

Minutes of a Meeting of the Planning & Townscape Committee held at the Town Hall, Rye on Monday 27 June 2016

PRESENT Councillors Mike Boyd (Deputy Mayor), Cheryl Creaser (**Committee Chairman**), Justin Erswell (**Committee Vice Chairman**), Pat Hughes, Andy Stuart

IN ATTENDANCE Richard Farhall – Town Clerk; Colonel Anthony Kimber (RNPSG Vice-Chairman); Gerard Reilly – *Rye News*

The meeting commenced at 8.35pm.

22 APOLOGIES

Apologies for absence – and the reasons as notified to the Clerk – were accepted from Cllrs John Breeds, Jonathan Breeds (Mayor), Charlie Harkness and Shaun Rogers.

23 CODE OF CONDUCT: DISCLOSURES OF INTEREST

There was none.

8.36pm The Chairman adjourned the meeting for public questions/contributions. There was none and the meeting reconvened.

24 MINUTES

RESOLVED To adopt the Minutes of the Planning and Townscape meeting held on 27 June 2016 (PT03) as a correct record of the proceedings.

25 MATTERS ARISING

Item	Status
Gilfrin Jewellers (side) - exploring the implications of RTC applying for advertising consent (community banners)	Outstanding – Clerk to seek an informal opinion from RDC
Seeking RDC's opinion on replacing the Crownfield bus shelters	Referred to Public Conveniences & Bus Shelters WG
Cllrs Boyd, Fiddimore and Rogers looking into the practicalities of replacing the Crownfields bus shelters	<i>See below</i>
Ascertaining if sponsorship could be found to replace the Crownfields bus shelters	Referred to Public Conveniences & Bus Shelters WG
Obtain costings to improve signage to the town centre within Gibbet Marsh Car Park	Outstanding
Asking RDC to consider removing the Gibbet Marsh Car Parking charges – or introducing a discounted scheme for traders and residents	Outstanding
Asking Highways to confirm it has 'no left turn' signage outside Lancaster Court in hand.	Referred to Highways Forum

Pedestrian rail crossings – supporting Edward Williams' concerns	In progress
Lower Lion Street deliveries – seeking advice from Zak Infrastructure	Following a site meeting the consultant would be submitting two outline proposals with indicative costs
Rother Parish Planning Seminar 2016 – submitting suggested topics	Outstanding
Mill Bridge rail crossings – site meeting to consider diversion options.	See item 28.

26 PLANNING APPLICATIONS

RESOLVED To submit the responses following to the Planning Authority:

RR/2016/1403/P 101 High Street, Gills Loft, Rye
RR/2016/1404/L Replacement of skylight window in roof of upstairs bedroom.
Applicant: Mr J Spencer, 101 High Street, Rye
 SUPPORT APPROVAL

RR/2016/1500/P 100 High Street, Ashbees, Rye
RR/2016/1501/L Change of use of LH side shop, storage and kitchen behind from A1 (shop) to existing dwelling (C3). Internal alterations, addition of WC structure, replacement of door with window, addition of dormer and roof light.
Applicant: Mr N Sinclair, 36 The Mint, Rye
 SUPPORT APPROVAL - because of the previous residential use.

RR/2016/1461/L Studios 1 & 2 The Old Chapel, Watchbell Street, Rye
 Insert steel frame secured to inside face of front wall to secure distorted shared front entrance door canopy.
Applicant: Mrs M Gillum, 21 Watchbell Street, Rye
 SUPPORT APPROVAL

27 RYE NEIGHBOURHOOD PLAN

www.ryeneighbourhoodplan.org.uk

The Vice-Chairman, Colonel Kimber spoke to his update (**Appendix**) – highlighting:

- A Conditions Statement had now been drafted.
- There had been requests via FB for upgrading the Love Land to Rye Cemetery footpath to be considered for CIL funding – as well as the (suggested) remodeling of the current TG Community Centre.
- There had been some renewed interest in a 'Rye Bypass'. The reasons why this was ruled out in the past remained valid – including the high cost and damage to designated nature conservation sites. However, it would be appropriate to mention within the RNP the need to improve the A259.

28 MILL BRIDGE RAIL CROSSINGS

Cllr Boyd reported that he and Cllr Hughes had attended a recent site meeting with Network Rail and other key stakeholders to consider safer alternatives.

He advised that the favoured option would be to install a bunded underpass on the Mill side – and then to link the two footpaths at the northern side of the track by way of a footbridge. This should also encourage pedestrian journeys to/from Gibbet Marsh Car Park.

29 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Cllr Hughes reported that, at the last Highways Forum meeting, both Brian Banks (ESCC) and Cllr Glazier had advised that there was no scope for providing a footway in Deadman's Lane because of the narrow carriageway. Had Highways insisted that one be provided as part of the Lancaster Court development it would have been possible to have incorporated a similar requirement within other permissions granted for subsequent developments on the north side of the lane. She suggested that Deadman's Lane should be removed from the draft RTC CIL 'wish list'.

Cllr Erswell suggested that improvements to The Strand Quay area should be added to the draft list – especially considering that Cllr Rivett had developed costed plans.

Responding to a concern raised by Cllr Stuart, the Chairman advised that the intention was that the Committee put the draft list to the Council for consideration by all Members.

The meeting ended at 8.53pm.

Date Chairman

Update for Rye TC Planning Committee: End June 2016

All background points for Councillors to NOTE.

Points in **BOLD ITALICS** are for consideration for ACTION.

1. State of Drafts	<p>The key papers remain on the website.</p> <ul style="list-style-type: none"> • RNP Version 7A has been further revised to reflect the latest detailed comments. Graphics are being updated. Meeting being planned to ensure that the strategies of the Traffic Forum mesh with those of the RNP. • The Design Statement will be subject to further revision following a recent meeting with the Rother DC Design Officer. • The Strategic Environmental Assessment (SEA) will need to be revised to reflect latest advice from Rother DC. • The Site Assessment Document is being revised to reflect comments from Rother District Council. • A Consultation Statement is being drafted to summarise: with whom, what discussed and the conclusions. • A Basic Conditions Statement (about conformity of the RNP) has been drafted and is on the website.
	<p>RNPSG is getting to the stage of putting the draft to Rye TC for further agreement.</p>

2. Liaison continues with:

- Rother DC Officers: exchanges about some technical aspects of the RNP. Meeting proposed for late July.
- ESCC: awaiting advice about the former Freda Gardham School and traffic issues.
- Rye Partnership: awaiting advice about the "Rye Peninsular" (Rock Channel East) re-generation study.
- Aroncorps: a response is due to about their further sketch development proposals.
- JDA: is seeking a pre-planning meeting with Rye TC to discuss views of their latest proposals for the Rock Channel and West of the Strand.
- Architect Dominic Manning: further meeting to discuss graphics for the RNP.
- Amicus Horizon to seek the latest on the former Tilling Green school scheme.
- ESCC about the surface water flood action plan (see below).
- Cattle Market Company: to learn about future intentions.

3. Current Issues:

Public Realm: Following disposal of Camberfields, latest sale involves land in Wish Ward and the Harbour Rd.

CIL: Following discussion at the last meeting, the Committee agreed some initial priorities for the Rye Infrastructure Development List. To add to the list some have suggested that the walkway from Love Lane to the Cemetery could well be improved. There has been a fall there recently. **Perhaps the Committee could consider this alongside the agreed provisional list** of: Station Approach; Greenway Cycleway; green spaces along the New Winchelsea Road (Town Side); Deadman's Lane improvements. There is still discussion to be had with Rother DC about precisely how the 25% of CIL collected in Rye would be accounted for. Rye TC will need a process to monitor the levy and how it was spent locally. The RNPSG summary of CIL has been updated and is enclosed for information.

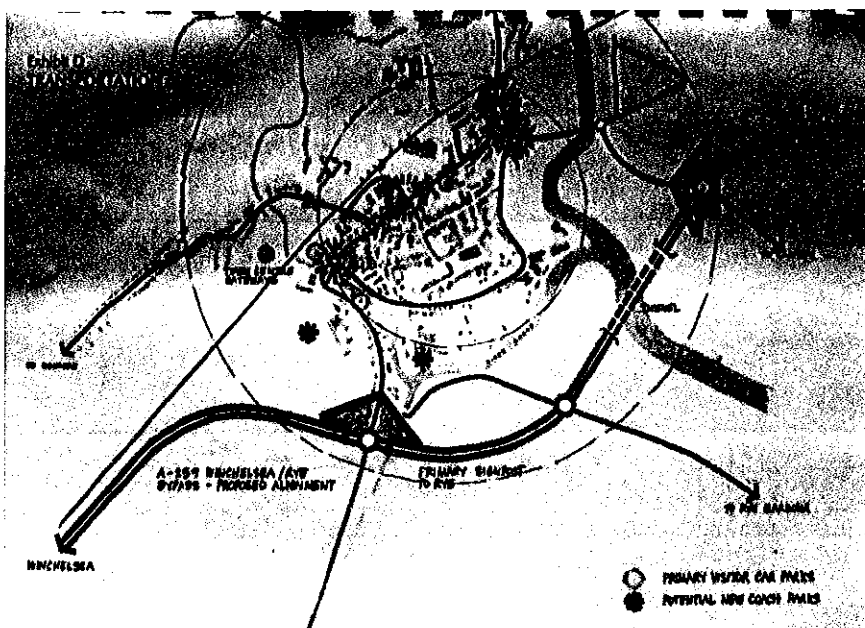
Rye Bypass

As some in Rye are pressing for a resurrection of the earlier plans/proposal for a bypass, this may be back on the agenda. Members will know that the first recorded mention of a bypass proposal is 2 July 1992, when the then Department of Transport asked Cooper McDonald and Partners, Epsom Surrey to consider. The project looked at various routes which were variously priced at around £30m.

Of all the considerations, the "southbound route", across the Marsh, was the only found feasible. The other two being to the north in the AOWB or alongside/over the railway line.

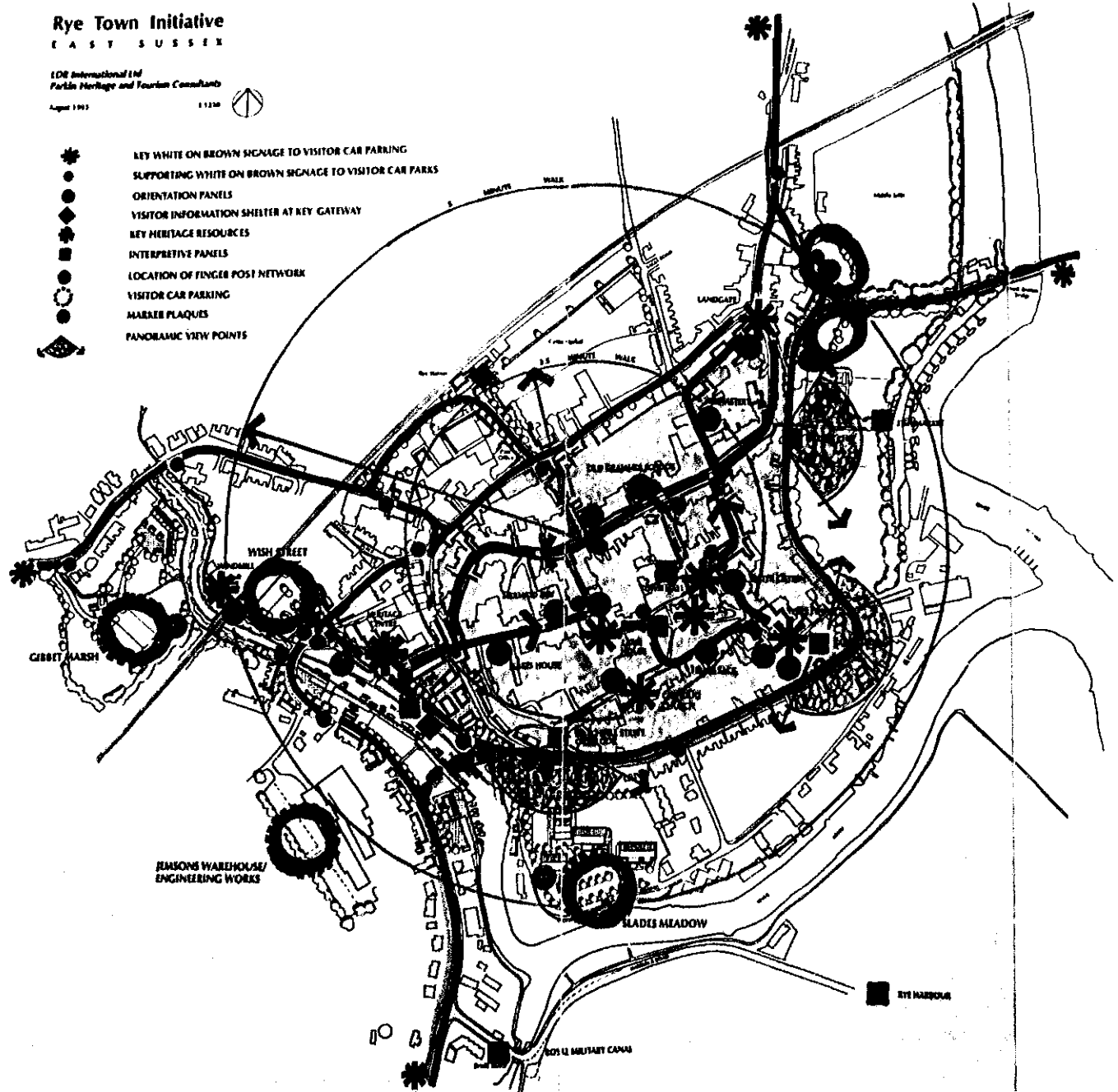
There was much discussion in 1993 and 1996. Initially the bypass project was allocated priority 2 unfunded status but later (1995/6) all major road projects east of Hastings were withdrawn as the focus moved to the Bexhill-Ridge link feeding traffic up the A21.

The RNP has reflected on this history and because government advise that further work on the proposal is unlikely, the RNP avoids pressing the case because, as a strategic project is beyond the remit of neighbourhood planning, and it is judged that any initiative is unlikely to receive formal or public support, because of high cost; potential damage to the Nature Reserve/SSSI sites to the south of Rye; recent loss of Camberfields as below.



1993 Rye Bypass Proposal

The Council should perhaps take the opportunity to consider other proposed measures necessary to handle the traffic issues on the A259 such as a “smoothing of the route” through Rye” as in this 1993 plot?



Flood Risk: The Committee may recall being briefed on work by REACT and others to catalogue localised surface water ponding after extreme rainfall. This aims to find solutions to ponding issues across East Sussex after extreme rainfall. REACT has been sponsoring local work to record places where there are issues. The work covers both drainage and sewerage and the impacts of tidal water in outfalls. The Rye master sheet of the draft plan records:

- places on Tilling Green including Marley and Mason Rd and several of the Closes.

- Ferry Rd: places between the south of homes and the Lower School site.
- The Strand; the choke point on the northwest corner., where we have seen deep ponding on the A259.
- The Military Rd and N Salts: low spots where surface and spring water ponds, particularly at high tides.
- The Grove: places between the Schools and the Railway where water fed by springs from Rye Hill ponds.

The plan will be published in detail once complete.

Dog Mess. There is ongoing work to replace the signs in the Citadel.

Seagulls. Rother DC has been asked for advice about the availability of proofed bags and bins.

Anthony Kimber PhD
Vice Chair RNPSG

June 2016

Enclosure: CIL – Summary of Further Guidance

Community Infrastructure Levy (CIL) Summary of Further Guidance

From 4 April 2016, Rother DC has opted to charge a 'Community Infrastructure Levy' (CIL) on any new development with an internal floorspace of over 100 square metres. The regulations that permit this are *The Community Infrastructure Levy Regulations 2010*.

How will CIL work?

To enable them to start charging CIL, Rother DC has prepared and agreed a 'charging schedule'. This document, like all Development Plan Documents, has been subject to an independent examination and sets out what the charge will be per dwelling for residential development, or per square metre for all other development. For those eligible planning proposals undecided by 4 April 2016, applicants for planning permission will know how much they will be expected to contribute to infrastructure in the area where that development will take place.

Are there any exemptions?

The CIL Regulations exempt the following types of development from paying a CIL charge:

- Affordable housing
- Development by charitable institutions
- Changes of use that do not increase floorspace
- Buildings into which people do not normally go e.g. plant rooms
- Building with only temporary planning permission

CIL is also not payable if the gross internal area of the new development is less than 100 sq metres *except* for new market homes, where CIL is payable irrespective of size.

How will CIL money be spent? (Extracted from guidance available nationally)

CIL will pay for infrastructure to support new development, within "the area", in Rye's case the Parish. The Levy can be spent on 'the provision, improvement, replacement, operation or maintenance of infrastructure', such as:

- Physical: roads, green and open spaces, cycleways, energy supply, water, flood defences, waste management.
- Social: schools, community buildings, healthcare, cultural, sports facilities, faith facilities.
- strategic infrastructure serving a wide area, such as busway or other improvements,
- localised infrastructure: to help reduce the impact of new development on the road network.

CIL receipts can also be used to expand and enhance existing infrastructure or for the on-going maintenance or operational costs of providing infrastructure.

These costs must be directly related to the additional demands arising from new development. The upfront and continuing costs of preparing and implementing a CIL can also be drawn from CIL receipts subject to annual percentage ceilings.

The Localism Act 2011 makes it possible for local planning authorities to share a proportion of CIL money with local communities. A capped 15% proportion of CIL revenue will need to be spent on locally determined infrastructure in areas where development takes place. This will rise to 25% for those areas with an adopted neighbourhood plan in place. This would apply to Rye as and when its Neighbourhood Plan is agreed. In areas where CIL is collected, the amount of CIL passed on is capped at £100 per existing council tax dwelling per year.

The Rother DC as LPA can retain up to 5% of revenue received to meet its costs in administering the levy. *Should Rye TC have a percentage for administration?*

CIL, unlike contributions received from S106 Planning Obligations, will go into a central pot managed by Rother DC. CIL is unlikely to generate sufficient funds to pay for the entire infrastructure needs in Rye Parish. Hence Rye's list of potential projects will need to be prioritised with the Rother DC infrastructure list (Known as the 123 list). *Rye TC must set its own priorities and input to Rother DC.*

"The governance and prioritisation of future CIL spend is the responsibility of the Charging Authority (Rother DC). However, in practice (and in line with statutory guidance) the prioritisation of projects will need to be "undertaken in partnership with other infrastructure providers" including Rye TC and ESCC."

How much can Rye expect?

A rough order indication, on the assumption that all money collected in Rye is committed by Rother DC to projects in Rye, is below.

- Target of 160 new dwellings to 2028; **deduct affordable homes (S106); say 40 = 120**
- Average dwelling is 88-100sq m X £135 = average around £12k
- Say around 120 **dwellings in the period** x 12k = around £1.4m;
- 25% of receipts (assume RNP is made and agreed) to Rye to 2028 = **around £350k**

What is the difference between CIL and a section 106 agreement?

Section 106 agreements are put in place to make it possible to approve a planning proposal that might not otherwise be acceptable in planning terms. For example, an S106 agreement might require a developer to fund improving the access road to a site, to ensure that access will be safe once the development is completed, OR to ensure that the need for affordable housing is met. (S106 agreements can require a developer to include a certain proportion (30% in Rother) of affordable housing on an otherwise market housing development. S106 is specific to the site that is being proposed for development.

CIL is a general levy on all development, designed to raise funds for infrastructure needed in the area (for Rye, within the Parish). One Law Firm summarises the difference as

- Local strategic infrastructure = CIL
- Development site specific “mitigation” = S106.

RNPSG