

From:Eleanor Evans
Sent:15 Jun 2018 10:30:42 +0100
To:DCEnquiries
Subject:The Former St Leonards Academy 15/168

Hi Please could you place the email below onto idox, public, updated highway comments

Thanks

EI

Eleanor Evans

Planning Services Manager

Development Management

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From: Ben Lenton [mailto:Ben.Lenton@eastsussex.gov.uk]
Sent: 14 June 2018 17:36
To: Eleanor Evans
Cc: Alex Jack
Subject: FW: The Grove School

Hi Ele

With regards to the points raised I would like to make the following comments:

The transport assessment submitted as part of the original planning application compared the level of traffic likely to be generated by the proposed development with the level of traffic likely to have been generated by the previous use of the site as a school. This assessment concluded that there would be an overall reduction of 183 trips at the site during the AM peak hour; however, during the PM peak hour the proposed residential development could lead to an increase of 98 trips (this is a result of the PM peak hour of the school not coinciding with the general peak hour on the highway network).

The site access and both the Darwell Close/Harley Shute Road and Wishing Tree Roundabout junctions were assessed from a capacity perspective as part of the original development proposal. Based on the results of this assessment it is evident that although the proposed development will result in some additional traffic using these junctions the impact is unlikely to have a detrimental effect on their functionality. With this in mind and also taking into account the level of traffic likely to have been generated by the school previously the impact of the development could not be considered significant.

With regards to the impact of the Bexhill to Hastings Link Road; this is likely to have reduced traffic flows on the surrounding highway network in the vicinity of the site. With this in mind the base line traffic flows used in the original assessment would provide a robust assessment of the above junctions.

Taking the above points into consideration I have no major concerns regarding the original transport assessment. As a result it would be difficult to justify a reassessment of the development proposal.

I hope that this is helpful.

Regards

Ben

Ben Lenton

Principal Officer

Transport Development Control

01273 336114 or 07701 394528
eastsussex.gov.uk



From: Chris Lewcock [<mailto:cplewcock@gmail.com>]

Sent: 13 June 2018 11:37

To: Cllr Alan Roberts; Cllr Warren Davies; Cllr Heather Bishop; Cllr Philip Scott; Cllr Mike Turner; Cllr Matthew Beaver; Cllr Mike Edwards; Cllr Sorrell Marlow-Eastwood; Cllr Ruby Cox

Cc: Eleanor Evans; Christine Barkshire-Jones

Subject: Fwd: The Grove School

Dear Councillors

I apologise for approaching you twice about the same planning committee. I must also apologise since I shan't be able to attend the 20 June Committee myself to hear the debate.

I am writing this time about the Grove School application.

First may I address the substance of the application which is in effect to free the County Council from the obligation to provide for primary education funding arising from the new residents of the housing. I am somewhat surprised that the County should have suddenly discovered what is happening to the school population since the forecasting is based on relatively steady population cohorts which are predictable several years in advance. Leaving that to one side the earlier

predicted primary population having apparently moved on will now presumably appear in the secondary sector. Shouldn't some funding now be required for secondary education?

Secondly any planning approval is based on a balance of considerations at the time the Committee considered it. In this case, for instance, as the County advise, things have apparently moved on in the education sector.

I note that, despite the wording of the Officer's report, local residents and others have not been consulted on the proposed cut of the contribution to the primary sector. The application went to Committee two years ago. Consultees may now take a different view of the balance of advantage or otherwise in approving the proposal. The opportunity should be taken to re-consult.

Other matters have moved on as well. Since the application was considered the link road has been built. Traffic movements along Harley Shute were a particular concern at the time and hypothetical traffic figures were used to assess the proposal. There is an opportunity to freshen up those figures.

In the Officer's report it states that *"In the event that the agreement was not completed by 1 March 2017 that permission could be refused on the grounds that the application does not comply with Policy H3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of Planning Committee. A subsequent extension of time was granted and the amended terms of agreement agreed in principle."* In response to a Freedom of Information request (see attached emails below) it is clear that the extension of time was not given - as the wording of the original Committee resolution clearly indicates it should have been - before 1 March 2017. Retrospective sign-off by the Committee Chairman is legally not the same thing. It appears quite likely that the application has already been in effect (or should have been according to the Committee resolution) refused? In which case the County ought to be asked to submit a further application?

Thank you again for your attention.

Chris Lewcock

----- Forwarded message -----

From: **Chris Lewcock** <cplewcock@gmail.com>

Date: Tue, Mar 6, 2018 at 2:51 PM

Subject: The Grove School

To: Christine Barkshire-Jones <CBarkshire-Jones@hastings.gov.uk>

Cc: Eleanor Evans <eevans@hastings.gov.uk>, cllr.richard.street@hastings.gov.uk

Dear Christine

I have had my attention drawn to the planning application for residential development at The Grove School and am somewhat puzzled about the current legal position of the Council. The application went to the Planning Committee on 16th November 2016 when the Committee agreed to approve the proposals subject, amongst other things, to a S106 Agreement. The Resolution included the following:

"RESOLVED – by (7 votes to 3) that the Planning Services Manager be authorised to issue planning permission upon completion of an agreement under S106 of the Town and Country Planning Act to secure: In the event that the agreement is not completed by 1 March 2017 that permission be refused on the grounds that the application does not comply with Policy H3 of the adopted Hastings Local Plan, The Hastings Planning Strategy 2011-2028 unless an extension of time has been agreed in writing by the Planning Services Manager in consultation with the Chair and Vice Chair of Planning Committee."

Clearly after this distance in time local residents are beginning to wonder what is happening and, as the Resolution implies, relevant conditions affecting the development of the site - notably the housing market and traffic levels along Harley Shute - may have changed.

I recently put in an FoI request to find out whether or not the application had been refused or an extension had been agreed by the due date. See attached redacted emails - one of which is dated September 2017 and one of which post-dates my FoI enquiry. The latter appears to try - contrary

to an exact reading of the clear wording of the Minute in which either option should have been formally sorted out before 1 March 2017 - to retrospectively grant an extension of time.

Since the Committee Resolution is quite categoric and an agreed extension was not granted by 1 March 2107 then it appears to me that the development must *de jure* have been refused for the reasons stated. Issuing the decision notice, which presumably would be dated 2nd March 2017, can only be a formality. I wonder also, since we are well beyond six months of the possible decision date, if the applicant may have also lost by default their right of appeal?

I note that the application was originally being dealt with by an outside consultant - which may be why due process has been overlooked?

I should be grateful to be advised of the Council's intentions in this matter.

Thank you

Regards

Chris Lewcock

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