**Minutes of the Wadhurst Parish Council Planning Committee meeting held 17th December 2022 at 0930** **in the Pavilion, Sparrows Green Recreation Ground, Wadhurst.**

**Members present: Cllrs P Moore, C Moore, P Smith, D Shairp, I Anderson**

**Members of the public present: 4**

**The Meeting started at 9.34. Members agreed for Cllr P Smith to chair the meeting.**

**MINUTES**

1. To receive apologies for absence. **None.**
2. To receive declarations of interest and updates to members’ register of interests. **None**
3. To approve the minutes of the meeting of 3rd December 2022. **Approved.**
4. To discuss matters arising from the minutes of the meeting of 3rd December 2022. **Minutes of the 19 November 2022 meeting were approved with amendments.**
5. Public forum – time limit 15 minute **One member of the public spoke in favour of agenda item 7.2.3 Application No.** [**WD/2022/2021/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=15893) **and** [**WD/2022/2022/LB**](https://planning.wealden.gov.uk/plandisp.aspx?recno=158931) , **Stream Cottage.**
6. Pre- application briefings
7. To consider licence and planning applications received and make recommendations
8. To consider live planning applications for further consideration and recommendations
9. To consider planning appeals received and make recommendations
10. To consider any footpaths modification orders and make recommendations
11. Planning Control (& High Street Planning Enforcement)
12. To discuss Tree Preservation Orders
13. Conservation areas
14. CIL
15. Policy/Correspondence/Consultations
16. Items for noting
17. Urgent issues at the discretion of the Chair for noting or inclusion on future agenda.

**6. Pre-application briefings**

Steeles Farm, Buckhurst Lane, Wadhurst, East Sussex, TN5 6JX. **Julian Black, of Kember Loudon Williams, and James Galpin, of Hazle McCormack Young LLP, presented updated proposals for the redevelopment of the Steeles Farm site. The presentation focused on modifications to the plans previously presented at the meeting on 24 September 2022 under agenda item 13.5 in response to concerns, notably re dark skies and impact on the HWAONB, raised by members at that time.**

**7. Licence and planning applications**

**7.1 Licencing:** *None*

**7.2 Planning:**

**7.2.1 Application No.** [**WD/2022/2592/FA**](https://planning.wealden.gov.uk/plandisp.aspx?recno=159607https://planning.wealden.gov.uk/plandisp.aspx?recno=159607)

Date of notification: 29th November 2022

Parish Council Consultee expiry date: 13th December 2022 *(Extension requested)*

Location: OAK COTTAGE, WOODS GREEN, WADHURST, TN5 6QN

Description: Variation of condition 3 of WD/2021/0540/F (proposed single storey rear extension, new position of front door and front gate. new side entrance with changes to the garden levels and access to the side of the property, new boundary treatments and the refurbishment and extension to existing outbuilding to become a family room). Oak framed extension

**Wadhurst Parish Council response to WDC: Members noted that the planning application appeared to have been determined on the 15th December and resolved to enquire with WDC as to why the requested extension was not granted.**

**7.2.2 Application No.** [**WD/2022/3046/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=160140)

Date of notification: 30th December 2022

Parish Council Consultee expiry date: 21 December 2022

Location: YEOMANS, THREE OAKS LANE, WADHURST, TN5 6PX

Description: Single storey rear extension in orangery style

**Wadhurst Parish Council response to WDC: OBJECTION. The WPC objects to the proposal due to the bulk of the extension and the large expanses of glazing which may cause light pollution and harm the dark skies for which Wadhurst is known.**

**The bulky glazing contrasts with the more traditional character of the host building and the overall form would be considerably more bulky and complex as an extension to the simple linear form of the existing building. The proposed extension would read as a large and discordant addition and detract from Yeomans simple vernacular character.**

**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 reports 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 Reserves; 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 skylights - directly upward which are the most damaging paths of light. Internal spill can - and will - have 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 orangery 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 and surroundings.**

**7.2.3 Application No.** [**WD/2022/2021/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=15893) **and** [**WD/2022/2022/LB**](https://planning.wealden.gov.uk/plandisp.aspx?recno=158931) *Plans superseded*

Date of notification: 2nd December 2022

Parish Council Consultee expiry date: 16th December 2022 *(Extension granted to 20th December 2022)*

Location: STREAM COTTAGE, WENBANS LANE, WADHURST, TN5 6NR

Description: Demolition of existing pool shed and erection of single storey kitchen/breakfast room and pool house extension and alterations to shape of existing swimming pool.

**Wadhurst Parish Council response to WDC: NO OBJECTION**

**7.2.4 Application No.** [**WD/2022/3126/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=160235)

Date of notification: 5th December 2022

Parish Council Consultee expiry date: 26th December 2022

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

Description: Construction of new three bay oak framed garage with home office / gym over on the site of existing garage building.

**Wadhurst Parish Council response to WDC: OBJECTION due to the glazed gable end.**

**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 reports 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 Reserves; 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 skylights - directly upward which are the most damaging paths of light. Internal spill can - and will - have 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 gable end will be shielded, and glazed gable ends are not easy to curtain. 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 and surroundings.**

**7.2.5 Application No.** [**WD/2022/3180/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=160298)

Date of notification: 9th December 2022

Parish Council Consultee expiry date: 30th December 2022

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

Description: Replacement front porch, dormer to front roof slope, rear replacement single storey extension, replacement garden store to provide home gymnasium, loft conversion including rear dormer & rear roof alterations.

**Wadhurst Parish Council response to WDC: OBJECTION. The WPC objects to the rear extension due to its height, bulk and boxy appearance being discordant with the host building and surroundings, the flat roof and Juliette balcony that are out of keeping with local character and the roof lanterns, which are detrimental to dark skies.**

**Overall, the proposed rear extension would read as a large and discordant addition due to its height, bulk and square appearance.**

**Roof Extension :**

**The roof extension does not accord with the criteria set out in Section 10, paragraph 7 of the Wealden Design Guide, including the requirement for roof extensions to “*Be proportioned appropriately for the building and preferably occupy no more than one-third of the overall roof width”* and *“Have roof forms appropriate to the existing building’s age and character.” P*er the guidance “*Where dormers do not meet these criteria, or are overly large, dominant***

***or disproportionate, it is unlikely that planning permission will be granted”***

**Juliette Balcony:**

**Section 5, paragraph 10.12 of the Wealden Design Guide states that “*the incorporation of balconies on smaller traditional style dwellings and cottages is rarely visually appropriate*” and “*the provision of “Juliet” balconies will rarely be considered an appropriate alternative”***

**Roof Lanterns:**

**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 reports 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 Reserves; 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 skylights - directly upward which are the most damaging paths of light. Internal spill can - and will - have 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 lantern will be shielded, with light spilling directly upward: the most harmful direction for light spill. This issue of light spillage is particularly an issue in this location outside of the development boundary and would negatively impact the ecology of the site and surroundings.**

**7.2.6 Application No.** [**WD/2022/2256/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=159208) **and** [**WD/2022/2257/LB**](https://planning.wealden.gov.uk/plandisp.aspx?recno=159209)*(amended plans)*

Date of notification: 13th December 2022

Parish Council Consultee expiry date: 27th December 2022

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

Description: single storey extension.

**Wadhurst Parish Council response to WDC: NO OBJECTION**

***Please note: correspondence received from WDC 16/12/22 that the following application was withdrawn.***

**7.2.7 Application:** [**WD/2022/3200/LDE**](https://planning.wealden.gov.uk/plandisp.aspx?recno=160326) **(Certificate of Lawful Development for Existing Use)**

Location: FAIRCROUCH DEPOT, HOUSEHOLD WASTE RECYCLING, FAIRCROUCH LANE,

WADHURST, TN5 6PT

Description: USE AS A HOUSEHOLD WASTE RECYCLING CENTRE.

*Message from WDC: For ‘LDE’ applications it is necessary for this Council, as the Local*

*Planning Authority, to give a legal determination based primarily upon matters of factual*

*evidence and law and not on the normal ‘development control’ criteria such as approved*

*planning policy, visual amenity or highway safety. Certificates of Lawful Development were introduced on 27th July 1992 by the Planning and Compensation Act 1991, Section 10(1), which superseded Section 192 of the Town and Country Planning Act 1990, as originally enacted by Section 94 of the 1971 Act which related to ‘Established Use Certificates’. Such Certificates may be issued for uses of land and/or buildings which become immune from enforcement action through the passage of time. The period of time under examination is the ten years prior to the date of the submitted application (though for residential occupation of buildings other than dwellings this is only four years). The onus of proof lies with an applicant to establish to the Council’s satisfaction, and on the balance of probabilities, that the specific use/development has become ‘lawful’ in planning terms. My Council fully recognises the important part which a local Town or Parish Council can play in being able to identify individuals who are able to verify or dispute allegations made as to the nature of development/use and/or the length of time it may have been in existence and for which a Certificate is being sought’*

**8. Live planning applications**

**8.1** [**WD/2022/0535/MAO**](https://planning.wealden.gov.uk/plandisp.aspx?recno=157117)

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

**WD/2022/0535/MAO**

**Location: LAND TO THE NORTH OF MARLING HOUSE,**

**STATION ROAD, WADHURST, TN5 6RT**

**Description: Outline planning application for residential development of 29 dwellings.**

|  |
| --- |
| Wadhurst Parish Council notes the response of East Sussex County Council Highway Authority, dated 24 November 2022, in relation to the above application.WPC has several concerns with the analysis and conclusion of the Highway Authority (HA) report. Specifically, it is concerned that the HA appears to have taken most of the conclusions and statements from the developer’s Transport Statement on trust. This report thus contains several clear factual errors and thus should not carry much weight in Wealden’s decision on this application.  |

Our observations are as follows:

1. **Updated speed survey**

The HA has acknowledged that an updated speed survey has been completed. This supersedes the original survey carried out in February 2020 and seems to have been one factor that has helped give the HA assurance that the development is now acceptable. Yet, there are several flaws in the execution of this updated survey:

* There is no mention in the HA report of when the latest survey was carried out. This is an important omission on what is an important consideration.
* According to one resident, the author of the report (Kate Bishop) stated to him that the survey was carried out from 31 October 2022. However, that resident emailed to one member of the WPC on 29 October informing him that the new survey had already been set up early the previous week (beginning 24 October), so that the survey was *already* underway.
* The 2022 survey was undertaken at a time when the railway line between Tunbridge Wells and Hastings was closed due to engineering work, so traffic was lighter than usual.
* Schools in Wadhurst and in Kent were on half term, from Friday 21 October through to Monday 31 October. Since the speed survey was in fact carried out during this period, when there was less traffic using the B2099 (Station Road), the results of the survey – upon which the HA is basing its conclusions – are misleading.
* The previous traffic survey in February 2020 was also undertaken during school half-terms.
* WPC is therefore surprised and disappointed at the lack of rigour in the process. The two (flawed) surveys show 85th %-tile speeds as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **85th %-ile speeds (mph)** | **Feb’2020** | **Oct’2022** | **% change** |
| Eastbound | 41 | 37.1 | -9.5% |
| Westbound | 42 | 38.1 | -9.3% |

 Sources: Transport statement, ESCC HA

 It is notable there are significant differences between the two surveys, ranging from 9¼% to 9½%. Put another way, a difference of circa 4mph between the two speed surveys appears to be material and thus should have an important bearing on required visibility splays in gauging the safety of the junction.

In summary, WPC is unconvinced by this speed survey work. There is opacity regarding the dates when the latest survey was carried out. What information that exists suggests that the applicants have chosen the timing of the survey window to suit their commercial interests, rather than the safety of local residents. WPC recommends that Wealden look again at this information and commission a further survey *by an independent third party* to ensure that accurate data are produced at a time that captures representative traffic flows.

1. **Access – slopes and road access**
2. The HA can ‘*accept the gradients*’ involved in turning off Station Road into the site. WPC is not expert in the allowable slopes. However, it would observe that the slopes are dangerous and challenging in adverse weather conditions, which we have experienced in the past week. Walking up and down the hill towards Station Road from the site is dangerous when there is snow and ice, while traffic also faces a dangerous exit from the site in these conditions. We therefore question how ‘acceptable’ the gradients really are.
3. WPC reiterates its point from its objection regarding road access:

*The 2019 WDC SHELAA states that the site as submitted cannot be provided with a suitable vehicular access to serve the development and concluded that it was not suitable. Nothing has changed.*

The HA report mentions that the proposals involve *widening the exiting [sic] access… at the junction with Station Road*. However, entrance and exit splays cannot be achieved, because WPC understands they would encroach on third-party property, which is not owned by Marling House or the applicants. So, given this problem, the conclusion of the 2019 SHELAA still stands and this application should be refused.

1. **Visibility splays**

The HA is satisfied that suitable visibility splays can be achieved with the relocation of the lamp column. HA is also satisfied that visibility splays of 2.4m x 120m are achievable. However, the Transport Statement acknowledges that there is: ‘*obstruction to driver visibility in both directions. This included overgrown vegetation that exceeded 1.0m in height and overgrown trees in both directions. Furthermore, the signage on the existing lamp column immediately adjacent to the site access, partially restricts visibility when looking west from the access’*.

WPC strongly recommends that the HA and WDC visit the site to establish and verify this, because It is worth noting that, by definition, 85th %-ile speeds of 41mph and 42mph will be exceeded by 15% of road users. Given issues regarding the ownership of land around the entrance/exit to Marling House and the layout of banks and vegetation, it is important to establish whether sufficient visibility splays *can* be achieved.

WPC notes that it is the owner of the lamp column, so any relocation would have to be agreed with the parish council.

1. **Accessibility**

The HA report has accepted the distances and times in the Transport Statement without scrutiny. WPC analysed this in considerable detail in its objection and established that the site was in fact highly car dependent and thus not sustainable.

WPC checked the walking times and distance in Table 5.3 of the Transport Statement and found that the applicant’s estimates were too optimistic in nearly all cases:



Source: Transport Statement

* The average speed in metres/second for walking and cycling are not consistent in the Applicant’s calculations. This significantly undermines the credibility of the exercise.
* We have averaged out the Applicant’s estimates for walking and cycling. For walking they are assuming an average walking speed of approx. 1.35 m/sec, equivalent to 4.9 km/hr (a rapid walking pace), though estimates are not consistent.
* For cyclists, the Applicant assumes an average of approx. 2.5 m/sec but their estimates are extremely inconsistent.
* We have measured the distance from the tree on the cricket ground at Marling House to several sites in the village in metres. We present our estimates.

As mentioned above, one distance cited in this study shown in table 5.3 is to the Wadhurst C of E primary school, where pedestrians would apparently cover 900m in just 11 minutes, braving the traffic at rush hour. The reality is that this would take rather longer than stated in table 5.3.

Indeed, it is fair to assume that this distance to the primary school would be covered by an accompanied child of primary school age. It is thus misleading to suggest that this distance could be covered in just 11 minutes, at a hefty walking pace of about 4.9km/hr. So, using a more realistic average walking speed of 4km/hr, as suggested by the Ramblers, we have restated the walking times. We have amended the distances and recalculated walking times, with walking journeys in excess of ten minutes highlighted in red.

**Walking times from the site to services and amenities**



It can be seen that walking times increase in all cases. On these calculations, the only facilities within 10 minutes are the service station and the bus stop. It would take 15 minutes to make the journey to the Primary School.

**This shows that the site is not a sustainable form of development and would in practice be very car dependent.**

The HA is using incorrect data supplied by the applicants:

* The nearest bus stops to the site are located 550m from the site (***not 500m***)
* Wadhurst railway station is within 920m from the site (***not ‘within 800m’***).
* The bus stops do not provide ‘*regular services*’ from Hawkhurst to Tunbridge Wells. Buses run at two-hourly intervals – hardly regular.
1. **Mitigation measures**

The HA requires a series of mitigation measures:

* A new cantilever type bus shelter
* New bus stop poles
* And a ‘real time passenger information display’.

WPC would point out that Wadhurst is an ancient medieval village that seeks to maintain and enhance its character and heritage. Cantilever bus shelters with real time information displays have a decidedly urban tone to them and are therefore inappropriate to a village setting. Moreover, real-time information displays are excessive when dealing with a bus service that only operates every two hours.

**8.2** [**WD/2021/2924/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=156153)

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

**8.3** [**WD/2021/2925/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=156154)

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

**8.4** [**WD/2022/1610/MAO**](https://planning.wealden.gov.uk/plandisp.aspx?recno=158435)

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

# [WD/2022/1610/MAO](https://planning.wealden.gov.uk/plandisp.aspx?recno=158435)

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

The Wadhurst Parish Council (WPC) write further to the release of PINS NOTE 14/2022 on 8th December 2022 (see Appendix A) and the Written Ministerial Statement (WMS) issued on the 6 December by the Rt Hon Michael Gove.[[1]](#footnote-1)

## Future Housing Allocation Numbers to FALL:

The Wadhurst Parish Council notes that the obligation on local authorities to maintain a rolling five-year land supply is to be dropped where there is a local plan, and areas that have historically over delivered on housing (as Wealden and Wadhurst have – see Appendix B) will be taken into account when allocating numbers for future housing.

Whilst the WPC are aware that Wealden District Council (WDC) does not currently have an up-to-date local plan, the plan is in advanced stages and should therefore benefit from transitional arrangements that will reduce the amount of land that WDC needs to show as being available on a rolling basis.

WDC Councillors have previously lobbied that the circa 7,500 permissions for new homes that have been given, but are not yet built out, should be taken into account when allocating housing numbers[[2]](#footnote-2). The WMS states that it will make sure *“local authorities who permission land are not punished under the housing delivery test when it is developers who are not building*”.

## Implications for application WD/2022/1610/MAO

The WPC understands that a WMS is an expression of government policy and, therefore, capable of being a material consideration (or important and relevant) in all casework, but the removal of the presumption in favour of sustainable development and the ‘tilted balance’ will most likely not apply to the current issues affecting land supply in Wealden.

WPC is already of the view that this proposal constitutes a major development in the AONB and therefore the ‘tilted balance’ does not apply under the *Monkhill, 2021* [[3]](#footnote-3)ruling. This WMS adds further weight to the fact that the current lack of 5 year land supply should be ignored in the planning decision process here.

# Appendix A

**PINS NOTE 14/2022**

|  |  |
| --- | --- |
| To:  | All Inspectors, Examining Inspectors, APOs, RTPI Apprentices and Casework Managers  |
| Relevancy:  | All Planning and Enforcement casework, Local Plans, Infrastructure and Specialist  |
| Topic Area:  | Local Plans; Housing; Planning Reform  |
| Date of Issue:  | 8 December 2022  |

Introduction

1. On 6 December the Rt Hon Michael Gove made a Written Ministerial Statement (WMS) in which he announced the government’s intentions to make further changes to the planning system alongside those in the Levelling Up and Regeneration Bill. Details of the changes are to be set out in an upcoming National Planning Policy Framework prospectus, which will be put out for consultation by Christmas.

2. Meanwhile, the main areas for change listed in the WMS are summarised below (but please read the WMS for the full picture):

Community Control

• “I will retain a method for calculating local housing need figures but consult on changes. I do believe that the plan-making process for housing has to start with a number. This number should, however, be an advisory starting point, a guide that is not mandatory.”

• “My changes will instruct the Planning Inspectorate that they should no longer override sensible local decision making, which is sensitive to and reflects local constraints and concerns.”

Local Plans

• “We will end the obligation on local authorities to maintain a rolling five-year supply of land for housing where their plans are up to date. Therefore, for authorities with a local plan, or where authorities are benefitting from transitional arrangements, the presumption in favour of sustainable development and the ‘tilted balance’ will typically not apply in relation to issues affecting land supply.”

• “...consult on dropping the requirement for a 20% buffer to be added for both plan making and decision making…In addition, I want to recognise that some areas have historically overdelivered on housing.”

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• “Where authorities are well-advanced in producing a new plan, but the constraints which I have outlined mean that the amount of land to be released needs to be reassessed, I will give those places a two-year period to revise their plan against the changes we propose and to get it adopted. And while they are doing this, we will also make sure that these places are less at risk from speculative development, by reducing the amount of land which they need to show is available on a rolling basis (from the current five years to four).”

• “…increase community protections afforded by a neighbourhood plan against developer appeals – increasing those protections from two years to five years.”

• “…consult on what areas we propose to be in scope of the new National Development Management Policies…National Development Management Policies will also not constrain the ability of local areas to set policies on specific local issues.”

Build Out

• “I will consult on two further measures:

i) on allowing local planning authorities to refuse planning applications from developers who have built slowly in the past; and

ii) on making sure that local authorities who permission land are not punished under the housing delivery test when it is developers who are not building.”

Character of a Developer

• Consult on how to address “…irresponsible developers and landowners who persistently ignore planning rules and fail to deliver their legal commitments to the community.”

Brownfield First

• “The new Infrastructure Levy will be set locally by local planning authorities. They will be able to set different Levy rates in different areas, for example lower rates on brownfield over greenfield to increase the potential for brownfield development.”

• “I will also provide further protection in national policy for our important agricultural land for food production, making it harder for developers to build on it.”

Housing Market

• “I intend to deliver a new tourist accommodation registration scheme as quickly as possible, working with DCMS, starting with a further short consultation on the exact design of the scheme. I will also consult on going further still and reviewing the Use Classes Order so that it enables places such as Devon, Cornwall, and the Lake District to control changes of use to short term lets if they wish.”

3. A WMS is an expression of government policy and, therefore, capable of being a material consideration (or important and relevant) in all casework and local plan examinations. It should be noted, however, that this WMS states that further details of the intended changes are yet to be published and consulted upon.

Action

4. You may be presented at events with the WMS or the Secretary of State’s letter to MPs (which preceded the WMS by a day, and which is largely reflective of the content of the WMS).

5. No action is required in any casework areas, at present, as the WMS sets out proposals for consultation rather than immediate changes to government policy. Consequently, the starting point for decision making remains extant policy, which we will continue to implement and to work to until such time as it may change.

6. The Head of Profession and Professional Leads will continue to work closely with DLUHC colleagues on these proposals and their potential implications.

Further Information

7. Please contact the Knowledge and Horizon Scanning Team if you have any general queries on this Note.

8. For case-specific queries, Inspectors should contact their IM in the first instance. The IM may raise the matter with the relevant PfL if necessary.

9. Planning Appeal Decision Suppliers should approach Resource and Process Ownership Team with any queries in the first instance.

# Appendix B

**Wadhurst recent developments**

1. **Recent developments**

The government’s original target of 300,000 new dwellings per annum, announced in 2015, equated to a 5-year growth target (to 2019/20) of 6.4% in England.

**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[[4]](#footnote-4). 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.

**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, as per Figure 1, 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.

**Figure 1: showing how actual housing completion growth rates in Wadhurst exceed both national and Wealden rates despite Wadhurst being wholly in the AONB**



1. **Development targets**

***Housing need for the district:*** The adopted Core Strategy Local Plan sets out a need for 4,525 net additional dwellings in Wealden District to provide for 9,440 dwellings over the period 2006-2027, equivalent to 450 dwellings per annum (dpa).

This includes 70 new allocations[[5]](#footnote-5) (net additional dwellings) for Wadhurst.

The latest District Housing Needs Assessment, prepared for the emerging Local Plan, suggests that the housing need for Wealden District has risen from 450 dpa to c. 1,220 dpa at the time of writing.

***Number of homes delivered in Wadhurst:*** Since the adoption of the Core Strategy Local Plan in 2013, WDC report that a total of 144 homes (net) have been completed in Wadhurst, with a further 56 homes approved, totalling net 200 dwellings.

Analysis by the Neighbourhood Plan Steering Group records 245 completed, approved and current applications in the period 2016 to October 2022 (Table).



WDC’s 5-year Housing Land Supply (5YHLS) was only 3.66 years as of 1 April 2021. This was probably due to the Government’s high Housing Need numbers, where estimates are based on 2014 population projections (where 2018 projections are available that would lead to significantly reduced housing need numbers). It was also due to the Covid pandemic and developer ‘Land Banking’. Indeed, if sites that have been approved by WDC but not built out (estimated at circa 7,500 as at December 2021) were included in the 5YHLS, then WDC would have a 5-year Housing Land Supply.

So, since late 2015, official data shows that WDC has not been meeting its Government Housing Need and WDC (and Developers) deem this an ‘exceptional circumstance’ for major development on AONB Greenfield, thereby tilting the balance in favour of development.

**8.5** [**WD/2022/0391/MAJ**](https://planning.wealden.gov.uk/plandisp.aspx?recno=156947)

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

**8.6** [**WD/2022/0662/MAO**](https://planning.wealden.gov.uk/plandisp.aspx?recno=157282)

Little Windmill Farm, Windmill Lane, Cousley Wood, Wadhurst.

**9.** **Appeals:**

1. **To consider any footpaths modification orders and make recommendations:**

**11. Planning control and High Street Enforcement:**

**Breach of Conditions Notice:**

1. **To discuss Tree Preservation Orders:**

[**TM/2022/0244/TCA**](https://planning.wealden.gov.uk/plandisp.aspx?recno=159978)

Location: Fir Tree Cottage. Lower High Street, Wadhurst, TN5 6BA

Description: fell one Corsican pine tree subject to regulations designated Wadhurst conservation area MAY 1998/MARCH 2017

Reason: Roots are pushing up pavement and causing damage, tree is still growing and situation will continue to worsen**. Members noted that permission had been granted for the tree to be felled and the tree has already been cut down. The WPC are concerned that the drive appears to be a recent addition compared to the tree, and resolved to enquire with WDC as to how the drive had been allowed to be built within the root protection area of this mature tree. The WPC are concerned at the loss of a mature healthy tree in the conservation area, noting that the name of the cottage itself (‘Fir Tree’) reflects the arboreal character that has now been lost, and adds to the urbanisation of this area.**

**13. Conservation areas**

**14, Community Infrastructure Levy**

1. **Policy/Correspondence/Consultations**

15.1High Weald AONB Management Plan Consultation 2024-2029 & Biennial Review**Cllrs P Moore and D Shairp gave an update from their meeting with Jason Lavender and it was agreed that a meeting should be arranged with the new planning consultant when she joins in January.**

15.2 Conflict between Wealden District Council approach to contemporary development in the High Weald AONB and the High Weald AONB Housing Design Guide

15.3 [News from the High Weald AONB - October 2022 (mailchi.mp)](https://mailchi.mp/highweald/enews-oct22?e=1aa126be08)

15.4 [News from the High Weald AONB - December 2022❄❄❄ (mailchi.mp)](https://mailchi.mp/highweald/enews-dec22?e=1aa126be08)

15.5 Dark skies - matters to be considered by WDC when determining planning applications

15.6 Restrictions on permitted development in the High Weald AONB

15.7 Etchingham Railway Station and Dark Skies

Correspondence from North Parish Group re Etchingham Railway Station and Dark Skies **Members agreed they were supportive of this campaign to protect dark skies**.

1. **Items for Noting:**

**To consider notices of decisions received:** *None*

**Certificate of Lawful Development:** *None*

**Raise no Objections**: *None*

**Prior Approval Required:** *None*

**Not Issued/refused**:

**Application No.** [**WD/2022/1835/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=158703)

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, woodburner flue and an area of timber decking.

Decision: refused.

**Issued:** *None*

**Withdrawn:**

**Application No.** [**WD/2022/2128/F**](https://planning.wealden.gov.uk/plandisp.aspx?recno=159067)

Description: One new accommodation treehouse and external decking areas.

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

**Approvals:**

1. **Urgent Issues at the discretion of the Chair for noting or inclusion on future agenda.**

**Meeting closed at 11.26 hours**

1. <https://questions-statements.parliament.uk/written-statements/detail/2022-12-06/hcws415> [↑](#footnote-ref-1)
2. <https://www.wealdenconservatives.com/news/michael-gove-meets-leaders-conservative-run-wealden-over-housing-number-concerns> [↑](#footnote-ref-2)
3. *R (Monkhill Ltd) v Secretary of State for Housing, Communities and Local Government et Anor [2021] EWCA CIV 74* [↑](#footnote-ref-3)
4. CPRE, Beauty still betrayed: The state of our AONBs 2021, published April 2021 [↑](#footnote-ref-4)
5. https://www.wealden.gov.uk/UploadedFiles/Adopted\_Core\_Strategy\_2013\_for\_web.pdf [↑](#footnote-ref-5)