, based on the HER of the sites, of the sites listed in the draft Sites Assessment Report.

Table 1: Archaeology and the Historic Environment			
Reference	Name	HER	Archaeological interest/potential
(a) 070/2090	Lime Roughs	Not in ANA*, no recorded heritage assets	Some potential; e.g. for remains of prehistoric/early historic date
(b) 040/2090	Lime Cross	Part within 2 ANAs, setting of Listed Buildings	Some potential; e.g. for remains of prehistoric/early historic date
(c) 081/2090	Land North of James Avenue	Not in ANA, no recorded heritage assets	Unknown, considered relatively low potential
(d)	Turner Motor Services	Not in ANA, no recorded heritage assets	Some potential; e.g. for remains of prehistoric/early historic date
(e)	Collins Garage	Not in ANA, no recorded heritage assets	Some potential; e.g. for remains of prehistoric/early historic date
(f)	Strawberry Field	Not in ANA, no recorded heritage assets – adjacent to Windmill Hill	Some potential; e.g. for remains of prehistoric/early historic date
(g)	Higham Farm	Part in ANA for post-medieval/modern development of settlement	Unknown, considered relatively low potential

* = An ANA is an Archaeological Notification Area, which uses past discoveries and records of assets with historic and archaeological interest to indicate the likelihood that other assets of interest may be present.

2. This assessment indicates that none of these sites should be precluded from consideration for development but highlights the potential for the discovery of new sites of historic and archaeological interest. Developers of these sites will need to undertake appropriate archaeological assessment and evaluation in accordance with the NPPF. Developers should be encouraged to seek pre-application advice from the County Archaeological Officer – county.archaeology@eastsussex.gov.uk.

Ecology

3. For a sound plan, the Sussex Biodiversity Record Centre (SxBRC) should be used to assess the significance of ecological assets in the area, designated and un-designated. To help the HNP **Table 2** provides a rapid appraisal based on the SxBRC records.
4. NB: An absence of biodiversity records does not necessarily indicate a lack of ecological interest and may simply reflect a lack of survey effort.

Table 2: Ecology			
Reference	Name	SxBRC Ecological interest/potential	Implications/requirements
(a) 070/2090	Lime Roughs	Adjacent to ancient woodland and ghyll woodland, local records of protected species (bats & reptiles). Dormice likely. Links with adjoining habitat.	Minimum 15m buffer between ancient woodland & development. Protected species surveys to inform mitigation/compensation strategy. EPS licence may be required.
(b) 040/2090	Lime Cross	No designated sites or protected species records. Links with adjoining habitat via scrub and hedgerows. Waterbodies adjacent to site.	Assessment for presence of protected species (including reptiles, GCN and bats).
(c) 081/2090	Land North of James Avenue	No designated sites or protected species records. Links with adjoining habitat via scrub and hedgerows.	Assessment for presence of protected species.
(d)	Turner Motor Services	Local records of protected species (bats). Links with adjoining habitat (including ancient woodland) via scrub and hedgerows.	Assessment for presence of protected species.
(e)	Collins Garage	Adjacent ancient woodland. Local records of protected species (bats). Dormice likely. Potential reptile habitat.	Minimum 15m buffer between ancient woodland & development. Assessment for presence of protected species.
(f)	Strawberry Field	Adjacent ancient woodland. Local records of protected species (bats). Dormice likely. Potential reptile habitat.	Minimum 15m buffer between ancient woodland & development. Assessment for presence of protected species.
(g)	Higham Farm	Local records of protected species (reptiles).	Assessment for presence of protected species.

EPS = European Protected Species. GCN = great crested newt

5. The above assessment indicates that none of the sites should be precluded from consideration for development, but highlights the potential for the presence of protected species which will require appropriate mitigation/compensation, and potentially European Protected Species licences. Proximity to ancient woodland will require the maintenance of appropriate buffer zones and sensitive landscape design. There are numerous opportunities to maintain, enhance and incorporate GI features into developments. It's recommended that these are considered as early in the development of a scheme as possible.

Landscape

6. To help the HNP, **Table 3** provides a rapid appraisal based on the 2009 County Landscape Character Assessment (referred to in Para 4.17).

Table 3: Landscape Character Assessment			
Reference	Name	Landscape Comments	Implications/requirements
(a) 070/2090	Lime Roughts	High landscape character and visual sensitivity would make this area unsuitable for development.	Land area available would be further constrained by the need for a 15m buffer between ancient woodland & development.
(b) 040/2090	Lime Cross	See comments on Policy 4 in paragraph 2.14	See comments on Policy 4 in paragraph 2.14
(c) 081/2090	Land North of James Avenue	Adjacent to the AONB boundary High landscape character and visual Sensitivity of this landscape would make the majority of this area unsuitable for development.	The plot of land in the southern part of this site which is closely associated with the built up area could have some potential, as identified in the 2009 study.
(d)	Turner Motor Services	This is an existing light industrial use with a poor quality landscape screen to the surrounding countryside.	Sensitive redevelopment of this site as residential development could conserve and enhance the local landscape and village character.
(e)	Collins Garage	See comments on Policy 7 in paragraph 2.15	See comments on Policy 7 in paragraph 2.15
(f)	Strawberry Field	This site could support the small scale of development suggested.	The need for a 15m buffer between ancient woodland & development could be addressed by the provision of the suggested open space as green infrastructure.
(g)	Higham Farm	AONB landscape. This landscape is open and exposed with a weak landscape structure.	Development would extend too far beyond the village boundary and due to the open nature of the landscape would be difficult to mitigate. Impact on AONB would probably not be acceptable.

Appendix 2: Environment Comments on Draft SEA Report

Archaeology and the Historic Environment

1. Reference should be made to the Historic Environment Record (HER) and the potential within the parish for finding new sites of archaeological or historic interest as well as for designated assets and potentially nationally important undesignated heritage assets. Refer to notes above.

Ecology

2. The assessment should make reference to rare and protected species known or likely to occur in the Parish. Known ecological assets and sites are available from the Sussex Biodiversity Record Centre (SxBRC).
3. All development plans will require proposals to deliver a biodiversity gain, in line with Section 40 of the Natural Environment and Rural Communities (NERC) Act and the NPPF (paragraph 118).

Landscape

4. Please note an error in Para. 6.11, which refers to the Mid Sussex Local Plan.