

**MINUTES OF WADHURST PLANNING COMMITTEE MEETING HELD 28TH JANUARY 2023
AT THE PAVILION, SPARROWS GREEN RECREATION GROUND, SOUTH VIEW ROAD,
WADHURST, TN5 6TW.**

Members present: Cllr Shairp, Cllr Gadd (Chair), Cllr C Moore, Cllr P Moore, Cllr Smith and Cllr Anderson

Members of the public present: S Hiscox from Opus Magnum

A proposal was made by Cllr C Moore and seconded by Cllr Smith, that Cllr Gadd be elected chair for this Planning meeting. Unanimously agreed

Minutes

1. To receive apologies for absence- **None**
2. To receive declarations of interest and updates to members' register of interests- **None**
3. Minutes
 - 3.1 To approve the amended minutes of the meeting held 19th November 2022-**Proposed to accept by Cllr C Moore, seconded by Cllr Sharpe and unanimously agreed.**
 - 3.2 To approve the amended minutes of the meeting held 17th December 2022-**Proposed to accept by Cllr C Moore, seconded by Cllr Sharpe and unanimously agreed.**
 - 3.3 To approve the minutes of the meeting of 14th January 2023. **Cllr C Moore proposed that minutes should be agreed subject to 8.1/ 8.2/8.4/8.5 stating that, these points will be discussed at a later meeting, seconded by Cllr Smith and unanimously agreed.**
4. To discuss matters arising from the minutes of the meeting of 14th January 2023- **None**
5. Public forum – time limit 15 minute

S Hiscox spoke on behalf of Opus Magnum with regard to Land West of Styles Lane. Presentation was circulated, please see Appendix A at the end of this document.

It was pointed out that further to previous presentations to WPC, Opus Magnum had received pre application advice from WDC and changes had been made in response to WDC's suggestions (e.g., lower ridge heights, small units with larger gardens in line with Wealden Design guide)

In addition, it was confirmed that numbers remained the same i.e., 2 x 1 bed houses, 7 x 2 bed houses, 6 x 3 bed houses and 3 x 4 bed houses.

It was also advised that Sussex Garden Trust had dropped their objection.

6. Pre- application briefings- **Please see public forum**
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

7. Licence and planning applications

7.1 Licencing: None

7.2 Planning:

7.2.1 Application No. WD/2022/3305/F

Date of notification: 12th January 2023

Parish Council Consultee expiry date: 2nd February 2023

Location: LITTLE MOSEHAM, BRINKERS LANE, WADHURST, TN5 6LS

Description: replace single storey existing garage with a single storey extension. replace existing windows and doors to house and conservatory.

Object - This would create a loss of parking within a property that is already short of parking for the size of the property. WPC are concerned that hedging removal would take place, which would be detrimental to the rural location.

In line with AONB policy, best practice would include timber windows not aluminium

We wish to point out that this property sits on a ridge with distant views and therefore we are concerned by the large amount of glazing, roof lights and compliance with Dark Skies policy, generally.

We question why the proposed extension is not at the rear of the property.

If minded to approve, we wish WDC to ensure a condition is included in respect of the keeping of all hedging adjoining the road.

7.2.2 Application No. WD/2023/6000/CM (County Matter) and consideration of parishioners' response to the above application (WD/870/CMCL), as circulated to the Planning Committee – Cllr C Moore.

Date of notification: n/a (noted on WDC weekly list of applications, and added to agenda in case WPC Planning wish to provide a response WDC)

Parish Council Consultee expiry date: n/a

Location: FAIRCROUCH DEPOT, FAIRCROUCH LANE, WADHURST TN5 6PT

Description: application for a lawful development certificate for an existing use - use as a household waste recycling centre with disposal skips arranged on the site to provide for easy disposal of heavy items of refuse; with no sewage or trade effluent (including vehicle wash or vehicle steam cleaning

waters) discharged to any surface water drainage system and with any above ground oil/chemical storage tank/container and associated pipework sited and bunded in a manner so as to retain any spillage, and with below ground petrol/oil/chemical storage tank constructed to incorporate appropriate anti-pollution measures. 7.2.3 Application No. WD/2022/3046/F

Object - Previously, this site has been a reception site ONLY with NO processing or oil/chemical storage. Therefore, this must be limited to household reception, otherwise this will amount to a change in use.

We strongly endorse the objections of the neighbours (see below)

'Dear Matthew Kitchener, I am writing in relation to planning application reference WD/870/CMCL. We live at [REDACTED], which is very close to the site of the planning application, and will be considerably affected by the proposal. As you will be aware, this follows a previous application WD/859/CM which was withdrawn by the applicant when it became apparent that the application was unlikely to be approved. The previous application raised many concerns, chief amongst them the scale of operations proposed, the implications for traffic volumes in the area, the safety of pedestrians and other road users of Faircrouch Lane given the HGV traffic created, the inappropriate character and nature of operations in an AONB, and the lack of visibility for site access. Although the application is characterised as a CLEUD, the background to the site is that it has not been used in any capacity since 2018. Before then, the site was used as a small scale household waste recycling site for the benefit of the local community, which operated for only 3 days a week. The site generated only modest processing volumes (1,700 tonnes in the last year of operation) and waste was delivered to the site by car, not by HGV. By comparison, the previous application (WD/859/CM) proposed processing 30,000 tonnes of construction and demolition waste per year, to be delivered by 20 HGV deliveries a day (so 40 HGV movements along the lane), six days a week. The current application characterises the use as being for 'Use as a Household Waste Recycling Centre...for easy disposal of heavy items of refuse'. In the related planning statement (section 1.4), the applicant states that 'This application seeks a CLEUD confirming the existing

lawful use as a waste site and the extent or limitations of that use'. This raises several issues: 1) The description in the planning statement implies the site is currently being used for household waste recycling, which it is not, and has not been for nearly 5 years; 2) The planning application refers to 'heavy items of refuse', while the planning statement refers only to 'waste'. Both descriptions go well beyond what was previously processed at the site, which was household waste recycling. The applicant is seeking approval for a much wider definition of waste than previously processed on the site; 3) The planning statement's reference to 'limitations of that use' implies that the applicant is seeking approval for more intensive use of the site than at any time in the past. In section 1.6 of the planning statement, the applicant requests that 'ESCC in its capacity as local waste planning authority are therefore requested to confirm the lawful use as a HWRC subject to the conditions and controls set out in the most recent planning permission dated 1996 to apply to the whole Site and issue a certificate of lawful use pursuant to its duty under s.191 of the 1990 Act'. The planning application relating to the 1996 planning permission is not available on the planning register, although the decision notice is on there. The decision notice sets out four conditions relating to the application, including the requirement to develop within 5 years, the preservation of trees, and appropriate measures to avoid water pollution. There is no mention of throughput volumes, hours of operation, or traffic limits in the 1996 decision notice. The planning statement (section 3.26) also states that, in reference to the description of previous operations for 3 days a week and processing of 1,700 tonnes per year: 'These operational hours and throughput figures however are not the subject of any conditions imposed upon any of the planning permissions noted above and appended and appear therefore to be self-imposed.' It therefore appears that the applicant is attempting to achieve planning permission through the current application (WD/870/CMCL) for activities which would include those activities detailed in the previous application (WD/859/CM). Those activities were described in Rupert Clubb's Planning Report dated 5 July 2022 as 'a permanent and intensive form of development at this site in the High Weald AONB which would be inappropriate by reason of its scale and nature and would not conserve or enhance the natural beauty or landscape character of the area', and 'would generate a significant number of HGV movements on a permanent basis which would change the character of traffic within the area and be detrimental by reason of increasing congestion along the B2099, including through Wadhurst village Conservation Area, with the associated effects of noise and disturbance'. I live on Faircrouch Lane. It's a relatively narrow country road, constantly in use by local pedestrians, dog-walkers and cyclists. There is no footpath, the lane has poor visibility around corners, and in places there isn't sufficient width for two cars to pass each other. A brief inspection of the lane would confirm that it is wholly inappropriate for HGV traffic. Most importantly, any such traffic would be extremely dangerous for the many pedestrians using it. HGV access to the site will also be an issue. The entrance to the site is located on a bend in the road, near the railway bridge which forms the junction with the B2099. Recent activity on the site has involved lorries seriously blocking the lane as they attempt to negotiate the tight turn into the site. The site itself is relatively small, and it's hard to see how the site could be laid-out to ensure that any HGVs accessing the site have sufficient turning circle to exit the site forwards, rather than in reverse into the bend of the lane'.

'I live with my son [REDACTED]. The planning application WD/870/CMCL relates to a site on Faircrouch Lane which is roughly 40

metres from my house. Any activity on the site will have a substantial impact on the quality of our life. It may also affect our personal safety, if activities on the site result in HGVs attempting to turn into and out from the poorly-sighted and tight entrance to the site, which is almost opposite me. The site has not been used for the last 5 years. Prior to 2018, it was used as a local amenity for collecting household recycling waste, open for 3 days a week only. Throughput of household waste from activities on the site was around 1,700 tonnes per year. Any material increase in the quantity of waste transferred through the site from the prior usage would have a substantial negative impact on me directly, as a consequence of pollution, noise, dust and traffic volumes. Any such increase in throughput from the 2018 usage would therefore constitute an intensification of activities, and consequently a change of use. The Faircrouch Lane site has been the subject of 4 approved planning applications since 1983. The decision notices relating to these applications, together with the explicit subject of each application, as described in each notice, are as follows: 20 June 1983 WD/739/CC Civic Amenity Site for the reception of bulky household waste 26 November 1992 WD/1377/CC Continued use of the existing household waste site at Faircrouch Lane 27 August 1996 WD/1996/6002/FCM Extension of Wadhurst household waste site 11 September 1996 WD/136/CM Extension of Wadhurst household waste site, land adjacent to Wadhurst household waste site, Faircrouch Lane It is clear from these decision notices that the original planning permission in 1983 was for the reception only, and not processing, of household waste. The second notice in 1992 merely confirmed the continued use of the site for the same purpose. The third and fourth notices, both in 1996 (one from Wealden Council and the other from East Sussex County Council) relate only to the expansion of the site onto adjacent land for the same activities. The decision notices all relate only to household waste, and to the reception of that waste on site rather than processing of it. Therefore, if the decision of the council is to issue a CLEUD, it must be limited to household waste, and to the reception of that household waste only, not processing. If there is an intensification of activities on the site compared to the usage prior to 2018, this must be considered a change of use'.

And wish to reiterate our previous comments

“WPC does not support the implementation of a Lawful Development Certificate and is extremely disappointed that the differentiation is not made between residential recycling sites and commercial waste sites

The disruption, inconvenience and associated issues due to traffic movement of a small number of heavy vehicles, was acceptable to the community, while it was a domestic site, as it benefited the residents. However, this site is totally unsuitable for high usage of lorries, not only due to the rural location, but to the immediate access being onto a Victorian brick-built bridge with weight limits and onto a narrow single-track lane.

Please note our previous comments in response to the application WD/2022/6001/CM in respect of Faircrouch Depot

‘COMMENT: Objection. This is not an appropriate location for a waste transfer station for construction and demolition waste. The noise, fines and dust from these activities would affect the amenity of the adjoining business park and nearby dwellings. The stated times of opening are significantly longer than the previous use of the site as a household waste recycling site, further impacting on neighbours’ amenity. Construction site on-site crushing would lessen the carbon footprint and confine the impact of

construction activities to construction sites, which would be a temporary, rather than permanent, nuisance for neighbours. The estimated 20 HGV delivering to the site daily would travel through the centre of the village, exacerbating the severe congestion which is already experienced. Faircrouch Lane itself is single lane in places. We are concerned that the bridge over the railway at the entrance to Faircrouch Lane may not be of sufficient strength of accommodate this number of HGVs on a daily basis.”

Date of notification: 18th January 2023

Parish Council Consultee expiry date: 1st February 2023

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

Description: The construction of two single-storey rear extensions in a traditional ‘orangery’ style. one to the south of the property and a smaller size extension to east side of the property

Object - Further to our previous objection (copied below), we acknowledge that the proposed extension has been reduced in size, however we note that our concerns with regard to light spillage has not been addressed. Dark skies policies need to be adhered to, possibly by using the recent technology.

“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 metre (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.”

7.2.4 Application No. WD/2023/0072/F

Parish Council Consultee expiry date: 3rd February 2023

Location: 19 Weald View, Wadhurst, TN5 6EB

Description: SINGLE STOREY FRONT EXTENSION and TWO STOREY REAR EXTENSION

No objection - However we wish to point out, that it is best practice not to use UPVC / powdered coated materials, but promote local materials that have lower embodied energy.

8. Live planning applications

8.1 WD/2022/0535/MAO

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

8.2 WD/2021/2924/F

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

8.3 WD/2021/2925/F

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

8.4 WD/2022/1610/MAO

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

8.5 WD/2022/0391/MAJ

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

See public forum together with presentation attached as Appendix A

8.6 WD/2022/0662/MAO

Little Windmill Farm, Windmill Lane, Cousley Wood, Wadhurst (**Action:** Clerk to remove from future agendas)

8.7 WD/2022/0550/F

Land at the Paddock, Tapsells Lane, Wadhurst, TN5 6PL (**Action:** Clerk to remove from future agendas)

9. Appeals:

10. To consider any footpaths modification orders and make recommendations:

11. Planning control and High Street Enforcement:

Magic Fade, High Street, Wadhurst.

Breach of Conditions Notice:

12. To discuss Tree Preservation Orders:

13. Conservation areas

14, Community Infrastructure Levy

15. Policy/Correspondence/Consultations

15.1 High Weald AONB Management Plan Consultation 2024-2029 & Biennial Review. Note: The Clerk has emailed HWAONB to try to set up a meeting with the new planning consultant. She is starting the role mid-January and will contact us.

15.2 Conflict between Wealden District Council approach to contemporary development in the High Weald AONB and the High Weald AONB Housing Design Guide. Note: The Clerk has emailed Chris

Bending at WDC to request this is an item on the next parish panel meeting. He responded saying that the Cllr attending needs to bring it up at the meeting.

15.3 Dark skies - matters to be considered by WDC when determining planning applications. Note: The Clerk has emailed Chris Bending at WDC to request this is an item on the next parish panel meeting. He responded saying that the Cllr attending needs to bring it up at the meeting.

15.4 Restrictions on permitted development in the High Weald AONB. Note: The Clerk has emailed Chris Bending at WDC to request this is an item on the next parish panel meeting. He responded saying that the Cllr attending needs to bring it up at the meeting.

15.5 Etchingam Railway Station and Dark Skies

Correspondence from North Parish Group re Etchingam Railway Station and Dark Skies. Note: The Clerk has written to them and confirmed support from Wadhurst Parish Council Planning Committee.

15.6 Government consultation (deadline 2nd March 2023):

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

Cllr P Moore explained that at the recent WDALC meeting the WGOD group had suggested responding to the NPPF consultation and supporting Teresa Villiers amendments, the WGOD group are preparing a response which they will circulate when ready. Members agreed to support the WGOD response when it is received.

Note WDALC response (Action - circulate WGod response when received)

15.7 WDC Brownfield Register (Decision details on public web site)

15.8 South East Water consultation (deadline 20th February 2023): draft Water Resources Management Plan consultation which looks at how they'll supply drinking water to their customers up to 2075. To find out more, you can view the plan in full detail and submit your views on their dedicated consultation hub.

16. 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: None

Enforcement notice:

Notified by WDC.

Location: The Old Vine, Cousley Wood Road, Wadhurst

Description: Without planning permission, the installation of two ascot canopies.

Enforcement: Removal of both canopies including all fixtures and fittings and removal of all such items from the site.

Timescale: by 22nd April 2023

Issued/approved:

Application No. WD/2022/2685/FR

Description: construction of front entrance porch with decking, addition of natural timber weatherboard to first floor front elevation of property, and alterations to existing garden room.

Location: 3 THE MARLPIT, DURGATES, WADHURST, TN5 6UP

Decision: Approved

Application No. WD/2022/2659/F and WD/2022/2660/LB

Description: UNDERTAKE REPAIRS TO EXISTING SHOPFRONT WINDOW

Location: 1 ST JAMES SQUARE, THE SQUARE, WADHURST, TN5 6BL

Decision: approved

Withdrawn: None

17. Urgent Issues at the discretion of the Chair **-None**

Meeting closed at 10.42am

Appendix A

Supplementary planning statement prior
to Wadhurst Parish Council Meeting

28.01.2023 For

Construction of 18no. new dwellings (including
6no. affordable dwellings) with associated hard
and soft landscaping.

At

Land South of High Street, West of Styles
Lane, Wadhurst

WD/2022/0391/MAJ



January 2023

Introduction

Following several WPC meetings we attended in summer 2022 we have been working with consultees to try and refine the scheme. We are attending the WPC meeting 28.01.23 to run through the alterations made, answer any questions, and seek your support. We recognise WPC have made strong written representations against the proposal but when the vote was previously held it was close (3 - 2).

The changes are now live on the WDC website for formal re-consultation and are summarised below.

- Dwellings reduced in size / height to be equal to or lower than adjacent Styles Lane built form. Total floor area has gone from 1731m² to 1615.8m². Some houses have had ridge heights reduced by as much as 700mm.
- Site layout has been reconfigured so garden sizes meet or exceed Wealden Design Guide specification.
- Access road specification reduced / narrowed to lessen impact on trees on western boundary.
- Units 17 & 18 moved away from boundary into the site.
- Switched to a shared surface arrangement within the development. This has allowed us to 'thin down' the road construction and lessen impact on trees. This type of roadway is used in Styles Lane adjacent.
- The small amount of white weatherboarding proposed has been swapped in favour of handmade clay tiles / natural weatherboarding.

Key thresholds passed:

- East Sussex Highways have confirmed visibility offered by accessway as proposed onto High Street is acceptable.
- East Sussex Highways have confirmed footways proposed are acceptable.
- Sussex Gardens Trust have dropped their objection.
- WDC have confirmed the scheme is not considered Major.
- Southern Water have confirmed drainage requirements which we have now been complied with.
- WDC Biodiversity have confirmed no objection.
- Daylighting work complete to show trees have no impact on proposed houses.
- WDC conservation officer considers scheme to result in 'less than substantial harm'.

Objectives going forward:

- Secure support or neutrality of WPC.
- Reconsult with AONB unit – their objection contained false information regarding loss of medieval field system. We have dug out images of the field before Styles Lane was built. These images prove our point that the medieval field system was sub-divided by Styles Lane and Fazan Ct developments.
- Secure WDC officer level support.
- Scheme to be brought before WDC development control committee.

Superseded VS Amended proposal images



NEW SITE PLAN



SUPERSEDED SITE PLAN



Proposed Site Section A-A - 1:200

NEW SECTION AA



Proposed Site Section A-A - 1:200

SUPERSEDED SECTION AA