

Minutes of a meeting of the Planning Committee held at the Pavilion, Sparrows Green Recreation Ground, Wadhurst on 24th September 2022 at 9.30am.

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

Meeting commenced at 09:36 hrs

Comfort break 111.16 hrs – 11.20 hrs

1. To receive apologies for absence – **none**
2. To receive declarations of interest and updates to members' register of interests - **Cllr C Moore declared that both she and Cllr P Moore had updated their members' register of interests. All members presented declared a personal interest in WD/2022/1658/FR.**
3. To approve the minutes of the meeting of 27th August 2022 - **approved**
4. To discuss matters arising from the minutes of the meeting of 27th August 2022 – **none**
5. Public forum – time limit 15 minute – **7 members of the public present. None spoke**
6. **Licence and planning applications**

6.1 Licencing - none

6.2 Planning:

6.2.1 [WD/2022/2008/F](#)

Date of notification: 23rd August 2022

Consultee expiry date: 13th September 2022. Extension granted by WDC to 27th September 2022.

Location: COMBE MANOR FARM, COOMBE LANE, WADHURST, TN5 6NU

Description: extension and external modification of the former dairy building at Combe Manor Farm to create a new 3-bedroom dwelling, alongside the construction of an outbuilding to accommodate a biomass boiler and wood store further to WD/2020/2149/F.

COMMENT: OBJECTION. The Parish Council objects to the extension as it is further encroachment into this sensitive part of the AONB. This is not within the conversion of the existing agricultural building but an additional footprint in the AONB. The WPC objects to the building materials as they are not in keeping with the HWAONB.

6.2.2 [WD/2022/2108/F](#)

Date of notification: 24th August 2022

Consultee expiry date: 14th September 2022. Extension granted by WDC to 27th September 2022.

Location: 2 FLATTENDEN COTTAGES, THE DENS, WADHURST, TN5 6NL

Description: single storey rear extension to replace existing outbuildings, single storey front extension to replace existing porch, replacement of flat roof with new pitch roof to existing side extension, renewal of windows.

COMMENT: OBJECT. The parish council positively notes the changes to the previously submitted application for this site. We object to the roof windows, which would cause harm to the dark skies and therefore fail to conserve and enhance the High Weald AONB, particularly as the dwelling is outside of the development

boundary in the open countryside, and the Juliette balcony, which is not in keeping with the existing dwelling and would fail to conserve and enhance the High Weald AONB.

The Wealden Design Guide, section 5, paragraph 10.12 states that “the incorporation of balconies on smaller traditional style dwellings and cottages is rarely visually appropriate” and “where it is not possible to provide functional balconies in traditional style developments, the provision of “Juliet” balconies will rarely be considered an appropriate alternative.”

An intrinsic part of the beauty of the High Weald 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 Reserved, 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 landscapes*”.

Internal light spill is as detrimental to the dark skies as poorly considered external lighting. The South Downs National Park DNS TAN Appendix: Glazing – internal light spill 2021 notes that:

“In general, internal glazing will cause light to spill horizontally and – in the case of sky lights – directly upward, which are the most damaging paths of light. Internal spill can – and will – have a similar impact to external lighting, particularly in interrupting and disrupting the continuity of the dark landscape.”

The High Weald AONB Unit include the following advice to maintain the dark skies for which the High Weald AONB is renowned:

“Always remember to draw your curtains or blinds at night to prevent intrusive light unnecessarily spilling out of your home”.

There is no information provided with this application to indicate that the roof windows will be shielded.

6.2.3 [WD/2022/0550/F](#)

Date of notification: 10th August 2022

Consultee expiry date: Extension granted by WDC to 27th September 2022.

Location: THE PADDOCK, TAPSELLS LANE, WADHURST, TN5 6PL

Description: Three new detached houses with detached garages and new crossover.

COMMENT:

WDC Ref: WD/2022/0550/F

Site: Land at The Paddock, Tapsells Lane, Wadhurst, TN5 6PL

OBJECTION

The Wadhurst Parish Council (WPC) has looked carefully at this application and finds the proposals unacceptable:

- (1) **Access: This is a very dangerous exit point into Station Road**
- (2) **The site lies outside the Wadhurst development boundary**
- (3) **The site lies in an Area of Outstanding Natural Beauty (AONB)**
- (4) **The site has been formally turned down in previous SHELAA assessments by Wealden**
- (5) **Design is out of character with the area , diluting local distinctiveness**
- (6) **Plans do not address local housing need**
- (7) **Distance to village and station makes the site car dependent and not sustainable**
- (8) **The 'exceptional circumstances' used to justify the proposed development by the applicant are not relevant**
- (9) **Case law does NOT support building outside the development boundary and on AONB**
- (10) **Ecology: Negative environmental considerations**
- (11) **The development is not consistent with Carbon Neutrality**
- (12) **A drainage strategy is missing and environmentally concerning**
- (13) **The destruction of mature trees on the site is environmentally concerning**
- (14) **Comparison with Tilsmore Wood is inappropriate and misleading**
- (15) **This application is the thin end of the wedge**

This application should be refused

The WPC notes the high level of concern by residents to this proposal (over 100 objections at time of writing) and understands that under WDC's scheme of delegation this application will be considered at Committee.

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

(1) Access: This is a very dangerous exit point into Station Road

Picture 1 – Tapsells Lane junction with Station Road is a dangerous junction



Source: Google Maps

The access to Tapsells Lane is at a junction with Station Road on a bend where visibility is poor. Cars are not able to turn left into Station Road without crossing onto the other side of road into oncoming traffic and it is almost impossible for HGVs such as construction traffic and bin lorries to turn left. It is also very difficult for HGVs coming from the station to turn right into Tapsells Lane.

The dangerous nature of the junction was highlighted as one of the reasons that Wealden District Council (WDC) assessed Tapsells Lane as being unsuitable for further development in its 2019 SHELAA.

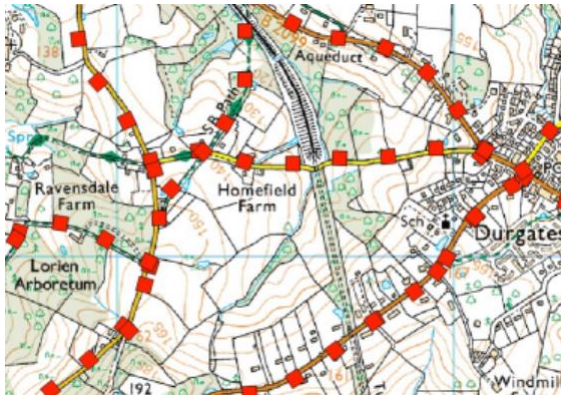
In addition to the substandard junction with Station Road, Tapsells Lane is narrow, unlit, poorly aligned, without footways or adequate pedestrian protection and therefore unsuitable for any additional traffic. Tapsells Lane is a narrow single track so that even cars have difficulty passing each other, let alone HGVs. This will result in the verges and hedgerows being damaged as vehicles pull over, causing damage to the AONB. There is already evidence of this happening further down Tapsells Lane, which is a historic routeway.



Picture 2 – Tapsells Lane junction onto Station Road is a dangerous junction

Station Road is subject to a 30mph speed limit, but even visibility splays of 40m will likely be insufficient for those turning left out of Tapsells Lane.

Given the dangerous junction at Tapsells Lane with Station Road, WPC considers it essential that East Sussex Highways (ESH) advise on the feasibility of development in Tapsells Lane and requests that WDC consults with ESH .



High Weald AONB
Landscape Character:
Historic routeways
Wadhurst Parish

Key

- Historic routeways (R1)
- Area of parish outside the High Weald AONB for which data is not displayed or not available (NB: only applicable where parishes straddle the AONB boundary)
- High Weald AONB boundary

Summary Character Description:
The High Weald AONB is characterised by ancient routeways (now roads, tracks and paths) in the form of ridge-top roads and a dense system of radiating droveways. Ancient routeways are often narrow, deeply sunken, and edged with trees, hedges, wildflower-rich verges and boundary banks.

Management Plan Objectives
R1 Objective: To maintain the historic pattern and features of routeways.
R2 Objective: To enhance the ecological function of routeways.

For further info please refer to the High Weald AONB Management Plan, which may be downloaded from our website (see address below).

Researched and produced by the
High Weald AONB Unit

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Pictures 3a and 3b – Wadhurst Historic Routeways as produced by the High Weald AONB Unit – identifying Tapsells Lane and Station Road as historic routeways

(2) The site lies outside the Wadhurst development boundary

The Application site lies outside of the Wadhurst designated development boundary, where protective countryside policies restrict development. Development would be contrary to policies GD2, DC17 and EN27 of the Wealden local plan 1998, and policy WCS6 and WCS9 of the Wealden District Core Strategy local plan (2013).

When the development boundary was defined, WDC's stated aim for Wadhurst was:

"to protect its environment, the rural fringe areas and the surrounding countryside from development that would be detrimental to its character."

The development boundary:

"took full account of the sensitive ridge-top setting of the village within the High Weald Area of Outstanding Natural Beauty, and the diverse character of existing development...it seeks to prevent an outward encroachment of new development along the main roads and an intensification of development in a number of fringe areas which would be detrimental to their more rural character." [WPC emphasis]

(3) The site lies in an Area of Outstanding Natural Beauty (AONB)

This green field site lies within an Area of Outstanding Natural Beauty, which restricts development in accordance with the NPPF 2021. The NPPF states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues' (para 176, NPPF 2021).

The Application attempts to challenge and undermine the protections afforded by the NPPF 2021 to the AONB.

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.

The High Weald AONB Management Plan notes that: *"the areas around the Weald experienced a substantial and disproportionate increase in housing compared to the rest of England in the inter-war period."* The High Weald AONB was designated in 1983; the extant Wadhurst development boundary followed in 1998. It was designed for, and has been a vital tool in, protecting the High Weald AONB countryside of Wadhurst from harm from inappropriate development, and this must continue.

At a national level, the High Weald AONB has been the hardest-hit of all the 34 Areas of Natural Beauty in England (Wadhurst lies wholly within the High Weald AONB). According to a recent report by CPRE, the rural charity, they found that over the four years to 2020/21, the High Weald accounted for 932 housing units granted, or fully 16.4% of all housing units granted, on protected greenfield land in England ¹. This was higher than all other AONBs surveyed by the CPRE. Indeed, looking at the most recent data, the High Weald AONB accounted for a whopping 40% of all housing units granted in AONB's in 2020/21, the latest year for which data are available. To put this in context, the High Weald AONB comprises just 7.6% of the total land area of all the AONBs in England.


The past five years have seen an acceleration in housing completions, with Wadhurst bearing the brunt of development. An analysis of development across parishes in Wealden shows that housing completions in Wadhurst have risen by 5.2% over this five-year period. This compares to a growth of 5.1% in Wealden and just 4.7% nationally.

¹ CPRE, Beauty still betrayed: The state of our AONBs 2021, published April 2021

So, there has been faster growth in housing completions in Wadhurst: yet, the **entire** area of Wadhurst lies within the High Weald AONB, which should receive the greatest protection. By contrast, over 53% of Wealden District falls within the High Weald AONB, while AONBs cover just 15% of the countryside in England.

(4) The site has been formally turned down in previous SHELAA assessments by Wealden

The site has been turned down in the past by Wealden in their 2014 and January 2019 SHELAA assessments, who have deemed it as not suitable for housing (see 2019 SHELAA summary exhibit – the proposal site was submitted for assessment as part of a larger site which included additional land adjoining it to the west).

| | |
|--|--|
| Plan showing whole extent of submitted site | Site Reference: 486/3330 |
|  | Settlement: Wadhurst |
| | Parish: Wadhurst |
| | Address: Land to the West of Herons Lea, Tapsells Lane |
| | Suitable for housing?: No Suitable for employment: No Site available: Yes Site achievable: Site Conclusion: Not suitable |
| | Site area (ha) Gross: 0.36 Site area (ha) Net: 0 |

WDC’s reasons for deeming the site as ‘Not suitable’ were as follows:

*‘The site contains a number of mature trees which should be retained, and **there are significant slopes**. The developable area would be markedly reduced from that submitted. There is no alternative location available for a vehicular access and so **additional traffic generated would need to use Tapsells Lane. However visibility at the junction with Station Road is poor and the lane to the west is narrow and unsuitable for more vehicle usage.** These factors render the site unsuitable for housing development. The site is within the High Weald AONB. **Development would have an unjustified impact on the character and appearance of the landscape**’. [WPC emphasis]*

The development is also contrary to WDC policy EN6 which states:

*‘development within the High Weald Area of Outstanding Natural Beauty, as defined on the Proposals Map, **will only be permitted if it conserves or enhances the natural beauty and character of the landscape**. Particular care will be paid to the siting, scale, layout and design of development’. [WPC emphasis]*

Based on this logic alone, WDC’s SHELAA reasoning has answered its condition cited in policy EN6, namely that development will *not* conserve or enhance the natural beauty or character of the landscape. Indeed, it would have ‘*an unjustified impact*’ on the character and appearance of the landscape. Nothing has changed since then (other than an attempt

to clear the land) and, thus, there is no case to justify this site being approved. The Application should be refused on these grounds alone.

(5) Design is out of character with the area , diluting local distinctiveness

There is a lack of detail in the design and access statement regarding the design, however, the design is described as “Arts and Crafts-style”. This is not typical of the area, which is noted for its traditional Wealden architecture. The WPC disagrees with the planning statement assertion that the proposals show “local vernacular” from the sparse information given on the general plans . Of most concern are the following aspects of the design:

- the roof pitches are not in keeping with the “47.5 to 50 degree”² roof pitches typical of Wadhurst;
- there are no chimneys at all, let alone “tall chimneystacks”³ which are a typical feature in Wadhurst and “buildings lacking these can appear incomplete”⁴;
- the weatherboarding (Plots 1 and 3) and the tile hanging (Plot 2) finish just past the façade; “the cladding material must continue all the way around the first floor”⁵ to reflect local vernacular;
- There appears to be faux timber detailing (Plot 2) which is not in keeping with local vernacular, where timbers would be part of the structure and not “stuck on” afterwards⁶;
- The colour of the materials, particularly the “Vale de Seine” roof tiles are not in keeping with the local vernacular which should follow the palette set out in “the High Weald Colour Study”.

In summary, the WPC is concerned that the design is of the “ubiquitous late twentieth century ‘housing estate’ version of vernacular architecture” that the High Weald Housing Design Guide states is “often a poor imitation of what makes the High Weald special, and will not be acceptable”.

(6) Plans do not address local housing need

The applicant’s plan is to build 3 five-bed houses, using this greenfield site.

WPC has collated data from 2016 to 7 August 2022 and has estimated that there are 230 dwellings that have been completed, approved (and thus are under construction) or are at the ‘live’ application stage. This project is in addition to this dataset⁷. Of the 230 dwellings, flats comprise 58, or 26%, of the total, while houses make up 172, or 64%.

² High Weald Housing Design Guide DG7

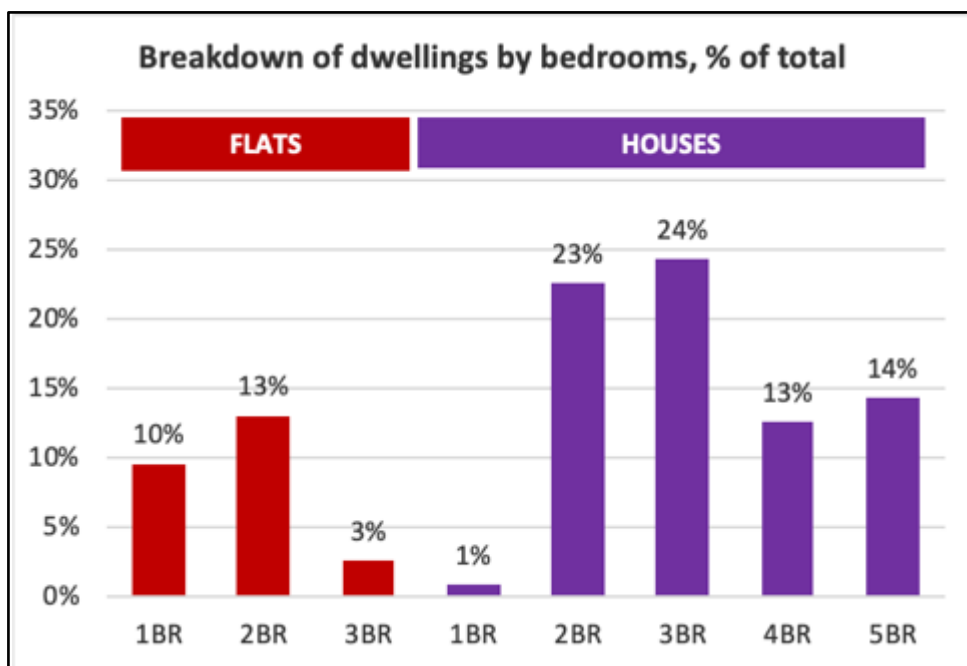
³ High Weald Housing Design Guide DG7

⁴ Wealden Design Guide Section 5 Page 15

⁵ High Weald Housing Design Guide DG7

⁶ High Weald Housing Design Guide DG7

⁷ This project was launched after the cut-off date of this analysis.



Source: WPC using WDC data on individual applications

It can be seen that, for Wadhurst overall, there has been an emphasis on ‘executive’ homes (4BR and 5BR), which comprises a sizeable 27% of the total. Indeed, over the past seven years, 33 out of a total of 230 dwellings that have been completed, approved or are at application stage are five-bedroom houses ⁸. This amounts to 14% of the total.

This is not what the residents of Wadhurst seem to want. The evidence shows that demand is for smaller, affordable houses. The Wadhurst Neighbourhood Plan Survey Report, 2019 ⁹, found that of the 919 respondents to the question of what housing types are needed in the Parish, 77% said ‘affordable’ housing would be needed (page 12). While the definition of ‘affordable’ may differ between professional planners and local residents, it is clear that ‘executive’ homes do not fall into the category of ‘affordable’ from either perspective. These plans do not address local housing need in Wadhurst and should therefore be refused.

The reality is that potential buyers of these properties are likely to be people moving out of London, Tunbridge Wells or other towns in the area, rather than Wadhurst residents. Far from increasing supply of genuinely affordable properties, the effect of this development would be to fuel supply of executive homes, which is not what the residents of Wadhurst seem to want.

Indeed, there are currently six unsold 5 bedroom houses at the Gill Wood Wadhurst Place Development on nearby Mayfield Lane.

(7) Distance to village and station makes the site car dependent and not sustainable **Clarifying distances**

The Applicant states in the introduction to the Planning Statement:

⁸ This would rise to 36 if this application were included

⁹ Produced by Action in Rural Sussex

'The site...is located 150m from local shops and a petrol station and there is a bus stop at a similar distance. Wadhurst mainline railway station is within a 10-minute walk giving easy access to Tunbridge Wells and central London.

The site is about 650m from both the nearest supermarket (Co-op) and Primary School. At 1km distance is the centre of Wadhurst with its full range of supermarkets and shops. Uplands College (Secondary School) is 1.3km away which is less than 15 minutes' walk'.

The distances cited are misleading in terms of distance. A quick check using Google Maps, gives the following comparison:

- *Distance to local shops – presumably McColls (Applicant: 150m); [WPC: 360m]*
- *Distance to petrol station (Applicant: 150m); [WPC: 340m]*
- *The bus stop at the top of Mayfield Lane (Applicant: 150m);[WPC estimate: 340m for service to Tunbridge Wells, 385m for service in the other direction]*
- *Co-op (Applicant: 650m); [WPC: 910m]*
- *Primary school (Applicant: 650m)); [WPC: 870m]*
- *Station (Applicant: 'within a 10-minute walk'); [WPC: a 21-minute walk]*
- *Centre of Wadhurst (Applicant: 1.0km); [WPC: Jempsons is 1.25km away]*
- *Uplands school (Applicant: 1.3km away, less than 15 minutes' walk); [WPC: 1.5km, a 23-minute walk]*

The applicant also makes some unrealistic assumptions about walking speeds:

- The station lies 1.4km away from the site. To walk there 'within 10 minutes' would require a speed of 8.6 km/hr, more than twice the average walking speed of 4km/hr suggested by the Ramblers, and mean that the individual would need to cover a kilometre in 7 minutes.
- To put this in perspective, it does not seem realistic that a commuter, dressed for a day's work, would travel at the pace of a 35-minute park runner¹⁰, to get to the station. Using a more realistic walking (rather than running) pace of 4km/hr, would take 21 minutes to get to the station.
- Also unrealistic are the speeds required for children to walk to Uplands school in under 15 minutes. Based on the applicant's calculations, the implication is that a student would take 11.5 minutes to cover 1km in distance. While this is slightly less than the running speed required to the train station, this still entails an unrealistically brisk speed of 5.2km/hr.

WPC has measured distances from the site entrance to various locations in the village, using the average walking speeds of 4km/hr, as suggested by the Ramblers, and cycling speeds, as suggested by Road Bike (see table below). Walking times of over 10 minutes are highlighted.

¹⁰ Park runs typically cover 5km

| From Tapsells Lane to: | Distance, metres | Walking time, mins | Cycling time, mins |
|------------------------|------------------|--------------------|--------------------|
| Bus stop | 340 | 5 | 1 |
| Petrol station | 340 | 5 | 1 |
| MacColls | 360 | 5 | 2 |
| Primary School | 870 | 13 | 4 |
| Co-op | 910 | 14 | 4 |
| Vet | 1060 | 16 | 4 |
| Jempsons | 1250 | 19 | 5 |
| Belmont Surgery | 1400 | 21 | 6 |
| Station | 1430 | 21 | 6 |
| SG Recreation Ground | 1450 | 22 | 6 |
| Uplands | 1500 | 23 | 6 |

Sources: Google maps, Ramblers, Road Bike

<https://www.ramblers.org.uk/advice/navigation/calculating-walking-pace.aspx>

<https://roadbikebasics.com/average-speed-on-road-bike/>

Note: distance > 2km or 10 minutes walking and cycling time highlighted

It can be seen that journeys to destinations in the village will take 19-23 minutes on foot, while it would take approx. 21 minutes to the station (using Station Road).

Paragraph 4.4.1 of Manual for Streets states that walkable neighbourhoods typically have a range of facilities within 10 minutes (around 800m). On this criterion, the village and the station are not walkable. The Institute of Highways and Transport guidance document 'Providing for Journeys on Foot' (published 2000) suggests an acceptable walking distance of 1km and a preferred maximum walking distance 2km for educational purposes.

It is therefore incorrect that '*Wadhurst mainline railway station is within a 10-minute walk*'. In any case, the site fails the Manual for Streets guidance.

Quality of the walking experience

The Manual for Streets goes further and indicates that '*the propensity to walk is influenced not only by distance but also by the quality of the walking experience*' (paragraph 6.3.1). The truth is the quality of the walking experience is very poor. In practice, new residents would not travel by foot; they would have no choice but to take to their cars. The proposed construction of 6 parking spaces confirms the car dependency of the site.

Station journey: The journey down to the station is one that is fraught with hazards. Starting the commute from the site, Tapsells Lane is narrow, poorly aligned, without footways, lighting or adequate pedestrian protection and therefore unsuitable for any additional traffic. Tapsells Lane is a single-track road, so the commuter is immediately facing a poor quality 'walking experience' (see photo).



Picture 3 – Tapsells Lane towards Station Road
- dangerous for pedestrians as it has no street lighting or footways

Once he/she reaches the junction with Station Road, there is a dangerous road to cross to make the walk down to the station. Pavements are narrow, with the banks overgrown with branches and overgrowth. As they are steep, these banks also regularly suffer from landslip causing encroachment onto the pavement; their maintenance being a constant battle. Walking down a busy main road, approaching cars appear very close to pedestrians. On the final approach to the station, the commuter has to make a dangerous crossing by a bend, to make it safely in to the station car park. At the bottom of the hill, traffic will be accelerating, having passed from a 30mph speed limit to 40mph – and, in practice, cars

go faster still. So to state that this is 'within a 10-minute walk' is false. The return journey is even worse and the steep hill back towards the village is a disincentive to walking home.

The quality of the walking experience takes a further turn for the worse during winter months, when commuters will invariably have to walk to/from the station in the dark. With no street lighting – especially in Tapsells Lane – the journey becomes even more hazardous.

The inevitable conclusion is that this site can only be described as car dependent, which means that it fails the sustainability test set by the NPPF 2021. In short, the site is not sustainable.

(8) **The 'exceptional circumstances' used to justify the proposed development by the applicant are not relevant**

In any case, the 'exceptional circumstances' given by the Applicant, which would be needed to justify development on AONB outside the DB, are not very convincing to the WPC either.

This is despite the protections that should be available to this land. As the newly updated National Planning Policy Framework states: '*when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest*'. (para 177).

The past five years have seen an acceleration in housing completions, with Wadhurst bearing the brunt of development. An analysis of development across parishes in Wealden shows that housing completions in Wadhurst have risen by 5.2% over this five-year period. This compares to a growth of 5.1% in Wealden and just 4.7% nationally.

So, there has been faster growth in housing completions in Wadhurst: yet, the **entire** area of Wadhurst lies within the High Weald AONB, which should receive the greatest protection. By contrast, over 53% of Wealden District falls within the High Weald AONB, while AONBs cover just 15% of the countryside in England.

i) Wealden leaders appear to understand this...

On 3rd May 2022, Wealden District Council issued a press release updating the public on their continuing campaign to lobby the government to lower the number of homes WDC is obliged to provide in future years. [Councillor Newton] *said*, ‘*We continue to make it very clear our numbers are far too high and completely unacceptable. We need government to reduce the number of homes we are required to provide. The minister understood our frustration and said work is continuing and government is reviewing the position.*’

On 29th July 2021, the Parish Council was advised by **Bob Standley**, the (then) leader of Wealden District Council, that he, along with local conservative leaders, local authority leaders and chief executives, met with the Rt Hon Robert Jenrick MP, (then) Secretary of State for Housing, Communities and Local Government, and the Rt Hon Christopher Pincher MP, (then) Minister of State for Housing. At this meeting, the (then) Secretary and Minister of State were informed by Cllr Standley et al that:

- a) The housing numbers that Wealden District Council is expected to meet do not sufficiently take into account our environmental constraints; and
- b) With approx. 7500 extant planning permissions [at that time], Wealden District Council would have a five-year land supply.

It is also worth noting that by *not* developing after approval, developers are perpetuating the problem. By ‘land-banking’ they help maintain the shortage of homes, drive up land prices and retain the ability to beat the Council with the ‘no five-year land supply’ justification for development.

ii) ...and should take responsibility for Wealden’s natural heritage

The High Weald AONB Management Plan 2019-2024 is very clear. The district’s environmental constraints are none more so than in Wadhurst due to its ‘*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*’.

One of the three pillars of sustainable development in the NPPF is the environmental objective – ‘contributing to protecting and enhancing our natural, built and historic environment.’ With a higher rate of completions in Wadhurst than throughout England, it is plain that this objective needs to be given far more attention by planning decision makers than at present.

(9) Case law does NOT support building outside the development boundary and on AONB Given the observations above, it is not surprising that the Applicant places a lot of emphasis on the fact that the Wealden Local Plan is ‘**significantly out of date**’ and that Wealden does not have a five-year housing supply, currently at 3.66 years. Using these insights, the

applicants thus claim that the protections afforded by the development boundary and the fact the site is on AONB no longer apply.

The Applicant then focuses on the paragraph 11 of the NPPF that *'sets out that plans and decisions should imply a presumption in favour of sustainable development' ...*

'...Being close to the centre of Wadhurst, with pedestrian access to the centre, this site should be considered as being not isolated nor unsustainable residential development and would be subject to matters broadly compliant with the NPPF.'

As demonstrated above, WPC contends that, contrary to the applicant, this is NOT a sustainable residential development [see section (7)].

However, the most recent case law, Monkhill 2021, has had the effect of shifting the 'tilted balance' back in favour of protection. The Court of Appeal recently decided that the failure of a Council to build enough houses is not a relevant issue once the need to protect the AONB or other protected areas has been established, see 2021 EWCA Civ 74 (Monkhill vs Secretary of State) para 37:

The "tilted balance", or positive presumption, under paragraph 11d)ii is not available in every case where there are "no relevant policies" of the development plan or the "most important policies" in the plan are "out-of-date". It is deliberately disapplied in the situation provided for in paragraph 11d)i, where policies of the NPPF that "protect areas or assets of particular importance" – the footnote 6 policies – are engaged, applied and found to justify planning permission being withheld (see the first instance judgment in Forest of Dean District Council v Secretary of State for Communities and Local Government [2016] P.T.S.R. 1031, at paragraph 28). Otherwise, the "tilted balance" could work against the protection afforded by those policies and undermine them. This would not only be hostile to the evident objective of the policy in paragraph 11d)i. It would also be inimical to the explicit strategy of the NPPF itself for "sustainable development".

(10) Ecology: Negative environmental considerations

The site is a prime example of AONB land. It makes a major contribution to the ecology, landscape and scenic beauty of the area. It provides high amenity value to local residents and is classified in the High category of landscape sensitivity and as Remnant Historic Landscape – Ancient. The development is small in terms of number of houses but should be seen as a major development in terms of damage to the AONB.

The impact of the proposed development on the landscape and ecology of Tapsells Lane paddock and the other adjoining fields will be considerable. The fields are home to Badgers, Foxes, Owls, Woodpeckers, Deer, Dormice, Hedgehogs, Toads and potentially Great Crested Newts (Ecological report states the proposed development will affect suitable terrestrial habitat for Great Crested Newts).

(11) The development is not consistent with Carbon Neutrality

A brief visit to the site shows that it is sloping and has extensive tree roots that would need to be addressed should permission to develop be granted. The process of levelling the site and clearing it for development would be substantial and would involve extensive earth works.

Such an exercise would be inconsistent with the principle of carbon neutrality and run counter to Wealden's commitment to achieve net zero carbon emissions by 2050.

Research increasingly shows that excavating meadows and fields leads to increased carbon emissions:

'Ploughing and excavating soil releases carbon, while undisturbed soil keeps it locked in' (Bathurst, B, *'Kill the Plough, save our soils'*. Newsweek, 6 June 2014).

We note the position of Wealden District Council on Carbon Neutrality. www.wealden.gov.uk states:

'Under the climate emergency declaration, the council committed to work towards achieving net zero carbon emissions by 2050, for both the council's own operations, and the wider Wealden area and to pursue efforts to bring this date forward if possible'.

We are mindful of the council's position, and understand therefore that permitting this development and the excavation of 0.7 acres of ancient meadow, and the associated consequences in terms of increased carbon emissions would be contrary to this.

Undeniably, research shows that returning agricultural land to permanent pasture could be a game changer in alleviating carbon emissions. Indeed, Khursheed, S, Simmons, C, Jaber, F, (2016), *Glomalin – a key to locking up soil carbon, Advances in Plants and Agriculture Research*, vol 4, issue 1. (2016), write:

'Forests, croplands and grasslands around the world are potentially valuable for offsetting carbon dioxide emissions from industry and vehicles'

What seems clear is that local councils need to be preserving and protecting ancient meadows, in a clear commitment to carbon neutrality.

(12) A drainage strategy is missing and environmentally concerning

Sewage: The applicant proposes to connect the development to a 'sustainable sewage treatment plant'. However, it is not clear whether there has been a formal application for a connection to a public foul sewer.

On the face of it, three 5-bedroom properties do not entail a large increase in sewage throughput. Based on inputs such as RIBA Case for Space, we assume that each property could house 5-6 residents. This would entail an increase of about 0.5% additional throughput (from 15-18 additional daily bowel movements) into the public sewer, on the assumption that sewage would be pumped up and then down to the sewage farm at Whitegates. However, this plant is *already* operating at over-full capacity, and it is notable that there are tankers travelling down Whitegates Lane *every day* to remove excess sewage from the plant. Moreover, Southern Water vans regularly travel to this plant. This suggests that the system is already overloaded – that is before *any* additional developments are considered.

The local sewage network is already ageing and can be blocked. This development will not solve the problem, but most certainly will add to it. We expect Southern Water to provide a clear statement to provide clarity and evidence that it has the additional capacity to manage the additional throughput.

Wastewater disposal: Over the last 12 months Southern Water (SW) has come under growing scrutiny with regard to sewage and wastewater disposal. Wealden District Council recently passed a cross party motion requiring Southern Water to give details of how wastewater would be dealt with on each planning application. Currently SW are required, where feasible, to say they will put infrastructure in place but not explain fully the exact solution.

It is striking how sloped the site is and the issue of run-off and drainage is a great concern.



Moreover, there is an underground spring running across the 'valley' of the site, approximately from south west to north east.

The surface water strategy is non-specific and at best is only a guide on the points that may need to be taken into account when considering a surface water drainage system on a simple site. This is not a simple site: points to be considered include;

1. Site has steep slopes from east to west and north/south.
2. The proposed houses are pinched together in the centre of the site over the root system of recently removed mature Oak & Beech trees.
3. Garages are detached restricting the area available for soakaways or attenuation ponds, which need to be below the level of the buildings. It is likely that soakaways or attenuation ponds would encroach into the root protection area (RPA) of protected trees.
4. Site sits on Wadhurst clay beds which is almost non-permeable and percolation tests are required.
5. An underground stream runs through the site the course of which may be altered by the development affecting SW drainage and percolation.
6. The limited space available for SW drainage will also have to accommodate the Foul drainage system. It is difficult to see how this will be satisfactorily achieved in such a small space, and how this will be achieved without encroachment into the RPA of the newly protected trees.

Site specific, SW and Foul water drainage designs need to be in place before any development of this site can be considered.

WPC therefore suggests that a clear and detailed assessment from Southern Water as to whether the system could cope with this increase in demand is essential and Wealden refuse this application without it.

(13) The destruction of mature trees on the site is environmentally concerning

The site contains a number of mature trees that are at risk from this development. A mature oak and beech have recently been felled. Both trees had been identified by the preliminary ecological report to be suitable for roosting bats. However, concerningly, they were felled before a bat survey was undertaken. Understandably, the July 2022 Bat Survey report questions why these trees, with potential for roosting bats, were felled before an assessment was made and states *'as no mitigation can be provided, compensation should be made, with new extensive tree planting around the edges of the site'*.

Some of the remaining mature trees are now subject to Tree Preservation Orders but are threatened by the development application. Specifically, the development would require the removal of a mature Monkey Puzzle tree (as it would likely collide with the parking area for Plot 1 – see site plan below). This beautiful tree is at least 50 years old and is the subject of a Tree Preservation Order (see photo – right).



The site plan takes no account of the extensive root systems of a large oak (382cm diameter) and large beech (345cm) tree that were felled by the site landowner in December 2021 but which continue to support the banked land between Herons Lea and the paddock. The house proposed on plot 3 would be located where these large stumps and root systems reside (see photo below).



The development on plot 3 would therefore require extensive ground works that would completely demolish the existing hillside and the bank that forms the edge of Herons Lea.

This would likely damage the neighbouring Herons Lea property, including the soakaway drainage system that is located there.



The Root Protection Plan appears to be inaccurate and to ignore the Tree Report. It does not include several trees identified in the report, including the mature Monkey Puzzle tree that the report classifies as Category B (Retention Desirable) and which is under protection by a TPO made by Wealden District Council. It is very important that planning decisions must take all existing trees into account.

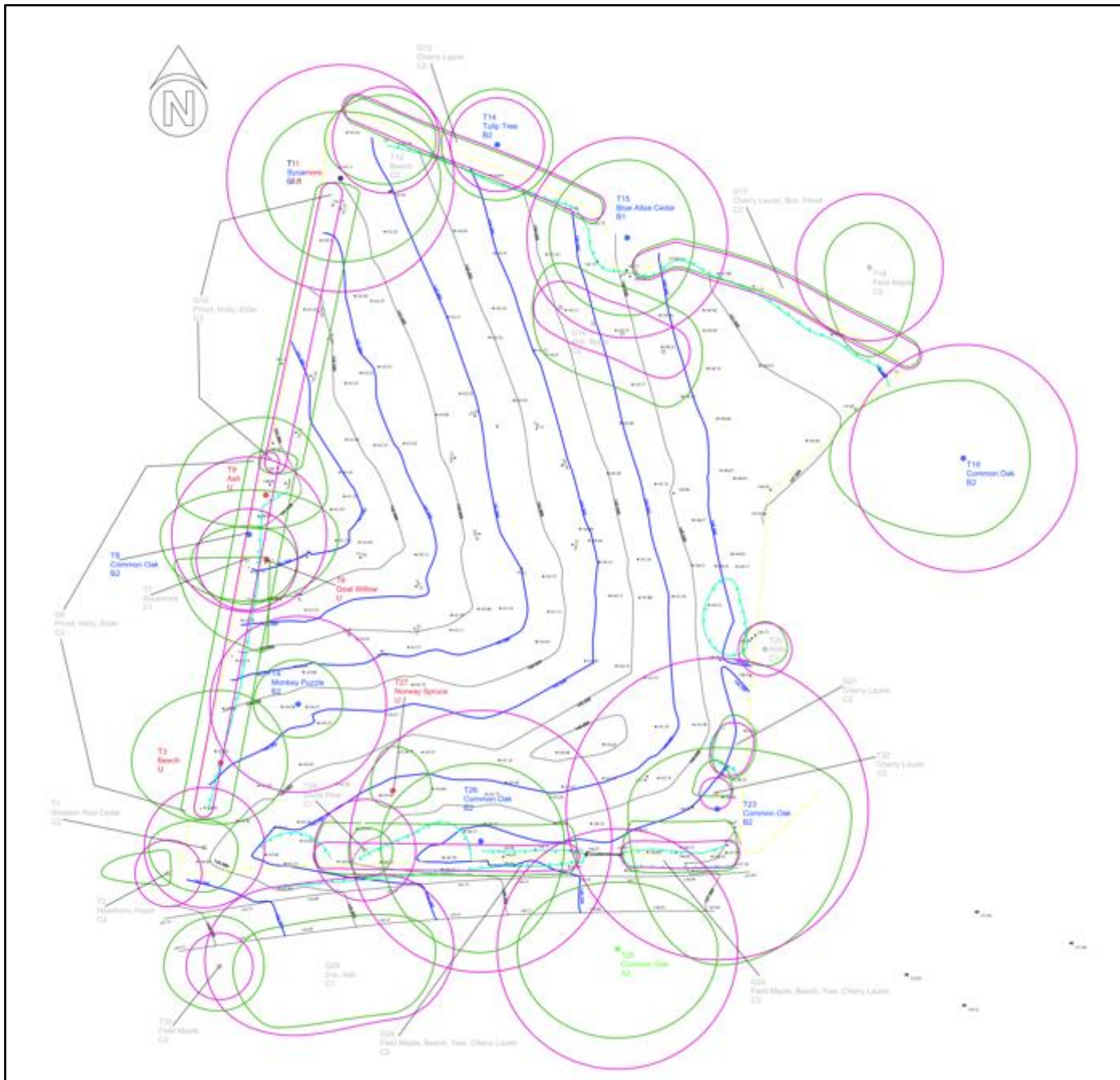
The Tree Report itself appears to have inaccuracies and underestimate the height of trees, their age, diameter and extent of canopy in cases reviewed. This is presumably due to desktop exercises, rather than site visits being carried out and we would request

a visit by the Arboricultural department.

Specifically, the report estimates the diameter of the mature oak in the garden of Herons Lea at circa 85cm when it is actually 110cm. This results in significant under-estimation of Root Protection Areas (RPAs).

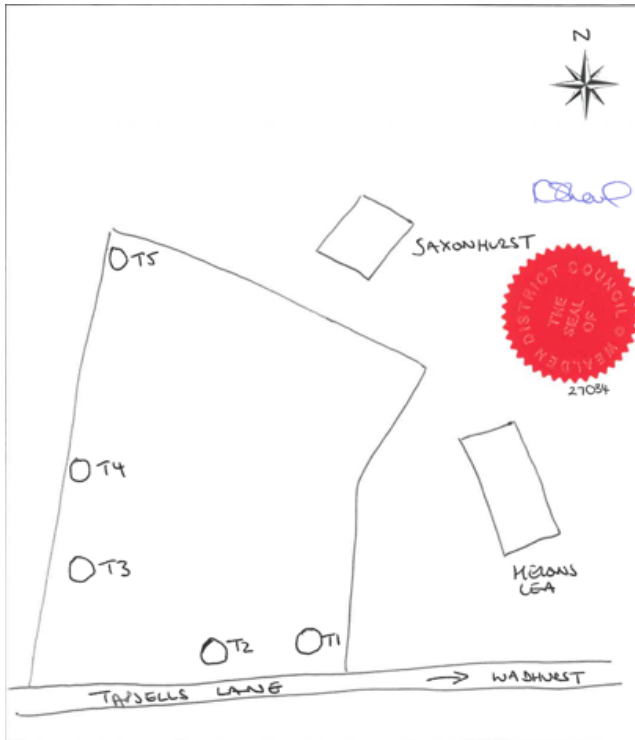
RPAs provide a minimum requirement for builders. However, for this site, that is inadequate to protect the trees. The root system of oaks spreads far further than the RPA. The roots can spread to occupy a space 4 to 7 times the width of a tree's crown. So, in fact, the roots of the mature oaks (and other large trees) will have spread throughout the site and are – literally – holding the hillside together. Any damage to the roots will thus increase the risk to the trees and – if the trees are lost – there is a danger of erosion and landslip, as has been seen further down the hill by the railway line. The roots are almost certain to be damaged given the major groundworks that would be required for this application.

Importantly, the oaks would also be endangered by any structural barriers such as concrete foundations downhill from them as it can dam water forcing it into the root zone of a tree. This is clear risk given the proposed design and the clay soil.



WDC has recently issued Tree Preservation Orders on five trees within the site (including the Monkey Puzzle Tree mentioned above).

We have included (below) a screenshot of the WDC sketch, which shows where the trees are sited. It can be seen that the location of the trees – plus their root systems – would effectively make it impossible to build out Plot 1 shown in the site plan above.



(14) Comparison with Tilsmore Wood is inappropriate and misleading

The Planning Statement claims there is a close similarity with a site at Tilsmore Wood (WD/2020/2540/F), which has been approved by WDC. This appears to be an attempt to ‘anchor’ the thoughts of the decision-maker. However, in practice, there are significant differences that render this comparison irrelevant:

- Tilsmore Wood is next to the busy A265 main road into Heathfield, whereas Tapsells Lane is a narrow single-track country lane, meeting Station Road (the B2099).
- Tilsmore plans provide adequate turning for cars onto the A265, whereas the junction of Tapsells Lane with Station Road is substandard and would be treacherous for turning refuse lorries.
- The A265 has pavements for pedestrians, which would support the case for sustainability, whereas Tapsells Lane has no footpaths.
- Tilsmore Wood is reportedly a 10-minute walk into the centre of Heathfield. Tapsells is *not* a 10-minute walk – either to the station or to the centre of Wadhurst village.
- The Wealden SHELAA (2019) considered the Tilsmore Wood site to be suitable for development, whereas the Tapsells Lane site was definitively considered unsuitable.

As an exercise in ‘anchoring,’ WPC believes that this comparison has failed.



(15) This application is the thin end of the wedge

WPC notes that despite the fact that it is a wholly unsuitable site for development, as confirmed in Wealden’s 2019 SHELAA assessment, there seems to be a possibility that development on this site could ‘unlock’ neighbouring sites. In particular, the neighbouring site on the North side of Tapsells Lane was also put forward as a SHELAA site in 2019. It was also resoundingly – and appropriately – rejected as not being suitable for development.

The WPC is very concerned about the activities seen on the site recently: clearing what was a beautiful and naturally wild site; cutting down two trees; and



contributing to the field becoming a ‘low-grade paddock’ – are actions which appear to be part of a long-standing plan to develop the site. Moreover, the thin set of planning documents, with little or no attention to the design of the three houses (the Design & Access Statement runs to only 8 pages), with little or no attention paid to access issues; and

a misleading reference to a successful application in Heathfield – give the overall impression of a ‘stalking horse’ application.

If this is the case, then seeking to establish a precedent in this location, in an attempt to unlock further development next door, appears to be a manipulation of the planning system.

6.2.4 [WD/2022/1835/F](#)

Date of notification: 25TH August 2022

Consultee expiry date: 8th September 2022. Extension granted by WDC to 27th September 2022.

Location: PERRINS OAST, WYCK LANE, WOODS GREEN, WADHURST, TN5 6QS

Description: modifications to existing garage and store to provide ancillary accommodation. New external stair and door for access above garage. Changes to fenestration to store including enlarged window opening with new sliding folding doors, horizontal cladding with insulation, wood burner flue and an area of timber decking. [Amended Description](#)

The below application has been added in case any additional comments wish to be made following the email enquiry from the Planning Officer.

COMMENT: No further comment. The parish council wish to bring to the attention of Wealden District council that when documents are downloaded from their planning portal, there is nothing on the document to indicate whether it is a superseded or amended document, and requests that Wealden District Council rectify this problem. Action – Clerk.

6.2.5 [WD/2022/0630/F](#) and [WD/2022/1410/LB](#) (identical details)

Date of notification:

Consultee expiry date: Extension granted by WDC to 27th September 2022.

Location: OWLERS, COUSLEY WOOD ROAD, WADHURST, TN5 6EY

Description: internal alterations to main house for en-suite bathroom and internal and external alterations and extension of existing annexe outbuilding to create glazed link to form kitchen/family room.

COMMENT: No objection

6.2.6 [WD/2022/2202/F](#)

Date of notification: 7th September 2022

Consultee expiry date: 28th September 2022

Location: 2 DEWHURST COTTAGES, FRANT ROAD, WADHURST, TN5 6LG

Description: replacement single storey rear extension with roof terrace

COMMENT: Objection. The proposed roof terrace overlooks the privacy zone of 1 Dewhurst Cottages. A neighbour comment on the planning portal indicates that 2 Dewhurst Cottages is used as Airbnb accommodation. This creates a greater likelihood of unacceptable noise and disturbance, affecting the amenity of neighbours.

6.2.7 [WD/2022/1658/FR](#)

Date of notification: 8th September 2022

Consultee expiry date: 29th September 2022

Location: RECREATION LAND AT WADHURST INSTITUTE HALL AND FIELD,
WASHWELL LANE, WADHURST TN5 6AP

Description: retrospective application for the retention of a beacon brazier

COMMENT: No comment

6.2.8 [WD/2022/2223/F](#)

Date of notification: 8th September 2022

Consultee expiry date: 29th September 2022

Location: RIDGECOTE, MAYFIELD LANE, WADHURST, TN5 6HX

Description: demolition of existing dwelling; erection of replacement dwelling with associated works including altered vehicular access.

COMMENT: Objection. Objection on the grounds that the contemporary design of the proposed dwelling fails to conserve and enhance the High Weald AONB; the proposal fails to provide a sense of place; is harmful to the dark skies for which Wadhurst is renowned; and fails to meet paragraph 130 of the NPPF and WDC policies EN6, EN27, HG4 and HG10.

The WDC Landscape Character Assessment 2022 (LCA) defines landscape character as:

“a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse....understanding the character of place and evaluating an area’s defining characteristic is a key component in managing growth sustainably, and ensuring that the inherent character and qualities of Wealden’s landscape can continue to be appreciated. An understanding of character can be used to ensure that any change or development does not undermine whatever is valued or characteristic in a particular landscape and helps guide positive changes that conserves, enhances, restores, or creates local character.”

It states that where any of the key characteristics and/or landscape qualities within the LCA will be affected by a proposal, it should be asked if the proposal can be altered in any way to avoid adverse effects on the key characteristics. Our view is that it can.

Wadhurst is in the High Weald AONB, a unique and protected outstandingly beautiful landscape. The LCA states that the following feature is characteristic, and particularly valued for its contribution to character in the High Weald AONB:

- The vernacular architecture of brick, oak, sandstone and flint which reflects the locally available materials and provides a sense of place

It recommends that:

- New buildings reinforce and respond to local character in their scale, layout and design, reflecting the local vernacular in the use of materials;

- Development should draw on the principles contained within the High Weald AONB design guidance (HWAONBDG), High Weald guidance on the selection and use of colour in development and objectives of the High Weald AONB Management Plan.

The proposal fails on each of the above recommendations. It also fails to meet the following requirements:

1. The NPPF, para 130, requires that developments are “sympathetic to local character and history, including the surrounding built environment and landscape setting...establish or maintain a strong sense of place.”
2. WDC policy HG4 states “within the development boundaries...the established character of existing residential areas will be protected.”
3. WDC policy HG10 states “within the development boundaries...the extension and alteration of existing dwellings will be permitted where the scale, style, design and materials are appropriate and sympathetic in relation to the existing buildings.”
4. WDC policy EN27 states “the scale, form site coverage, density and design of developments and use of materials and landscaping should respect the character of adjoining development and promote local distinctiveness.”
5. WDC policy EN6 states that “Development within the High Weald Area of Outstanding Natural Beauty, as defined on the Proposals Map, will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Particular care will be paid to the siting, scale, layout and design of development. In considering any proposals, particular regard will be had to:-
(1) the landscape characteristics.....(7) the traditional settlement pattern, building styles and materials;”

Whilst the existing dwelling is of no particular architectural merit, it reflects the local vernacular, with a steeply pitched clay tile roof and two tall, brick-built chimneystacks. As above, the LCA states that one of the key characteristics of the High Weald that is particularly valued for its contribution to character is the local vernacular architecture, reflecting locally available materials and providing a sense of place. The proposed dwelling does not respond to local character in its design, and does not sufficiently draw on the principles contained within the HWAONBDG and the Wealden Design Guide. It has no positive sense of place, intrinsic to the High Weald character. In particular, the following features are considered unacceptable:

1. Contemporary design. Whilst there are a variety of styles amongst the existing properties on Mayfield Lane, there is a significant adoption of the local vernacular with pitched roofs, brick-built chimneystacks and traditional style. None can reasonably be described as contemporary in style. The existing dwelling is much closer to the public realm than is typical on Mayfield Lane. Whilst the proposed dwelling would be sited slightly further away from the

public realm, this is a marginal change. The impact of such an out of keeping design is therefore greater on the character of the High Weald AONB;

2. **Asymmetrical roof.** The HWAONBHDG states that “the roofscape of settlements in the High Weald is one of the key defining built characteristics, and in order to embed a sense-of-place in new housing developments it is critical for new roofscapes to reflect and contribute to a sense-of place.” An asymmetrical roof does not reflect or contribute to Wadhurst’s sense-of-place, and the Wealden Design Guide states that roofs with asymmetrical pitches should be avoided.
3. **Materials - Clay tile roofs and tile hanging is common to most of the High Weald;** indeed, the existing dwelling has a clay tile roof. According to the HWAONBHDG, new developments should use small module clay tiles, with natural camber, which give the characteristic undulations of roofs and elevations. Even large module, or interlinked tiles in clay or concrete are considered “inappropriate” within the High Weald. The proposed dark slate roof tiles are not characteristic of the High Weald AONB, and neither is the use of different materials to clad different wings of a dwelling.
4. **Loss of tall, brick-built chimneystacks, which are a typical feature in Wadhurst, and which articulate the landscape.**
5. **Excessive glazing, including roof lights.** An intrinsic part of the beauty of the High Weald 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 Reserved, 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 landscapes*”.

Internal light spill is as detrimental to the dark skies as poorly considered external lighting. The South Downs National Park DNS TAN Appendix: Glazing – internal light spill 2021 notes that:

“In general, internal glazing will cause light to spill horizontally and – in the case of sky lights – directly upward, which are the most damaging paths of light. Internal spill can – and will – have a similar impact to external lighting, particularly in interrupting and disrupting the continuity of the dark landscape.”

The High Weald AONB Unit include the following advice to maintain the dark skies for which the High Weald AONB is renowned:

“Always remember to draw your curtains or blinds at night to prevent intrusive light unnecessarily spilling out of your home”.

There is no information provided with this application to indicate that the roof windows and other extensive glazing (in particular to the rear elevation and the link between the two wings) will be shielded.

6. Louvres over glazing. This is untypical in the High Weald AONB.

6.2.9 [WD/2022/2242/F](#)

Date of notification: 8th September 2022

Consultee expiry date: 29th September 2022

Location: KETLEY COTTAGE, COUSLEY WOOD ROAD, WADHURST, TN5 6ER

Description: demolition of existing single storey garage building to be rebuilt with a single storey rear extension and new gable end with a new window

COMMENT: Objection. The “garage” building is an historic forge in the Cousley Wood conservation area, and therefore a heritage asset. As stated in the Pell Green and Cousley Wood draft conservation area character appraisal (Wealden District Council December 2020), iron was the major industry in the High Weald. The height of the iron industry in the areas was predominantly in the 15th and 17th centuries when the Weald was the foundry of England and as many as one hundred forges and furnaces were in operation. We object to the demolition of the historic forge due to its significance as an heritage asset.

The forge is within the curtilage of Ketley Cottage, defined as a key unlisted building in the character appraisal. As detailed in the appraisal, Ketley Cottage was moved to Cousley wood from Ketley Farm during the construction of Bewl Water in the 1970s. It has been rebuilt on the site and is a timber-framed building with red brick on the ground floor and exposed framing above, with a hipped, tiled roof. It has timber casement windows with diamond led panes and a timber front porch with gabled roof. It is an attractive building of historical significance, and in our view, is worthy of listing. The gable end of the proposed new garage building would have a detrimental impact on the street-scene and conservation area as it would partially obscure the view of Ketley Cottage which, as above, is an attractive building of historical significance, identified as a key unlisted building, and which makes an important contribution to the character of the conservation area.

6.2.10 [WD/2022/2221/LB](#)

Date of notification: 9th September 2022

Consultee expiry date: 30th September 2022

Location: WYCK COTTAGE, WYCK LANE, WOODS GREEN, WADHURST, TN5 6QS

Description: retrospective application for the replacement of 3 ground floor casement windows

COMMENT: No Objection.

6.2.11 [WD/2022/2128/F](#)

Date of notification: 12th September 2022

Consultee expiry date: 3rd October 2022

Location: CHITTINGHURST FARMHOUSE, TIDEBROOK ROAD, WADHURST, TN5 6PQ

Description: One new accommodation treehouse and external decking areas

COMMENT: Objection. The contemporary design of the proposed dwelling, described as “contemporary, self-catering holiday let accommodation”, fails to conserve and

enhance the High Weald AONB; the proposal fails to provide a sense of place; is harmful to the dark skies for which Wadhurst is renowned; is in open countryside outside of the development boundary, and fails to meet paragraph 130 of the NPPF and WDC policies EN6, EN27.

The WDC Landscape Character Assessment 2022 (LCA) defines landscape character as:

“a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse....understanding the character of place and evaluating an area’s defining characteristic is a key component in managing growth sustainably, and ensuring that the inherent character and qualities of Wealden’s landscape can continue to be appreciated. An understanding of character can be used to ensure that any change or development does not undermine whatever is valued or characteristic in a particular landscape and helps guide positive changes that conserves, enhances, restores, or creates local character.”

It states that where any of the key characteristics and/or landscape qualities within the LCA will be affected by a proposal, it should be asked if the proposal can be altered in any way to avoid adverse effects on the key characteristics. Our view is that it can.

Wadhurst is in the High Weald AONB, a unique and protected outstandingly beautiful landscape. The LCA states that the following feature is characteristic, and particularly valued for its contribution to character in the High Weald AONB:

- The vernacular architecture of brick, oak, sandstone and flint which reflects the locally available materials and provides a sense of place

It recommends that:

- New buildings reinforce and respond to local character in their scale, layout and design, reflecting the local vernacular in the use of materials;
- Development should draw on the principles contained within the High Weald AONB design guidance (HWAONBDG), High Weald guidance on the selection and use of colour in development and objectives of the High Weald AONB Management Plan.

The proposal fails on each of the above recommendations. It also fails to meet the following requirements:

1. The NPPF, para 130, requires that developments are “sympathetic to local character and history, including the surrounding built environment and landscape setting...establish or maintain a strong sense of place.”

2. WDC policy EN27 states “the scale, form site coverage, density and design of developments and use of materials and landscaping should respect the character of adjoining development and promote local distinctiveness.”
3. WDC policy EN6 states that “Development within the High Weald Area of Outstanding Natural Beauty, as defined on the Proposals Map, will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Particular care will be paid to the siting, scale, layout and design of development. In considering any proposals, particular regard will be had to:- (1) the landscape characteristics.....(7) the traditional settlement pattern, building styles and materials;”

In particular, the following features are considered unacceptable:

1. Contemporary design – this does not reflect the HWAONBHDG, is not in keeping with the HWAONB location and does not reinforce and respond to local character.
2. Asymmetrical roof. The HWAONBHDG states that “the roofscape of settlements in the High Weald is one of the key defining built characteristics, and in order to embed a sense-of-place in new in new housing developments it is critical for new roofscapes to reflect and contribute to a sense-of place.” An asymmetrical roof does not reflect or contribute to Wadhurst’s sense-of-place, and the Wealden Design Guide states that roofs with asymmetrical pitches should be avoided.
3. Materials - Clay tile roofs and tile hanging is common to most of the High Weald. According to the HWAONBHDG, new developments should use small module clay tiles, with natural camber, which give the characteristic undulations of roofs and elevations. Even large module, or interlinked tiles in clay or concrete are considered “inappropriate” within the High Weald AONB.
4. Excessive glazing - An intrinsic part of the beauty of the High Weald 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 Reserved, 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 landscapes*”.

The impact of external lighting is referred to in the Ecological Assessment, as follows:

“Lighting proposed for the development will be sensitive to the retained boundary vegetation and watercourse, ensuring that the water corridor remains unlit. As discussed above, to prevent impacts, lighting in sensitive areas within the Site will be installed in accordance with the current Bat Conservation Trust and the Institute of Lighting Professionals (BCT & ILP).”

Internal light spill is as detrimental to the dark skies as poorly considered external lighting. The South Downs National Park DNS TAN Appendix: Glazing – internal light spill 2021 notes that:

“In general, internal glazing will cause light to spill horizontally and – in the case of sky lights – directly upward, which are the most damaging paths of light. Internal spill can – and will – have a similar impact to external lighting, particularly in interrupting and disrupting the continuity of the dark landscape.”

The High Weald AONB Unit include the following advice to maintain the dark skies for which the High Weald AONB is renowned:

“Always remember to draw your curtains or blinds at night to prevent intrusive light unnecessarily spilling out of your home”.

There is no information provided with this application to indicate that the glazing will be shielded. This issue of light spillage is particularly an issue in this location in the open countryside, outside of the development boundary, and would negatively impact the ecology of the site.

6.2.12 [WD/2022/2175/FR](#) and [WD/2022/2336/LB](#)

Date of notification: 14th September 2022

Consultee expiry date: 5th October 2022

Location: INGLENOK COTTAGE, STATION ROAD, WADHURST, TN5 6RU

Description: Oak canopy above existing oak kitchen door

COMMENT: No Objection

6.2.13 [WD/2022/2256/F](#) and [WD/2022/2257/LB](#)

Date of notification: 14th September 2022

Consultee expiry date: 5th October 2022

Location: WYCK COTTAGE, WYCK LANE, WOODS GREEN, WADHURST, TN5 6QS

Description: single storey extension

COMMENT: Objection. The contemporary design of the proposed extension fails to conserve and enhance the High Weald AONB; has a detrimental impact on the listed building of Wyck Cottage; the proposal fails to provide a sense of place; is harmful to the dark skies for which Wadhurst is renowned; is in open countryside outside of the development boundary, and fails to meet paragraph 130 of the NPPF and WDC policies EN6, EN27.

The WDC Landscape Character Assessment 2022 (LCA) defines landscape character as:

“a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse....understanding the character of place and evaluating an area’s defining characteristic is a key component in managing growth sustainably, and ensuring that the inherent character and qualities of Wealden’s landscape can continue to be appreciated. An understanding of character can be used to ensure that any change or development does not undermine whatever is valued or characteristic in a particular landscape and helps guide positive changes that conserves, enhances, restores, or creates local character.”

It states that where any of the key characteristics and/or landscape qualities within the LCA will be affected by a proposal, it should be asked if the proposal can be altered in any way to avoid adverse effects on the key characteristics. Our view is that it can.

Wadhurst is in the High Weald AONB, a unique and protected outstandingly beautiful landscape. The LCA states that the following feature is characteristic, and particularly valued for its contribution to character in the High Weald AONB:

- The vernacular architecture of brick, oak, sandstone and flint which reflects the locally available materials and provides a sense of place

It recommends that:

- New buildings reinforce and respond to local character in their scale, layout and design, reflecting the local vernacular in the use of materials;
- Development should draw on the principles contained within the High Weald AONB design guidance (HWAONBDG), High Weald guidance on the selection and use of colour in development and objectives of the High Weald AONB Management Plan.

The proposal fails on each of the above recommendations. It also fails to meet the following requirements:

4. The NPPF, para 130, requires that developments are “sympathetic to local character and history, including the surrounding built environment and landscape setting...establish or maintain a strong sense of place.”
5. WDC policy EN27 states “the scale, form site coverage, density and design of developments and use of materials and landscaping should respect the character of adjoining development and promote local distinctiveness.”
6. WDC policy EN6 states that “Development within the High Weald Area of Outstanding Natural Beauty, as defined on the Proposals Map, will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Particular care will be paid to the siting, scale, layout and design of

development. In considering any proposals, particular regard will be had to:-
(1) the landscape characteristics.....(7) the traditional settlement pattern, building styles and materials;”

In particular, the following features are considered unacceptable:

5. Contemporary design – this does not reflect the HWAONBHDG, is not in keeping with the HWAONB location and does not reinforce and respond to local character;
6. The design is detrimental to the listed building. The style and amount of glazing is out of keeping with the listed building;
7. Asymmetrical roof. The HWAONBHDG states that “the roofscape of settlements in the High Weald is one of the key defining built characteristics, and in order to embed a sense-of-place in new in new housing developments it is critical for new roofscapes to reflect and contribute to a sense-of place.” An asymmetrical roof does not reflect or contribute to Wadhurst’s sense-of-place, and the Wealden Design Guide states that roofs with asymmetrical pitches should be avoided;
8. Materials - Clay tile roofs and tile hanging is common to most of the High Weald. According to the HWAONBHDG, new developments should use small module clay tiles, with natural camber, which give the characteristic undulations of roofs and elevations. Even large module, or interlinked tiles in clay or concrete are considered “inappropriate” within the High Weald. The proposed black stained timber strip board roof is not characteristic of the High Weald AONB. The proposed dark slimline aluminium frames to glazed doors and windows are not typical of the High Weald AONB, and detract from the listed building which has timber framed traditional casement windows and timber doors. Weather-boarding is typically hung horizontally, and is characteristically painted white.
9. Glazed link – The glazed link detracts from the listed building and is detrimental to the dark skies. An intrinsic part of the beauty of the High Weald 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 Reserved, 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 landscapes*”.

Internal light spill is as detrimental to the dark skies as poorly considered external lighting. The South Downs National Park DNS TAN Appendix: Glazing – internal light spill 2021 notes that:

“In general, internal glazing will cause light to spill horizontally and – in the case of sky lights – directly upward, which are the most damaging paths of light. Internal spill can – and will – have a similar impact to external lighting, particularly in interrupting and disrupting the continuity of the dark landscape.”

The High Weald AONB Unit include the following advice to maintain the dark skies for which the High Weald AONB is renowned:

“Always remember to draw your curtains or blinds at night to prevent intrusive light unnecessarily spilling out of your home”.

There is no information provided with this application to indicate that the glazed will be shielded. This issue of light spillage is particularly an issue in this location in the open countryside, outside of the development boundary, and would negatively impact the ecology of the site.

6.2.14 [WD/2022/2039/F](#)

Date of notification: 20th September 2022

Consultee expiry date: 4th October 2022

Location: ROUND OAK MEAD, OLD STATION ROAD, WADHURST, TN5 6QH

Description: Re consultation as Amended description

Loft conversion to include the addition of dormers and rooflights, the enlargement of one window and two new windows to gable ends.

COMMENT: No further comment

7. Live planning applications

7.1 WD/2021/0559/MAJ

Weald Hall Residential Home, Mayfield Lane, Wadhurst, TN5 6HX

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC’s scheme of delegation.

7.2 WD/2022/0535/MAO

Land to the north of Marling House, Station Rd, Wadhurst TN5 6RT

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC's scheme of delegation.

7.3 WD/2021/2924/F

The Boat House Bistro, Bewl Water, Bewlbridge Lane, Cousley Wood, Wadhurst, TN3 8JH.

(Note: this has now also gone to Tunbridge Wells Borough Council and Rother District Council and the deadline for their responses is 5th September 2022)

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC's scheme of delegation.

7.4 WD/2021/2925/F

Bewl Water, Sailing Hut, Bewlbridge Lane, Cousley Wood, Wadhurst, TN3 8JH

(Note: this has now also gone to Tunbridge Wells Borough Council and Rother District Council and the deadline for their responses is 5th September 2022)

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC's scheme of delegation.

7.5 WD/2022/1610/MAO

Land to the south of Cousley Wood Road, Sparrows Green, Wadhurst TN5 6SX

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC's scheme of delegation.

7.6 WD/2022/0391/MAJ

Land west of Styles Lane and south of High Street, Wadhurst, TN5 6DZ

COMMENT: The parish council request that this application is decided by committee, and understands that it falls within the category of applications to be decided by committee under WDC's scheme of delegation.

8. Appeals: None

9. Planning control and High Street Enforcement: None

Breach of Conditions Notice: None

10. To discuss Tree Preservation Orders: None

11. Conservation areas

12. Community Infrastructure Levy

13. Policy/Correspondence/Consultations

13.1 Wealden Landscape Character Assessment 2022 (to stay on agenda until 30.9.22) **Action – retain on the agenda for the next planning committee meeting (Cerk)**

13.2 Wealden Open Space Assessment Report 2022 (to stay on agenda until 30.9.22) **Action – retain on the agenda for the next planning committee meeting (Cerk)**

13.3 Wealden Playing Pitch and Outdoor Sport Strategy 2022 (to stay on agenda until 30.9.22) **Action – retain on the agenda for the next planning committee meeting (Cerk)**

13.4 Wealden Draft Wadhurst Conservation Area Character Appraisal 2020 (to stay on agenda until 30.9.22) **Action – retain on the agenda for the next planning committee meeting (Cerk)**

13.5 Correspondence from Julian Black of Kember Loudon Williams - re Steeles Farm, Buckhurst Lane - **Julian Black, and James Galpin of Hazle McCormack Young LLP, presented proposals for the redevelopment of the Steeles Farm site, which is currently predominantly farmland. Proposals include the erection of a replacement dwelling of contemporary design; conversion and restoration of a Sussex barn; erection of new stable building and new farm building for the purpose of “lifestyle” farming, not intended to be commercial.**

13.6 Parking costs and signs for Ashdown Forest – **Agreed that the parish council will submit an objection to the proposals due to the impact on**

Wadhurst residents who use the Ashdown Forest for recreational purposes (Action – Clerk to add to section 6 of the agenda for the next planning committee).

14. Items for Noting:

14.1 WDC motion to protect Wealden's rivers and seas. **Noted**

To consider notices of decisions received:

Certificate of Lawful Development: None

Raise no Objections: None

Prior Approval Required: None

Not Issued: Application No. WD/2022/1409/FR

Description: Retrospective application for installation of two ascot canopies to courtyard area beside pub.

Location: THE OLD VINE, COUSLEY WOOD ROAD, WADHURST, TN5 6ER

Update: refused

Comments from WDC to WPC: The proposal would result in harm to the Pell Green and Cousley Wood Conservation Area and upon the significance of the adjacent listed building(s) through development within its setting. The application is not supported by Jo Tucker, WDC Conservation Officer, and is refused under delegated powers as no material planning has been provided for the PC stance of no objection.

Issued: None

Withdrawn:

Application No: WD/2022/1285/F

Location: LIMBER COTTAGE, BEST BEECH HILL, WADHURST, TN5 6JT

Description: demolition of existing garage and erection of new side extension (part 2 storey). new carport, new 2 storey front extension with internal alterations. including relocated access.

Update withdrawn 31.8.22

Application No. WD/2022/2068/LB

Location: PERRINS FARM, WYCK LANE, WOODS GREEN, WADHURST, TN5 6QS

Description: construction of a new three bay oak framed garage to replace the existing fabric structure

Update: withdrawn 1.9.22

Approvals:

Application No. WD/2022/1282/F

Description: demolition of a series of dilapidated buildings and replacement with a single building for agricultural storage and equestrian use.

Location: CHARLOTTE'S COTTAGE, SLEEPERS STILE ROAD, COUSLEY WOOD, WADHURST, TN5 6QX

Decision: approved

Application No. WD/2022/1690/F

Description: PROPOSED GARDEN ROOM ANCILLARY ACCOMMODATION & RAISED DECKING AREA

Location: HOLLY BANK, TURNERS GREEN LANE, TURNERS GREEN, WADHURST, TN5 6TS

Decision: approved

Officer response to the parish council: The application is for a garden room within the residential curtilage of the dwellinghouse. It has no means of independent access which would enable it to be subdivided from the host dwelling and such a change of use would require the benefit of planning permission. As detailed in the report which follows the building is of a scale, form and design which is subordinate to the dwelling it would serve.

There is a legitimate permitted development fall back for such buildings within the curtilage of a dwellinghouse. The building is located within the rear garden, not visible from public vantage points outside of the site within a mature garden which prevents it being a prominent or intrusive form of development which could be considered to be harmful to the character and appearance of the designated landscape, which would be conserved by the development.

Application No. WD/2022/1779/F

Description: proposed new timber framed double open carport.

Location: 3 BELLERBYS GARDENS, WADHURST, TN5 6FP

Decision: approved

Application: WD/2022/1244/F

Description: REPLACEMENT OF WINDOWS AND DOORS AT 17
DWELLINGS AS PART OF MAINTENENCE PLAN

Location: 1-17 STYLES LANE, WADHURST, TN5 6DZ

Decision: approved

15. Urgent Issues at the discretion of the Chair for noting or inclusion on future
agenda - **none**

Meeting ended: 12.16 hrs