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Email Clerk@ninfieldpc.co.uk

Website <http://www.ninfieldpc.co.uk/community/ninfield-parish-council-15069/home>

### **Ninfield Extra Ordinary Council Minutes 4<sup>th</sup> April 2024**

#### **Cllrs Present:**

Chair K Williamson (KW), J Cheshire (JC), P Holland (PH), S Guard (SG), J Langley (JL), G Pharo (GP)

In attendance: J Scarff Clerk & No members of the public (MOP).

#### **Public Questions:**

**In accordance with standing orders ten minutes** are available for the Public to express a view or ask a question on **relevant matters on the following agenda.**

There were no members of public present.

The public session was closed.

#### **Chairman's welcome to the meeting.**

KW welcomed everyone to the meeting.

**To receive and accept apologies** and reasons for absence in accordance with the Local Government Act 1972 S 85 (1).

Apologies received and accepted from Cllrs Collins, Cheshire, Venner & Langley for personal reasons.

#### **Disclosure of Interests**

To receive any disclosure by Members of personal interests in matters on the agenda, the nature of the interest and whether the member regards the interest as prejudicial under the terms of the Revised Code of Members Conduct.

To consider granting any dispensations.

Any changes to register of interests should be notified to the clerk.

There were no disclosures of interest and no requirements to grant dispensations.

#### **Exclusion of the Public**

To exclude the public for a particular agenda item the following resolution must be passed.

'Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature or other special reason (to be specified) of the business to be transacted.'

There were no MOP, however, the resolution was passed incase MOP arrived during the meeting.

**Business to be transacted.**

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a) **To provide feedback on the following applications:**

**[WD/2024/0268/F](#)**

MARTINS FARM, HOOE ROAD, NINFIELD, TN33 9EH  
FOUR NEW HOUSES WITH PARKING, DRIVEWAY AND LANDSCAPING

Ninfield Parish Council objects to this proposed development on an unallocated site which would constitute development within the countryside that does not meet any of the policy exceptions.

The application site is located outside the development boundary as defined by both Wealden Local Plan (1998) Wealden District Core Strategy Local Plan (2013). However, Policy WCS6 of the Wealden District Core Strategy Local Plan (2013), the village boundary is retained and works together with Policies GD2 and DC17 of the Local Plan which state that housing will not be allowed outside settlement boundaries unless it conforms with other Local Plan policies. These policies intend to conserve and enhance the rural environment and to protect rural amenities and services.

The proposed development will have an urbanising effect on the appearance and character of the stretch of the B2095 that is part of the hamlet of Russell's Green with only a few residential houses.

The emerging Neighbourhood plan for Ninfield which now has a final report from the examiner confirms that the plan meets the basic conditions and can proceed to referendum. The proposed development is contrary to the Ninfield Neighbourhood Development Plan.

Furthermore, the Parish Council considers that the cumulative impact of development upon the village is a material consideration.

Development already approved within the village, will deliver in excess of 200 net additional dwellings, the proposed development would therefore be of very limited benefit to the growth and vitality and in particular the dwellings are of a size that is already identified by WDC as dominant in the village and not serving any housing need. Paragraph 11d of the Framework (NPPF) states:

*“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:  
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. “*

The starting point to all planning application decisions are the provisions within the Local Plan insofar as the policies of the Plan are consistent with the NPPF, and the presumption in favour of sustainable development, the so called ‘tilted balance’, is engaged unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

WDC can currently only demonstrate a 3.83 year supply of housing land. This is a shortfall against the requirement in paragraph 77 of the Framework to identify a minimum of 5 years' worth of housing supply. However, this requirement is reduced to 4 years if there is an emerging local plan that has reached Regulation 18 or 19 stage. The WDC local plan is at the Regulation 18 stage and therefore whilst there is a short fall it is very small with thousands of permissions currently having reserved matters considered by the planning authority which will likely remedy this small shortfall.

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The Parish Council considers that the harmful impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In that context, the proposal would not constitute sustainable development.

Policy WCS6 of the Core Strategy sets out provisions for new dwellings to be delivered in support of rural areas over the plan period, including 50 new dwellings to be allocated in respect of Ninfield which allows for limited growth of the village. However, more than 50 net additional dwellings have been granted planning permission at Ninfield since 2013 and currently levels of new development will exceed 200 net additional dwellings. The WDC emerging Local Plan does not make any allocations to Russell's Green. Furthermore, there are no services or facilities.

There are some services in Ninfield including a primary school, a shop with integral post office, 2 pubs and 2 churches. Although the nearest of these is only a kilometre from the site, the route to them along B2095 is lacking any pavement and windy with high hedges meaning visibility is limited. In combination with the speed limit being 60mph in parts, it would not be an attractive option for pedestrians and therefore the proposed dwellings would be wholly car reliant.

The Parish Council believe it would provide no support to the rural community. It would therefore fail to accord with policies WCS6, DC17 and GD2 and would be contrary to spatial objectives SPO7 and SPO8 of the Core strategy which encourage a reduction in car travel and the sustainable growth of the District's villages.

Paragraph 109 of the NPPF recognises that development should be focussed on locations that are sustainable through limiting the need to travel and offering a genuine choice of transport modes. Whilst the paragraph goes on to recognise that opportunities for sustainable transport will vary between urban and rural areas there is no choice of transport at this site. By being in a location which would mean occupants are wholly reliant on their cars the proposal would conflict with this paragraph which would carry considerable weight in the decision making.

The harms resulting from the reliance on the private car would not be outweighed by the benefit of four houses, particularly given their isolated position.

The proposed access for the houses is through an existing driveway for commercial use. The industrial area was relatively recently given permission to double in size and start working from 0730. This is unsuitable for residential dwellings.

The Parish council acknowledges that one of the dwellings now proposed already has planning consent (WD/2019/1720/F), which is now out of time, however, this was accepted on the basis that it was replacing an existing mobile home, after the owner of the mobile home managed to keep it on site long enough gain successful lawful development application despite enforcement action being imminent (but in the end too late).

There have been significant changes to the NPPF, and guidance from the emerging Ninfield Neighbourhood Development Plan and the start of Regulation 18 of the WDC Local Plan.

The parish council is aware that the number of parking spaces required for houses has not been updated for a considerable number of years now and that having 2 spaces per house for large four-bedroom homes is completely unrealistic. The parish council

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acknowledges that there are 2 additional spaces for visitors, but the spaces appear contrived in an attempt to try and fit them in. Parking space V1 (visitor 1) is at the front, close to the entrance and exit to the B2095 of the proposed site and clearly attached to PLOT 3. It is highly likely it would become a necessary permanent parking space for Plot 3 and unavailable for any of the other houses whose driveways are over 100m further into the proposed development. There are no passing spaces along the road to the plots 1,2 & 4. Space V2 is sited with the parking for plot 4 and again highly likely to be therefore used permanently by plot 4.

Therefore, whilst acknowledging that there are 2 proposed visiting spaces, they are aware that they will be required for permanent parking. It is evident around the village that there are not enough parking spaces allocated to the new large houses that are built and when parking is in breach of planning conditions the planning authority have told the council that dealing with this would be a civil matter.

The B2095 is a mixed speed limit road that winds and has tall hedges. It is very difficult when large lorries, coaches etc come through as the road is not wide enough. The road varies in width from 4.6m to approx. 6.3m a quite visit to the site will show that whilst there may not have been fatal crashes recorded it is known locally as wing mirror alley with car bits strewn across the road and on the edges.

The houses are right on the edge of the road, with the current hedging said to provide some screening, the land however is raised above the road and will dominate over the road in a way that is uncharacteristic to the area.

The parish council would request that for all the reasons given this application is refused.

If the planning authority is minded to approve this application it would ask for the following conditions:

The siting of the houses should be set back from the road.

A plan for 10% biodiversity net gain.

There should be no lighting whatsoever on site.

Bee Bricks, bat & owl boxes and swallow bricks should be used.

There should be more parking spaces to prevent parking on the access road.

[WD/2024/0297/F](#)

FIELD OPPOSITE SPRINGFIELD COTTAGE, LOWER STREET, NINFIELD, TN33 9EB  
CONSTRUCTION OF SAND SCHOOL

The cllrs have no planning objections to the principle of this development. They ask that the planning authority ensure that the following items have been considered and where necessary the application is amended, reports are submitted, or conditions imposed to deal with them.

- The sand school should be for personal use only, no commercial use.
- A construction management plan should be produced clearly showing that the public right of way through Lower Church Path will not be blocked and that only vehicles of a suitable size will be used on the private lane that is only for access to the properties and narrows from approx. 4m wide to 2.9m wide at the narrowest point.
- There should be no lighting whatsoever on site.
- Concerns from the Naturespace Newt officer are dealt with by providing an

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appropriate report.

- There is a plan for biodiversity net gain.
- There is a water course in the field of the proposed development that leads onto land under someone else's ownership which has ponds. The parish council would like to be assured that water from the stables and sand school will not have a detrimental impact on the water course or the nearby ponds.

- b **This Item will be tabled in a closed session due commercial sensitivity. To review the tenders received for the new playground and agree any actions required.**

**Resolved** that following the scoring evaluation 2 suppliers would be invited to visit in order to discuss proposed features.