

WADHURST PARISH COUNCIL

Minutes of a meeting of the Planning Committee held at The Pavilion, Sparrows Green Recreation Ground, South View Road, Wadhurst on 19th June 2021 at 09.30 hrs.

Present: - Cllrs Anderson, C Moore, P Moore, Murphy (chair), Smith

Meeting commenced at 09.39 hrs.

1. To receive apologies for absence – **none received**
2. To receive declarations of interest and updates to members' register of interest - **none**
3. To approve the minutes of the meeting of 5th June 2021 - **approved**
4. To discuss matters arising from the minutes of the meeting of 5th June 2021 – **item 6.2.2 Weald Hall Residential Home. The committee was inquorate for this item and was therefore unable to make a decision to draw Wealden District Council's attention to its comments on a previous planning application for this site, or to agree to discuss further by email. This item is on the agenda for meeting on 19th June 2021.**
5. Public forum – none present

6. Licence and planning applications

6.1 Licencing: *None*

6.2 Planning: 6.2.1 [WD/2021/1173/F](#)

Consultee expiry date: 23rd June 2021

Location: RAVENSDALE COTTAGE, FAIRCROUCH LANE, WADHURST, TN5 6PR

Description: proposed single storey extension to the east side

COMMENT – NO OBJECTION

6.2.2 [WD/2021/1130/F](#)

Consultee expiry date: 25th June 2021

Location: BUCKLAND HOUSE, BUCKLAND HILL, COUSLEY WOOD, WADHURST, TN5 6QT

Description: Construction of new two bay oak framed garage.

COMMENT: NO OBJECTION

6.2.3 [WD/2021/1228/F](#)

Consultee expiry date: 25th June 2021

Location: 1 ELDENHURST, OLD STATION ROAD, WADHURST, TN5 6UA

Description: Proposed single storey rear extension with internal/external alterations.

COMMENT: NO OBJECTION. The parish council requests that a condition is applied to ensure the proposed skylight windows are dark skies friendly.

6.2.4 [WD/2021/0559/MAJ](#)

Consultee expiry date (from WDC website): 1st June 2021 (extension granted by WDC)

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Location: WEALD HALL RESIDENTIAL HOME, MAYFIELD LANE, WADHURST, TN5 6HX (extension granted by WDC for this to be considered at the planning committee 5th June 2021).

Description: conversion of care home to form 8 no. flats together with the construction of 13 no. new dwellings and associated works following the demolition of existing lodge.

COMMENT:

Weald Hall Residential Home
Mayfield Lane
Wadhurst
TN5 6HX

WD/2021/0559/MAJ

The parish council **STRONGLY OBJECTS** to this application on the following grounds:

The High Weald AONB management plan 2019-2024 states as follows:

“the High Weald is an outstandingly beautiful landscape cherished by people and celebrated for its scenery, tranquillity and wildlife. Its ridges and valleys are clothed with an intricate mosaic of small fields interspersed with farmsteads and surrounded by hedges and abundant woods, all arranged around a network of historic routeways. One of the best surviving Medieval landscapes in North West Europe, the High Weald has remained a unique and recognisable area for at least the last 700 years”.

The plan goes on to state that the beauty of the High Weald is under threat from inappropriate development, decline in traditional land management and loss of biodiversity. This planning application is one such threat; to the landscape, the biodiversity and the dark skies. This harm to the High Weald AONB is sufficient to refuse planning permission. *Monkhill Limited v Secretary of State for Housing, Communities and Local Government and Waverley Borough Council (CI/2019/1955/QBACF)* confirms that, if a proposal causes harm to an AONB sufficient to refuse planning permission if there were no other considerations, then the presumption in favour of sustainable development set out in NPPF paragraph 11 should be disengaged. This means that the lack of a five year land supply should not “trump” the harm to the AONB.

Detailed reasons for objection are as follows:

Conversion of Care Home

Allowing care homes with substantial grounds to convert to housing development creates economic incentives to shut down much needed care homes. Given the fact that supply for care home beds across the country is not meeting demand, the

parish council would expect to see a financial analysis to demonstrate that usage of the site as a care home is no longer viable. This has not been provided.

Given that adequate provision of care home beds in many cases releases dwellings vacated by their residents for either sale or rental, this impacts on overall housing supply. Failure to consider the reduction in care home beds brought about by the proposed conversion of the care home is a failure to consider the social objective of sustainable development.

Suitability of site location/impact on landscape

The site is wholly unsuitable for development.

It is in the High Weald Area of Outstanding Natural Beauty (AONB), outside of the development boundary, and therefore contrary to policies GD2 and DG17 of the Wealden Local Plan. It is formed of garden land and open country-side, on the plateau of a ridge, visible for miles around including from two public footpaths – one through Foxes Bank on the edge of Snape wood, and the second from the eastern end of the village. Use of these footpaths would be adversely impact by any development within the grounds of this visually prominent building.

The design and access statement states as follows:

“the setting is very attractive, with views to the South across the AONB, with rolling topography and mixed grass and woodland beyond.....the site dramatically slopes from North to South.”

Given the location, a full Landscape Impact Visual Assessment is required, but has not been provided.

It should also be noted that the 2019 draft local plan states as follows:

“20.14 development extending out of the village along Mayfield Lane is distinctive in character created by large detached properties, set in extensive gardens, with mature tree cover and landscaping. The southern side of the road is located on a ridge top, where long range views across the countryside are possible. For these reasons it is considered appropriate to exclude Mayfield Lane from the development boundary.”

It should be noted that this was drafted after the approval of development at the former Bellerby's College.

The proposal would fail to protect the rural dispersed historic settlement pattern in the area contrary to the High Weald AONB Management Plan objectives FH2, S2, and the High Weald Housing Design Guide.

Access design & accessibility

The application refers to the widening of the eastern access for use by refuse lorries, and having restricted use. We note the comments submitted by Michael Davies of Amberley that it is unrealistic to suggest that it is viable to restrict use.

The access would therefore need to have visibility splays sufficient to accommodate significant usage by residents and their visitors.

Trees, ecology and biodiversity

The Tree Report does not have a tree survey drawing of the existing trees in their present context. This is important because it helps to identify what is changing around the trees. For example, is the soil around the trees going to be levelled for any reason, such as the creation of a lawn. As 90% of tree roots are in the top 30cm of soil, this can be very detrimental to tree health.

It is not clear whether or not the author of the tree report has visited the site (see pg 3, para 6.1). The tree survey and tree quality assessment at appendix 1 are based on the original Tree Survey Schedule undertaken by Greenspace Ecological Solutions. There is no date given for a site visit, and no photographs. It is therefore unknown how long ago the trees were surveyed. We do not consider that an appropriate Arboricultural Impact Assessment can be arrived at without a site visit. For example, a trained eye will notice that a tree has a fungal fruiting body, epicormic growth, looks stressed, has dieback in the crown or has a potential bat roost. In addition, some detail is lacking, for example para 8.5 at pg 7 states as follows:

“the proposed new access will encroach within the root protection areas of the adjacent holly and western red cedar”;

“the removal of the existing access will encroach within the root protection area of the adjacent black pine”;

“additionally, the activity required to construct the proposed development (vehicular movement, storage of materials, soft landscaping etc.) will encroach within the root protection areas of the retained trees if they are not properly safeguarded during the construction activity.”

This fails to identify which trees and when encroachment will take place, and also fails to outline a mitigation strategy. Information such as the percentage of RPA encroachment, whether the trees concerned have a limited root space at present and the overall health of the trees should be provided.

We note the removal of various trees from the site at the boundary with Mayfield Lane. We note the comments by Michael Davies of Amberley that these trees were the subject of a condition of an earlier extant planning consent on the property that they must not be removed without the prior consent of the planning authority (WD/1975/1393/F). The parish council has not been consulted on any application for consent and requests the reinstatement of these trees to preserve the amenity of the locality.

The National Biodiversity Climate Change Vulnerability Model aims to provide a spatially explicit assessment of the relative vulnerability of propriety habitats based on established climate change adaptation principles. There is an underground railway line through the site in the high spatial priority zone. This means that great care and “target action” should be taken to build biodiversity resilience. This should be achieved by keeping mature trees, green space and habitat connections between the site and surrounding areas, using hedgerows

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rather than wooden fencing, trees, meadows with wildflower seeding and other creation and management.

The application states that there is “low suitability for reptiles. This indicates that a reptile survey should be included, but this is omitted. The site is south facing, and due to the connectivity with other habitats to the south and west, with track leading to woodland, it would be expected for reptiles such as slow worms and grass snakes to be present. We note the comments of Michael Davies of Amberley that slow worms, adders and grass snakes have all been found on their property directly opposite the site. It is also the case that the habitat would seem suitable peripheral foraging habitat for badgers, which are known to be present in the farmland on the edges of Wadhurst, and to forage in parts of the village in mature gardens. A badger scoping survey should be provided to assist a decision on appropriate mitigation. Similarly, mitigation for hedgehogs should be included, as well as a bat survey (dawn and dusk emergency surveys as a minimum). Again, we note the comments of Michael Davies of Amberley that bats are active every summer evening metres away from the site.

Biodiversity net gain

There are no proposals provided regarding how the Biodiversity Net Gain Metric of a minimum 10% net gain in biodiversity would be achieved by the development.

Flood Risk/surface water drainage

The parish council notes the objection of the Lead Local Flood Authority (ESCC) due to the applicant’s failure to meet the requirements to assess the proposed development’s acceptability in flood risk terms. The objections of WDCs Engineer and Countryside Officer on the grounds of surface water drainage is also noted.

The parish council is concerned that the reed bed is too small for the surface and foul water, and that should it empty into the same stream as the reed bed at Wadhurst Place, this is unsuitable as the stream dries out.

Layout of Site and Design of Dwellings

Whilst the parish council considers the layout of the site and the design of dwellings to be excellent, we are aware of a number of unresolved planning breaches on this site, and a lack of enforcement on these matters by Wealden District Council. We are concerned that the design and layout may be considerably altered, and would want to be consulted on any proposed changes. For example, given the semi-rural location, there is inadequate car parking provided, which needs to be addressed. This would undoubtedly impact on the site layout.

Affordable housing

The parish council is concerned regarding the lack of on-site affordable housing.

Neighbourhood Plan

The emerging Wadhurst neighbourhood plan requires one parking space per bedroom, which is not provided for in this planning application.

Dark skies

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An intrinsic part of the beauty of the High Weald AONB is its unusually dark skies, some of the darkest in the South East. The High Weald AONB unit report that Sky Quality meter (SQM) readings taken around Wadhurst indicate skies as dark as 21.09 mags/arcsec² – a figure that corresponds to Silver Tier International Dark Sky Reserve, described by the International Dark Sky Association as being: “Night-time environments that have minor impacts from light pollution and other artificial light disturbance, yet still display good quality night skies and have exemplary night-time lightscapes.

The site is located on a ridge, visible for miles around. The impact of development on this site on the dark skies is unacceptable and would cause considerable harm.

6.2.5 [WD/2021/0740/FR](#)

Expiry date (from WDC website): 5th July 2021

Location: 16 WESTERN ROAD, SPARROWS GREEN, WADHURST, TN5 6TX

Description: Retrospective garden outbuilding.

COMMENT: OBJECTION. There is insufficient information provided to enable the parish council to properly consider this application; in particular, the potential impact on neighbours. The parish council is concerned regarding the overall scale of the building, and distance from the boundaries.

6.2.5 [WD/2021/0797/f](#)

Expiry date (from WDC website): 5th July 2021

Location: Chittinghurst, Tidebrook Road, Wadhurst, TN5 6PQ

Description: Part retrospective erection of tool/ garden/ wood store and dog kennel

COMMENT: NO OBJECTION

To consider notices of decisions received:

Certificate of Lawful Development: *None*

Raise no Objections: *None*

Prior Approval Required: *None*

Not Issued: *None*

Issued:

Application: [WD/2021/0849/F](#)

Location: 1 PELL HILL COTTAGES, PELL HILL, WADHURST, TN5 6DS

Description: Single storey rear/side extension and new gates.

Decision: Approved

Application No. [WD/2021/0797/F](#)

Location: SACRED HEART SCHOOL, MAYFIELD LANE, GREAT DURGATES, DURGATES, WADHURST, TN5 6DQ

Description: Small brick extension to existing main school hall to enlarge store room

Decision: Approved

Application No. [WD/2021/0532/F](#)

Location: DEVONHURST, MAYFIELD LANE, WADHURST, TN5 6JE

Description: Proposed alterations to window and door fenestration to the rear and side together with a first floor balcony to the rear.

Decision: Approved

Application No. [WD/2021/0630/PIP](#)

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Location: LAND SOUTH OF PRIMMERS, PRIMMERS GREEN, WADHURST

Description: Erection of single detached dwelling and separate garage

Decision: Granted permission in principle.

WDC response to Parish Council: The concerns of the Parish Council are noted. It is acknowledged that the site is outside the defined development boundary occupying a sensitive ridge top location with long reaching views to the east/south east over the AONB.

However, the site is previously developed land, currently residential curtilage, and it is sited in a relatively sustainable location close to village amenities. It abuts residential development to the north and west. As land associated with an existing dwelling with an existing vehicular access to serve the proposed development it is considered that impact on a historic farmstead and routeway would not be sustainable grounds for refusal. In principle, one dwelling and detached garage would be considered acceptable.

It is recognised that the site is constrained given the topography of the site, juxtaposition with neighbouring dwellings and its elevated location within the AONB. A subsequent Technical Details application would need to satisfactorily address the identified issues for concern to be favourably considered.

A copy of the Council's Decision Notice, along with the officer report, can be viewed online at <http://planning.wealden.gov.uk/plandisp.aspx?recno=153251>

Application No. [WD/2021/0473/FR](#)

Location: 1 NEWBURY COTTAGES, NEWBURY LANE, WADHURST, TN5 6HB

Description: Retrospective application for a detached double garage

Decision; approved

Refusals: *None*

Withdrawn: *None*

Permits the Modification: *None*

Appeals: *None*

Enforcement Notice: *None*

Breach of Conditions Notice: *None*

7. Planning Control & High Street Planning Enforcement

8. To discuss Tree Preservation Orders: *None*

9. Conservation areas

10. Community Infrastructure Levy

11. Rother Local Plan consultation

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DRAFT STATEMENT OF COMMUNITY INVOLVEMENT (SCI) CONSULTATION

The Statement of Community Involvement (SCI) is a statutory document which sets out how and when the Council will engage with stakeholders and the wider community to ensure the opportunity for everyone to participate in the planning process. This includes both the preparation of policy documents and the determination of planning applications. The SCI also sets out how and when the Council will support local communities in preparing Neighbourhood Plans.

The draft revised SCI updates and supersedes the existing SCI adopted in 2018, in order to set out how the Council will involve the community during the production of the New Local Plan 2019-2039.

Alongside the Draft SCI we have also published online our Local Plan Early Engagement Document and our Local Plan Engagement Strategy. These documents together set out the key issues for the Local Plan, and how the Council will engage with its partners on key issues in the lead up to the first public consultation on the Local Plan (Regulation 18). These documents are for information and are not subject to public consultation.

A six week consultation period, running from from Friday 11th June 2021 to 4:30pm on Friday 23rd July 2021 is being provided to allow comments to be made on the Draft SCI.

The Draft SCI can be viewed on the Council's website at <https://www.rother.gov.uk/planning-and-building-control/planning-policy/newlocalplan/> - **carry forward to the next planning committee agenda on 6th July 2021 (action – Clerk).**

12. Urgent Issues - none