

WADHURST PARISH COUNCIL

Minutes of the Planning Committee meeting held at The Pavilion, Sparrows Green Recreation Ground, Wadhurst at 09:30 hours on 29th April 2023.

Present: Cllr P Moore, Cllr C Moore, Cllr P Smith, Cllr I Anderson, Cllr Shairp

Chair: Cllr C Moore proposed that Cllr Gadd should take the 'Chair' for this meeting and this was seconded by Cllr Shairp. Unanimously agreed

Members of the public: two members of the public

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 held 15th April 2023

Cllr Anderson proposed that these were approved, seconded by Cllr C Moore & unanimously agreed

4. To discuss matters arising from the minutes of the meeting of 15th April 2023

None

5. Public forum – time limit 15 minute

Two members of the public spoke objecting in relation to Marling house (WD/2022/0535/MAO). They understood from the case officer that a new application had been submitted, however they were a little confused as the case officer had also said the application may be decided in five weeks time. The members of the public raised concerns in relation to the steep slope of the narrow, shared track leading up to the application plot. Safety issues were a concern especially in the winter when water freezes on the slope and the track becomes very slippery and vehicles would likely skid into the main road. Heavy lorries would cause rutting on the steep slope exacerbating these safety issues. They questioned whether there was any guidance on how steep such access ways could be. The residents also raised concerns that the speed survey equipment only appeared to have been placed in situ for three days and requested assistance for another speed survey. There were considerable issues already with sewage and run off water and reference was made to Wealden District Council's recent "Millward motion". Sewerage tankers regularly visit Station Road to unblock the drains and recent visits included inspection hole visits to as pipes kept being blocked. It was noted that there is only a four-inch domestic sized pipe serving Station Road in spite of the number of homes already feeding into this pipe including the large care home. The residents understood that the water main on station road is cast iron and needs replacement.

6. Pre-application briefings

None

7. Licence and planning applications

7.2 Planning:

7.2.1 Application No. [WD/2023/0948/F](#)

Date of notification: 12th April 2023

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Parish Council Consultee expiry date: 3rd May 2023

Location: Homedene, Hollydene Road, Wadhurst, TN5 6TT.

Description: Partial demolition and extension to form two storey dwelling

Wadhurst Parish Council response to Wealden District Council: Objection - see Appendix A

ACTION: Clerk to request to the Head of Planning Committee North that this application is referred to committee

7.2.2 Application No. [WD/2023/0953/F](#)

Date of notification: 12th April 2023

Parish Council Consultee expiry date: 3rd May 2023

Location: Green Cap Nursery, Sleepers Stile Road, Cousley Wood, Wadhurst, TN5 6QX

Description: Change of use and conversion of stable building to provide holiday accommodation.

Wadhurst Parish Council response to Wealden District Council: No objection to the conversion of the redundant equestrian and agricultural buildings to habitable use on this site however the WPC request that WDC place a condition that no new equestrian or agricultural buildings are permitted on this site in order to prevent encroachment into the AONB.

7.2.3 Application No. [WD/2023/0464/F](#)

Date of notification: 12th April 2023

Parish Council Consultee expiry date: 3rd May 2023

Location: DOWNGATE COTTAGE, TIDEBROOK ROAD, WADHURST, TN5 6PB

Description: Replacement conservatory.

Wadhurst Parish Council response to Wealden District Council: No objection however the WPC request that the skylight has dark sky mitigation (e.g. film covering or internal blinds) to prevent light spill (upward light spill being the most damaging) from affecting Tidebrook's exceptional dark skies.

7.2.4 Application No. [WD/2023/0995/F](#) and [WD/2023/0996/LB](#)

Date of notification: 18th April 2023

Parish Council Consultee expiry date: 9th May 2023

Location: HUNTERS HALL, SLEEPERS STILE ROAD, COUSLEY WOOD, WADHURST, TN5 6QX

Description: Proposed alterations to former Oast house currently in use as ancillary to the dwelling; to include associated new sewage treatment plant and soakaway. (To be considered in conjunction with previous lapsed consent: WD/2006/1032/F and WD/2006/1033/LB).

Wadhurst Parish Council response to Wealden District Council: No objection

7.2.5 Application No. [WD/2023/1024/F](#)

Date of notification: 24th April 2023

Parish Council Consultee expiry date: 15th May 2023

Location: LYNDHURST, 14 MAYFIELD PARK, WADHURST, TN5 6DH

Description: Single storey rear extension

Wadhurst Parish Council response to Wealden District Council: No objection

7.2.6 Application No. [WD/2023/0881/F](#)

Date of notification: 24th April 2023

Parish Council Consultee expiry date: 15th May 2023

Location: RUSTLINGS, LOWER HIGH STREET, WADHURST, TN5 6BD

Description: Rear and side extensions

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Wadhurst Parish Council response to Wealden District Council: Objection: The WPC objects to the flat roof and roof lights. The proposed first-floor flat roof overlooks the Wadhurst Conservation Area and is inappropriate as it would be highly visible on this main approach into the village (see google map photos) and would dilute the local HWAONB distinctiveness. Whilst the house is modern it reflects the local vernacular, with a pitched roof mirroring those of surrounding buildings. A pitched roof extension would be more appropriate in this setting. The roof lights create upward light spill; WPC object to these unless mitigation is incorporated (e.g. film covering or internal blinds), in order to protect Wadhurst's exceptionally dark skies.



7.2.7 Application No. [WD/2023/0516/F](#)

Date of notification: 24th April 2023

Parish Council Consultee expiry date: 15th May 2023

Location: BEALS BARN GARDENS, WISKETTS BARN, BEWLBRIDGE LANE, COUSLEY WOOD, WADHURST, TN5 6HJ

Description: two storey detached building to Wisketts Barn to act as a holiday let and occasional B&B use.

Wadhurst Parish Council response to Wealden District Council: No objection

8. Live planning applications

8.1 [WD/2022/0535/MAO](#)

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

Further objection to be submitted to Wealden District Council: see Appendix B

ACTION: Cllr C Moore to organise a Black Cat survey.

ACTION: Clerk to liaise with WDC to understand when the application is planned to be decided and request that WPC is reconsulted if a new application is submitted.

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

(Application withdrawn 22.2.23)

Items 8.2 and 8.3 were taken together: members agreed to write to the Secretary of State following his decision to overturn the inspector's approval of 165 homes near Cranbrook and to meet informally to discuss how to progress the environmental report.

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8.4 [WD/2022/1610/MAO](#)

Land to the south of Cousley Wood Road, Sparrows Green, Wadhurst TN5 6SX
(Refused by WDC 9.3.23) **No discussion today.**

8.5 [WD/2022/0391/MAJ](#)

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

Members agreed to request full council consider making an offer to the owners for this land for community green space use, following planning refusal for 18 dwellings.

9. Appeals: *None*

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

None

11. Planning control and High Street Enforcement:

- Magic Fade, High Street, Wadhurst. **No discussion today, photos required.**
- Waters Reach, Lower High Street **No discussion today**
- Aqua Park at Bewl **Members agreed to write to Wealden District Council Planning Enforcement – see Appendix C**

Breach of Conditions Notice: *None*

12. To discuss Tree Preservation Orders: *none*

13. Conservation areas

14. Community Infrastructure Levy

15. Policy/Correspondence/Consultations

15.1 High Weald AONB Management Plan Consultation 2024-2029 & Biennial Review.

Note: a meeting has been set up with HWAONB for 25th May 2023.

15.2 Items to be bought up by the parish council at the WDC Parish Cluster Meeting.

Note: Correspondence from WDC to advise Cluster Meetings will not be held until later in the year

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

15.4 CIL Consultation; request from NALC to answer a series of questions to inform their response. <https://www.nalc.gov.uk/members-updates/entry/2429-consultation-160>

Members agreed to circulate a draft response for discussion at the next planning committee meeting.

16. Items for Noting:

To consider notices of decisions received: *None*

Certificate of Lawful Development: *None*

Raise no Objections: *None*

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Prior Approval Required: *None*

Not Issued/refused:

Application No. WD/2023/0340/F

Description: change of use from grazing land for horses to increased residential curtilage to accommodate open air swimming pool

Location: BARTLEY MILL OAST, BARTLEY MILL ROAD, WADHURST, TN3 8BH

Decision: refused

Application No. WD/2022/0391/MAJ

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

Location: LAND WEST OF STYLES LANE AND SOUTH OF HIGH STREET,
WADHURST TN5 6DZ

Decision: refused

WDC Enforcement notices:

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/2022/2221/LBR

Description: Retrospective application for the replacement of 1 ground floor window on east elevation

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

Decision: Approved

Application No. WD/2022/2303/F

Description: Proposed demolition of existing redundant farm buildings, dilapidated farmhouse, stabling and sheds and the construction of a replacement dwelling and garage with associated parking and amenity space and a general store.

Location: MONKS WOOD FARM, MONKS LANE, COUSLEY WOOD, WADHURST, TN5 6EW

Decision: Approved

Response from WDC to Parish Council comments: The Parish Council concerns are noted. The re-siting of the dwelling outside the buffer zone to the ancient semi natural woodland is considered an enhancement. Substantial screen planting would help assimilate the new dwelling into the landscape and screen to neighbouring dwellings. Amended plans have replaced the glazed roof to the link with zinc and reduced the glazing to the elevations. Curtains and blinds could not be required by condition as such wording would fail the test of reasonableness in NPPF paragraph 56.

Application No. WD/2023/0243/F

Description: refurbishment and reinstatement of farmstead to include: (i) erection of two portal frame agricultural barns and the refurbishment of an existing contemporary barn to create a central enclosed farmyard/operational nucleus; (ii) erection of a new net-zero farmhouse on the site of the existing house, following its demolition; (iii) removal of a single storey dwelling (Steeles Farm Cottage) from the Sussex barn and subsequent

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refurbishment of the historic structure to provide ancillary guest accommodation; and (iv) erection of a new integrated stable (for six horses - for private use only), feed and machinery store building on the site of the existing tennis court, together with improved parking and circulation arrangements and a comprehensive 'holding wide' landscape enhancement strategy, to include new and reprovisioned hedgerow planting, the creation of three new native woodlands and the reinstatement of the aquatic/ecological environments guided by a landscape and ecological management plan.

Location: STEELES FARM, BUCKHURST LANE, WADHURST, TN5 6JX

Decision: approved

Application No. WD/2023/0616/F

Description: modifications to existing garage and store to provide ancillary annexe accommodation at ground and separate study at first floor. New external stair and door for access above garage. Changes to fenestration to store including new doors, horizontal cladding with insulation, wood burner flue and external steps to the new doors (revised scheme to WD/2022/1835/F).

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

Decision: approved

WDC response to the Parish Council: It is considered that the proposed aluminium windows would be in keeping with the utilitarian appearance of the garage building.

Withdrawn:

Application No. WD/2022/2884/F

Description: partial demolition and extension to form two storey dwelling

Location: HOMEDENE, HOLLYDENE ROAD, WADHURST, TN5 6TT

Update: withdrawn

Application No. WD/2022/2021/F and WD/2022/2022/LB

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

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

Update: withdrawn

17. Urgent Issues at the discretion of the Chair for noting or inclusion on future agenda : NONE

Meeting closed at: 10.48 hours

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Appendix A

COMMENT: Objection on similar grounds to the WPC's objection to the withdrawn applications WD/2022/1828/F and WD/2022/2884/F . The WPC does not consider that the new application addresses the concerns raised by the WPC re those proposals and reiterates and expands on them below.

The WPC also kindly requests that the application is considered by Committee for the following reasons

- whilst the building incorporates part of the existing dwelling, the changes to it are so dramatic as to effectively render it a new building in the HWAONB
- the applicant reports via social media that the planning officer "*wasn't bothered by the parish objection, they object to EVERYTHING*" so "*are largely ignored*". Obviously, if this is what was said, WPC would like to ensure that their legitimate concerns are considered and the decision is not delegated

Objection on the grounds that the proposed dwelling's mass, flat roof and materials fail 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; the materials are not sustainable and fails to meet paragraph 130 of the NPPF and WDC policies EN6, EN27, HG4 and HG10.

The WPC does not consider that this urban project house has been sensitively designed having regard to its HWAONB village setting and draws WDC's attention to the recent decision by the Secretary of State to overturn the inspector's approval of homes in the HWAONB¹ as he did "*..not find that the scheme is sensitively designed having regard to its setting. He finds that the design of the proposal does not reflect the expectations of the High Weald Housing Design Guide, being of a generic suburban nature..*"

The WPC also draws WDC's attention to the emerging Wadhurst Neighbourhood Plan which officers considered in the decision for Magpie, WD/2022/3360/F; in particular the Wadhurst Design Code² which expands on the guides referenced in the Secretary of State's decision.

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.*"

¹ APP/M2270/V/21/3273015 -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1149430/23-04-06 - DL+IR Turnden Road Tunbridge Wells - 3273015.pdf?fbclid=IwAR1jdDH1ZfhYj9GYjwosZcijYQNSVwC-U1-fOLZzGDVij0JfS6XU7FB4Ic](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1149430/23-04-06_-_DL+IR_Turnden_Road_Tunbridge_Wells_-_3273015.pdf?fbclid=IwAR1jdDH1ZfhYj9GYjwosZcijYQNSVwC-U1-fOLZzGDVij0JfS6XU7FB4Ic)

² <https://wadhurst-pc.gov.uk/wp-content/uploads/2022/11/Wadhurst-Design-Code.pdf>

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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*”;

This application is for the partial demolition and extension of an existing dwelling, but the extension is not subservient to the existing dwelling; in fact, the existing dwelling can no longer be read at all. We do not object to this in principle, but it does mean that the proposal should be considered as a new, replacement dwelling, rather than partial demolition and extension.

Whilst the existing dwelling is of no particular architectural merit, it reflects the local vernacular, with a steeply pitched clay tile roof, and nestles in to the site and wider location. The proposed dwelling does not.

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 meaningfully draw on the principles contained within the HWAONBDG, High Weald guidance on the selection and use of colour in development and objectives of the High Weald AONB Management Plan. It is urban in character, from the design and materials of the dwelling itself, to the high, close

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boarded fencing. It has no positive sense of place, intrinsic to the High Weald character and would be better suited to an urban location rather than this HWAONB village setting.

In particular, the following features are considered unacceptable:

1. Mass – whilst the design and access statement is correct that the building shows only a modest increase in volume (mainly due flattening of the pitched roof) the footprint of the building has increased dramatically (mitigated only if the demolition of the outbuildings is assured). The bulk and silhouette of the proposed dwelling creates a massing which is too dominant and has no positive relationship with its neighbours, making it visually discordant in relation to the character and appearance of the area. This is exacerbated by the black colourscheme which, whilst appropriate in a rural agricultural setting, is incongruous in this village setting;
2. Flat 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.*” It goes on to detail that roof pitches in clay tiled roofs are reasonably steep; occasionally 42.5 degrees, never lower, **but more usually 47.5 to 50 degrees** (emphasis added). The existing bungalow has a steep roof pitch.
3. Materials –
 - i. Roof - Clay tile roofs and tile hanging is common to most of the High Weald; indeed, the existing bungalow on the site 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 design, access and planning statement does not specify the roofing materials, but given the proposal is for a flat roof, clearly the roofing materials are not clay tiles, and would be inappropriate within the High Weald.
 - ii. Cladding –The proposed black corrugated metal cladding to the elevations is industrial (not agricultural as is suggested in the Design, Access and Planning Statement (DAP)) and incongruous in this High Weald AONB location. Whilst the HWAONBHDG states that “*locally sourced weather boarding is a good way to use local materials and reference aspects of local design and can also support the AONB by encouraging the sustainable management of woodlands (see Management Plan objective W4).*” this should be horizontal rather than vertically aligned. As noted before, the black colour scheme is appropriate in rural agricultural settings rather than residential village settings. The WPC do not agree with the DAP that that the dark colour will minimise the impact of the building, rather that it will make it stick out against its neighbours.
4. 1.8m high close board fencing – The HWAONBDG states that private front curtilages are typically enclosed either by hedgerows, low walls, wooden picket fences or occasionally metal railings. It goes on to state that “close board fences are not an appropriate boundary treatment to define either the fronts or sides of plots from the public realm. They are uncharacteristic of vernacular treatments, and contribute little to visual quality or placemaking.” We note that the application form states that the site can be seen from public land, but the DAP states that the site is not visible from any public road. If the site cannot be seen from the public realm, the high close board fencing nevertheless adds to the urbanity of the overall proposal, and we object on these grounds.

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5. Roof lights – the proposed roof lights would cause significant light spillage. An intrinsic part of the beauty of the High Weald AONB is its unusually dark skies, some of the darkest in the south east. The High Weald AONB unit report that Sky Quality meter (SQM) readings taken around Wadhurst indicate skies as dark as 21.09 mags/arcsec” – a figure that corresponds to Silver Tier International Dark Sky Reserve, described by the International Dark Sky Association as being: “*night-time environments that have minor impacts from light pollution and other artificial light disturbance, yet still display good quality night skies and have exemplary night-time lightscapes.*”
6. The high level clerestory windows are untypical of the High Weald. Combined with the 2m high close boarded fencing, bulk, silhouette and materials, this adds to the industrial appearance and urbanity of the proposed dwelling.

With regard to the local precedents referred to in the DAP, we say as follows:

1) Land between Farthings and The Winnats, Balaclava Lane WD/2021/2365/FA
This can be positively differentiated from the Homedene application in terms of bulk, silhouette and materials, which consist of timber cladding. In addition, the design was a response to the significant constraints of the site. This building faces open countryside and references agricultural details, rather than being in a village setting where there are no agricultural buildings. As described above, the WPC see no reason why the proposal has to be urban in design and cannot be altered to avoid adverse effects on the HWOANB key characteristics.

2) Tethers End, Shernfold Park Farm, Frant WD/2019/0817/F
We note from the officer report that “*the reduction in the height of the pitched roof...would reduce the visual impact of the built form on this site in views through the conservation area. In addition, the proposals would lead to a design of building that would be a contemporary nod to the design of the adjacent Shernfold Park Lodge.*” The WPC agree that whilst contemporary, this building has a sense of place as it takes design cues from the castellated buildings nearby.

3) Holmwood Farm, Wallcrouch
This dwelling does not sit within the Wealden planning authority area and therefore creates no precedent for the proposed development. We do, however, note that this is a dwelling in the open countryside where the materials used may be considered more appropriate. (This a rural agricultural area rather than the proposed development site which sits between other houses in a village setting). The WPC understand that Rother LPA requested that this building, being a replacement of an agricultural building, maintained its flat roof and agricultural design cues.

Sustainability:

We also observe that the proposed metal cladding and aluminium windows are highly energy intensive to produce, thereby undermining the sustainability credentials of the proposal outlined in the DAP.

Section 4 of The Wealden Design Guide 11.1 states that “*The careful selection of building materials can make a major contribution to sustainability objectives*” and 11.2 states that “*Materials for developments should be selected on the basis of:*

- *Low embodied energy*
- *Sourcing from renewable sources*
- *Local sourcing to reduce pollution from transport*

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The embodied energy of the proposed steel is much higher than the traditional materials used locally and unnecessarily increases the carbon footprint of the building.

Section 4 of The Wealden Design Guide gives indicative examples of embodied energy for steel as up to 80,000 kWh/m³ which compares to only 110 kWh/m³ for the sort of local timber which is traditionally used for cladding in the HWAONB. Hence, as well as conflicting with the aims of the HWAONB management plan to promote the use of local materials and timber (Objectives G3, S1, S3, W4) far from being sustainable, the use of the proposed cladding is over 700 times more energy intensive.

Impact on neighbouring properties:

Aside from the massing and visual impact noted before, the WPC notes that the overshadowing survey only shows projections up to 3pm. This is appropriate for winter months but in the height of summer the WPC raises concerns that there will be increases in overshadowing to the Spinney in late afternoon and early evening. The WPC suggest that further information be obtained.

We note the proposed dwelling is in a tucked away location, but we do not consider that this negates the requirement to conserve and enhance the High Weald AONB, and it creates a precedent for other inappropriate urban project houses in the HWAONB.

The WPC considers that the proposed design has architectural merits in another location but is not appropriate in this AONB setting.

According to the HWAONB Management plan “*design of new housing developments failing to respond to, or reinforce AONB character*” and “*Erosion of AONB character through suburbanisation,, large/landscape-intrusive replacement dwellings, and smaller interventions, boundary treatments etc., which have a cumulative effect.*” are two of the top five issues facing the HWAONB today.

The WPC is concerned that the proposal will dilute the local distinctiveness which the rationale of Objective S3 of the HWAONB Management plan elucidates as “*To protect and enhance the character and quality of buildings in the High Weald, and re-establish the use of local materials as a means of protecting the environment and adding to this distinctiveness.*”

If WDC is minded to grant planning permission, **we request that conditions be attached so that the outbuildings scheduled for removal are removed prior to the commencement of building** in order to avoid encroachment into the HWAONB. (WPC draws WDC’s attention to the recent Coombe Manor Farm Dairy application. The demolition of the dairy had originally been used as a justification for the large footprint of the Coombe Manor Farm rebuild (F/067/1309. This was not conditioned and the dairy was not demolished.)

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Appendix B

WD/2022/0535/MAO

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 (WPC) notes the response of Southern Water, dated 21st April 2023, in relation to the above application. WPC has several concerns about the sewage implications of this development and trusts that WDC will act in the spirit of the Milward motion to scrutinise carefully Southern Water's ability to deliver this project. In addition, WPC notes a recent decision made by the Secretary of State and central government's emphasis on good design when building in the AONB. Moreover, WPC notes the credibility given to nascent neighbourhood plans and trusts that WDC will take this into account in this case. Finally, WPC reiterates and summarises its vigorous opposition to this development, as laid out in its Consultee responses of 28/06/22, 26/10/22 and 20/12/22, and respectfully requests that WDC robustly reject this application.

Sewage – adding to an overloaded system

WPC notes the Consultee response from Southern Water in regard to this application and would like to make the following observations.

Planning framework

Paragraph 169 of the NPPF 2021 is clear that: "*major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits".*

WPC considers this issue to be of utmost importance, particularly in light of Rachel Milward's motion that was passed by WDC in July 2022 to enable better consideration of sewage discharge in Wealden's planning process. Paragraphs 7, 8 of the Milward motion are pertinent for this application:

"7. Ask Southern Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).

8. Request that planning officers, from now onwards, include in all relevant reports relating to major development a specific section on the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses".

Since Marling House is a major development (please see WPC Consultee response of 26/10/22 for evidence of this), then the applicant's drainage strategy is completely inadequate, verging on non-existent. This has been reflected by the comments of 21st April

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2023 received from Southern Water, which come across as breathtakingly complacent, while being evasive and uninformative – bar stating that Southern Water (SW) believes it has “sufficient capacity for the proposed development”.

Whitegates Lane – an inadequate site

Southern Water state, in their recent submission, that this “development is in the Whitegates Lane Wadhurst Wastewater Treatment Works catchment”.

According to Southern Water’s Drainage and Wastewater Management Plans, this currently serves a population of 2,793 (see table on page 9 of the Southern Water Medway drainage DWMP strategic context document, found on the Southern Water website).

Southern Water has history in regard to its Whitegates Lane treatment works. Detailed independent analysis by a chartered geologist, Charles Hedges, which formed part of an objection to development at land to the South of Cousley Wood Road, Sparrows Green, Wadhurst, TN5 6DY (Planning Application WD/2021/1285/MAO)³ stated that:

“No further development should occur where sewage feeds into the works close to White Gates Farm where the effluent flows into Bartley Mill Stream which is tributary of the River Teise because in 2019 the Environment Agency assessed the river and it failed due to the Chemical Analysis”.

3. Cycle 2 classifications

Classification Item	2013	2014	2015	2016	2019
Overall Water Body	Moderate	Moderate	Moderate	Moderate	Moderate
Ecological	Moderate	Moderate	Moderate	Moderate	Moderate
Chemical	Good	Good	Good	Good	Fail

Environment Agency - CDE - Bartley Mill Stream (data.gov.uk)

a. Priority hazardous substances, namely Polybrominate diphenyl ethers (PBDE) and Mercury.

Classification Item	2013	2014	2015	2016	2019
Hazardous Substances	Good	Good	Good	Good	Fail
Polybrominated diphenyl ethers (PBDE)	-	-	-	-	Fail
Mercury and Its Compounds	-	-	-	-	Fail

Mr Hedges judged that “The Poor Grading was given for the Chemical Assessment due to excessive Phosphate”. The reasons given for not achieving a good status and for deteriorations were given by the Environment Agency in the tables below:

³ An Independent Assessment of the Proposed Sewage and Surface Water Drainage Designs and Solutions Proposed, by Charles Hedges, B.Sc, C.Geol., FGS, Chartered Geologist Specialising in Hydrogeology, 18th August 2021

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Reason Type	SWMI	Activity	Category	More	Classification Element
RNAG	Diffuse source	Poor soil management	Agriculture and rural land management	Details	Phosphate
RNAG	Diffuse source	Poor nutrient management	Agriculture and rural land management	Details	Phosphate
RNAG	Point source	Private Sewage Treatment	Urban and transport	Details	Phosphate
RNAG	Point source	Sewage discharge (continuous)	Water Industry	Details	Phosphate

The details are listed below:

Id	Swmi	Swmi Certainty	Activity	Activity Certainty	Category	Category Certainty	Business Sector	Classification Element
518393	Diffuse source	Probable	Poor soil management	Probable	Agriculture and rural land management	Probable	Agriculture - Arable	Phosphate
518398	Point source	Confirmed	Sewage discharge (continuous)	Confirmed	Water Industry	Confirmed	Waste water treatment	Phosphate
518400	Point source	Probable	Private Sewage Treatment	Probable	Urban and transport	Probable	Urban	Phosphate
528957	Diffuse source	Probable	Poor nutrient management	Probable	Agriculture and rural land management	Probable	Agriculture - Arable	Phosphate

As Mr Hedges concluded: “*The only confirmed source of Phosphate pollution is continuous sewage discharge from the Water Industry*”.

Sufficient capacity for the Marling House development?

Southern Water complacently believes it has “*sufficient capacity for the proposed development*”.

WPC does not share this confidence and notes that an utility company (especially one that is listed on the stock exchange) would be highly unlikely to state that it is not set up for future growth.

A simple calculation makes the point. Numbers for expected future residents were provided by the Applicant, totalling 114 additional residents across the 29 proposed dwellings, all with their daily lavatorial needs. This suggests that the additional demand would be 4.1% (or 114 / 2793). That sounds modest, but the sewage system in Wadhurst is already operating at over-full capacity, especially at the Whitegates Lane plant.

But, in practice, an additional 4.1% throughput would be disastrous. It is notable that there are still tankers travelling down Whitegates Lane several times a week to remove excess sewage from the plant – and this has been observed by local residents for the past 1-2 years. Moreover, Southern Water vans regularly travel to this plant. This suggests that the system is already overloaded and still a problem – ***and that is before any additional developments are considered.***

Looking at the latest available performance metrics published by Southern Water, there are areas of concern with this processing centre (see Southern Water Medway Wastewater Systems on Southern Water’s website). Specific metrics that have the worst performance ratings include those for Pollution risk and Nutrient neutrality. The overall ‘proposed investment strategy’ is rated ‘Improve’.

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WPC does not claim sewage expertise, but the presence of some very poor performance metrics, an 'Improve' strategy and the presence of tankers to take away sewage that can't be handled by the existing system – let alone dumped in the nearby stream – does not fill us with confidence. This is especially disturbing, since Southern Water is assuming a growth rate of 21% from 2020 to 2035.

As an aside, we note that, according to WDC, the other Wadhurst waste water treatment works at Washwell Lane ranks third in the top-10 sites of sewage spills in Wealden.

For a company that has had several documented episodes of pumping raw sewage into rivers and the sea in the South East over a period of several years (incurring record fines to boot), WPC therefore does not trust Southern Water's statement that it can handle the proposed development.

According to The Rivers Trust:

- In 2021: In Wealden, Southern Water discharged sewage into local rivers and seas over 2,120 times in 2021, totalling over 17,185 hours of sewage discharge in just one year (monitoring was carried out on 89 of the 92 storm overflows).
- In 2022: in Wealden, Southern Water discharged sewage into local rivers and seas over 2,180 times in 2022, totalling over 21,533 hours of sewage discharge in just one year (monitoring was carried out on 86 of the 92 storm overflows).
- This amounts to an 2.8% increase in the number of recorded spills and a whopping 25.3% increase in the total duration – while slightly *fewer* storm overflows were monitored, suggesting that the overall outcome could have been *worse* than officially recorded.
- This seems a particularly poor performance given rainfall totals in the South East and Central South region of England. According to the Met Office National Climate Information Centre, total rainfall in this region *fell* 7.1% in 2022, while 2021 had also seen a 10.3% decline. So, for there to be an increase in recorded spills and a massive increase in the duration of sewage discharge, 'the elements' cannot be blamed.

The local sewage network is already ageing and can be blocked. This development will certainly not solve the problem, but almost certainly will add to it. We expect Southern Water to provide a clear statement to provide clarity and proof that it has the additional capacity to manage the additional throughput from potentially 114 extra bowel movements each day.

WPC therefore expects a clear and honest assessment from Southern Water as to whether the system could cope with this increase in demand. Such an assessment would require detailed evidence, to be released into the public domain, in an effort to demonstrate capacity and to prove an ability to cope. In short, any assessment would need to be sufficient to rebuild shattered local confidence in the company. In practice, this suggests a very 'high bar' would need to be cleared and one that is consistent with the Milward motion of July 2022. Unless this is achieved, WPC respectfully urges that Wealden refuse this application.

Design of dwellings and the layout of the site

WPC notes the recent decision by the Secretary of State to overturn an Appeal decision and refuse planning permission on an application made by Berkeley Homes on Land adjacent to Turnden, Hartley Road, Cranbrook (Ref: 20/00815/FULL).

Specifically, in terms of the design of the proposed development, paragraph 16 of the SoS's decision stated that:

*"The Secretary of State recognises that both the HWAONB Management Plan and the High Weald Housing Design Guide emphasise that **housing development in the HWAONB should be landscape-led**. Whilst he agrees with the Inspector that the proposed development would deliver landscape enhancements (IR826), he does not find the proposal*

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*to be of a high standard which has evolved through thoughtful regard to its context (IR723). Overall, he does not find that the scheme is sensitively designed having regard to its setting. He finds that the **design of the proposal does not reflect the expectations of the High Weald Housing Design Guide, being of a generic suburban nature** which does not reproduce the constituent elements of local settlements. He also considers that the layout of the scheme does not respond to its AONB setting”. [WPC emphasis]*

WPC notes that the design of the proposed Marling House development can – at best – be described as ‘generic’ – and hardly a “*scheme [that] is sensitively designed having regard to its setting*”. The applicant devotes several pages to addressing the question of whether their proposal adheres to the HWAONB Management plan and the HWAONB Housing Design Guide. Yet, this is an almost exact design copy of a scheme they have built in Isfield, which sits outside the HWOANB.

Figure 1: Photo from Oakley/Lavender Homes ‘Archers Field’ Isfield Brochure⁴ showing almost identical design to that proposed for Marling House but described here as ‘contemporary design’ which according to the architects Crowther Associates⁵ “will sit harmoniously” in the Isfield landscape



Figure 2: Indicative identikit design of Marling House proposed homes by the same architects Crowther Associates described here by the applicants as “*a positive response to the High Weald Design Guide (HWDG)*”

⁴ <https://archersfield.co.uk/assets/downloads/Archers-Field-Brochure.pdf>

⁵ <https://www.crowtherassociates.co.uk/project/isfield>

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The design of the dwellings departs significantly from the High Weald AONB housing design guide:

- The design of the dwellings departs significantly from the High Weald AONB housing design guide. 11 of the proposed dwellings are detached buildings which take up most of the site area. They are of similar scale, massing, footprint and spacing, which is uncharacteristic of Wadhurst and presents an alien repetitious appearance. In addition, the terrace at the southern end of the site has front of plot parking which will present a poor first impression of the development;
- The design of the dwellings has been cut and pasted from another development in Isfield (WD/2020/2058/MRM). Isfield is not in the High Weald AONB and is completely unlike Wadhurst. This identi-kit design clearly does not respect the local character and the vernacular building style in Wadhurst. For example, the use of slate as a roofing material is not a locally distinctive material.
- The indicative site layout looks very much like a cul-de-sac. The HW Housing Design Guide states that: *“it is important for new development to sit successfully as an integrated piece of the village that people can walk and travel through, rather than a separate “estate” that they travel into”*. In DG2 on page 24 of the Planning Statement, the Applicant states that *‘As a small development, there are no enclosed cul-de-sacs’*. But the whole development is one giant cul-de-sac!

Credibility of neighbourhood plans and credence given to Design Code

The design should have regard to the emerging Wadhurst Neighbourhood Plan, specifically the Wadhurst Design Code. (This is in line with the comments received by WPC from WDC in relation to the recent approval of two new dwellings behind Magpie (WD/2022/3360/F) on Wadhurst High Street which referenced the emerging Wadhurst Neighbourhood Plan⁶.)

Conclusion: Reiterating WPC’s objection

⁶ Comment from WDC to WPC: “The current site accommodates two parking spaces for the commercial workshop only (non for the retail or residential units associated with Magpie) and the proposal would provide two parking spaces for the 3-bed dwelling resulting in no increase in parking demand or traffic generation.

The existing access is established and already in use by the workshop / application site. The access would not change as a result of the proposal and sufficient turning areas are proposed within the site to allow vehicle to enter and leave the site safely in forward gear. A refuse storage area is shown within the site in proximity to the High Street vehicle entrance which would ensure bins do not need to be presented onto the High Street.

“The Phase 2 Regulation 14 Wadhurst NP Policy WAD2 (Meeting Local Housing Needs) advises that proposals that will deliver smaller two-bedroom and three-bedroom dwellings to address the needs of single people, young couples, smaller families and the (cont. on next page) elderly will be supported. In addition, proposals that deliver truly affordable housing in nominal terms (i.e., those that are affordable for local people on local wages) will be supported. The proposal would provide a 2-bed and 3-bed unit in accordance with draft policy WAD2. There is specific requirement to provide assisted living units under draft policy WAD2”.

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Finally, WPC re-iterates the overwhelming case against this proposed development it set out at length in its original objection, dated 28 June 2022, which can be found on the Wealden website. The case against this application can be summarised as follows (full details can be found on the WDC website):

1. The site IS a major development
2. The site lies outside the Wadhurst Development Boundary (DB)
3. Case law does NOT support building outside the DB and on AONB
4. There is no realistic prospect of delivering the proposed dwellings
5. The site is highly car dependent and thus not sustainable
6. Light pollution
7. Access design & accessibility are inadequate and dangerous
8. Trees, hedges and ecology concerns
9. Flood and Run-off Risk
10. Sewage – adding to an overloaded system (see above)
11. Cul-de-sac Development layout is contrary to historic settlement pattern (see above)
12. Layout of Site and Design of Dwellings (see above)
13. Weight should be given to the emerging Neighbourhood Plan (see above)

WPC therefore reiterates its vigorous opposition to this development, as laid out in its Consultee responses of 28/06/22, 26/10/22 and 20/12/22, and respectfully requests that WDC robustly reject this application.

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Appendix C

To: Craig Moon, Wealden District Council
Mark Bright, Rother District Council
Cc: Nus Ghani MP, Wealden
Kevin Cox, Chair RSPB

WPC notes that the Aqua Park was reassembled on 10 April 2023. This has been done, even though it does not have planning permission. Indeed, the operators at Bewl ('Bewl') were told to submit a planning application in April 2021, but have still not done so. Instead, they have increased the size of the park again this year.

WPC understands from neighbours that both Wealden and Rother District Councils agree that planning permission is required for the Aqua Park and that Bewl has had two years to submit an application, which they have failed to do.

WPC is concerned that this development, along with a suite of other 'initiatives' around Bewl Water is ruining the quiet enjoyment of this Local Wildlife Site, and represents further commercialisation of the site to its detriment. Turning a 'blind eye and deaf ear' to this increases the likelihood of other noisy/ugly schemes being pursued in the future e.g. water-skiing, zipwires and Jet skis. The operators at Bewl appear to have no intention of complying with planning requirements, nor adhering to the lease with Southern Water, in effect totally ignoring the local district councils and treating them with contempt.

WPC would remind WDC and RDC of the health and safety implications, which could be dire. We suspect that the Aqua Park is a major contributing factor in the large numbers of people, who are swimming in Bewl since its introduction, as it suggests swimming in the water is safe; whereas the National Water Safety Forum singles out reservoirs as locations to be particularly cautious about⁷. We are mindful of the tragic death of a 12-year old girl who got into difficulties and drowned at Liquid Leisure Aqua Park in Datchet, Berkshire in 2022. We therefore urge both councils to demand a planning application, so that appropriate conditions can be stipulated, should approval be given.

WPC has other concerns about the Aqua Park at Bewl:

Only aqua park in an AONB in the UK

This is the only Aqua Park in an AONB in the UK. That observation alone should give planners and enforcement officers pause for serious thought. A proper planning process is needed to ensure there is no damage to the AONB. There is a statutory duty on Rother and Wealden District Councils to conserve and enhance the natural beauty of the AONB and biodiversity in every determination. This includes enforcement decisions as well as planning applications.

An increasing number of aquaparks are being refused planning, or closed, following enforcement notices and requirements for retrospective planning applications; see Liquid Leisure, Caversham Lakes, Blue Water Aqua Parks (who pulled their application following a relatively modest 8,000 signatories looking to protect wildlife – see below re the recent petition⁸ to protect Bewl's wildlife and natural beauty which currently has just under **80,000** signatures). These other aqua sites were refused permission, or enforced upon, despite not being within an AONB. It should therefore not be a given that a planning application at Bewl would be approved.

⁷ <https://www.nationalwatersafety.org.uk/advice-and-information/open-water-swimming>

⁸ <https://www.change.org/p/save-bewl-water-local-wildlife-site-from-development-protect-wildlife-and-natural-beauty>

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Visual and noise impact

The visual and noise impact of the Aqua Park have a negative effect on the AONB, Local Wildlife Site and locals' and tourists' quiet enjoyment of this unique part of the countryside. Residents can also hear the Aqua Park in their gardens and homes. Because of this the Aqua Park should be subject to formal planning where the public can comment. Local residents were aware since 2021 that planning would be required, as per correspondence from Wealden, and so haven't complained until now as they expected an application to comment on.

East Sussex Council call Bewl "A tranquil and remote area of the High Weald"... "a mysterious 'wilderness'". All this would be at risk if the operators at Bewl are allowed to turn the site into 'Butlins on Bewl'.

Detrimental impact on local wildlife

Any development, especially one generating noise, is likely to have a negative impact on the Local Wildlife Site. Furthermore, there are live applications made by the Sussex Ornithological Society to Natural England to have the site upgraded to SSSI, RAMSAR and SPA (and it sits on the edge of the bird 'superhighway' that may become the first UNESCO World Heritage Site of its kind⁹). The site qualifies for all classifications and is home to 472 protected and designated species. The Wealden Biodiversity Officer has raised environmental concerns regarding outstanding planning applications on site (Bewl Water Bistro, WD/2021/2924/F).

Moreover, WPC notes the 2016 East Sussex County Council (ESCC) East Sussex Landscape Character Assessment's "Landscape Management Guidelines" require Bewl Water to

"...Maximise opportunities for and manage water based recreational activities **where these would not conflict with wildlife**..." [WPC emphasis]

80,000 people don't agree

There is great public interest in the site following the 78,839 petition signatories (as at 1st May 2023) to the [change.org](https://www.change.org/p/save-bewl-water-local-wildlife-site-from-development-protect-wildlife-and-natural-beauty) petition, which specifically addressed the impact on the AONB and Local Wildlife Site from the Aqua Park (*Save Bewl Water Local Wildlife Site from development, protect wildlife and natural beauty*, https://www.change.org/p/save-bewl-water-local-wildlife-site-from-development-protect-wildlife-and-natural-beauty?utm_source=share_petition&utm_medium=custom_url&recruited_by_id=d8966400-5289-11e5-95ff-bb28adc173b7).

Not consistent with Southern Water lease

The site was originally flooded by Southern Water and the contract with the local community and residents was to allow non-motorised and quiet enjoyment of the site and respect for nature. This is reflected in the conditions of the original lease between Southern Water and the original tenant. The waterpark is at odds with this.

Thin end of the wedge

Bewl increased the aquapark size by 30% after the first season and it is larger still this season (despite outstanding requirements for planning permissions). A water park in Indonesia has used the same company to make one which is 29,000sqm – an area equivalent to five football pitches. Even if the Councils consider, on the determination of a planning application, that such activity is acceptable in planning terms (which we dispute), a planning permission and its conditions are the only way effectively to control and limit any future expansion.

⁹ <https://www.rspb.org.uk/our-work/rspb-news/rspb-news-stories/east-coast-wetlands/>

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Uncontrolled operation

The hours and season of operation are uncontrolled. The park was put up on 10th April this year. It will operate until October¹⁰.

Planning permission with specific conditions attached, coupled with rigorous enforcement, would be the only way the Councils could impose any clear controls on this development (assuming permission were to be granted). Without permission and adequate enforcement, Wealden and Rother are effectively handing over a blank cheque to Bewl to operate how they like, without reference to local residents or the planning framework.

Creating a holiday village

Ultimately, WPC's greatest concern is that Bewl is creating a 'holiday village', an initiative that WDC state they strongly resist. Our concern has been shared by our colleagues at Lamberhurst Parish Council in their objection to the application on the Bistro, dated 31st March 2023 (Bewl Water Bistro, WD/2021/2924/F).

In the Wealden Local Plan, 1998, paragraph 10.18 stated that:

*"It is **considered important for environmental reasons to resist new holiday village or chalet park proposals within Areas of Outstanding Natural Beauty and the Coastal Levels, and elsewhere such proposals will only be considered where both a specific holiday need can be demonstrated and an environmental planning gain can be achieved**".* [WPC emphasis]

In Wealden's Local Plan, Policy TM4 states very clearly: '**Proposals for new holiday villages or chalet parks will be strongly resisted in the Sussex Downs and High Weald Areas of Outstanding Natural Beauty and the Coastal Levels**'. [WPC emphasis]

This development therefore runs counter to the Wealden Local Plan. This initiative should be seen in conjunction with the camp site (which is operating on a three-year licence), the redevelopment of the Fishing Lodge (which was approved on appeal), potential redevelopment of the Sailing Club House, or Bistro (which is a live application). The aqua park – which has never sought planning permission – and these other 'initiatives' are all creating a holiday village and should therefore be refused under WDC Policy TM4. It is clear that the Bewl waterfront is being turned into a holiday village by stealth.

¹⁰ <https://bewlwater.sports-booker.com/customer/calendar?date=2023-06-01>