

WADHURST PARISH COUNCIL

Minutes from the Wadhurst Planning Committee meeting held at The Pavilion, Sparrows Green Recreation Ground, South View Road, Wadhurst, TN5 6TW at 09:30 hours on 2nd September 2023

Present: Cllr Shairp, Cllr Gadd, Cllr Crawford, Cllr C Moore, Cllr P Moore and 8 members of the public.

It was proposed by Cllr C Moore and seconded by Cllr Shairp, that Cllr Gadd take the minutes of the meeting. This was unanimously agreed

Minutes

1. To receive apologies for absence

Cllr Smith and Cllr Anderson

2. To receive declarations of interest and updates to members' register of interests

Cllrs wished to point that, that the appellant of 9.3 is casually acquainted with the Cllrs

3. To approve the minutes of the meeting held 19th August 2023

Approved unanimously

4. To discuss matters arising from the minutes of the meeting of 19th August 2023

None

5. Public forum – time limit 15 minute

The members of the public present, raised the following points regarding the “Primmers” appeal (APP/C1435/W/23/3321354):

- **WDC advised the applicants/appellants to update their Heritage Statement, but this has not been carried out. One property in very close proximity to the proposed site (Little Primmers), has since become Grade II listed. This proposed site would entirely change the character of the settlement.**
- **WPC is now in the advanced stages of their Neighbourhood Plan, having completed Reg 14 and Reg 16 consultations. This site has been allocated as a ‘green gap’ (GG5) in the NP and weight should be given to the Neighbourhood plan**
- **This site was previously put forward for the SHELAA and was rejected by WDC.**
- **It is felt that the case officer should request that this application be inspected by a hearing/enquiry process, not carried out by written representations.**
- **It is noted, with great concern, that Kember Loudon Williams [the Appellant’s consultant] have written to WDC, reminding them as to how much WDC will**

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earn in housing bonuses and additional council tax. This is deemed inappropriate.

- **The recent lack of water supply from SE Water, illustrates how limited Wadhurst's infrastructure is and how vulnerable it is, to the slightest of complications.**

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/Budget
16. Freedom of Information requests
17. Items for noting
18. Urgent issues at the discretion of the Chair for noting or inclusion on future agenda.

6. Pre-application briefings

7. Licence and planning applications

7.2 Planning:

7.2.1 Application No. WD/2023/2018/F

Date of notification: 14th August 2023

Parish Council Consultee expiry date: 18th September 2023

Location: COUSLEY DENE, COUSLEY WOOD ROAD, WADHURST, TN5 6EP

Description: rear ground floor extension and external alterations

No objection (agreed by majority)

Comment: The planning committee, wish to remind WDC that this is within a conservation area and would therefore recommend that the WDC Conservation

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Officer be consulted, regarding the vertical cladding and the mitigating of light from the roof light, to ensure dark skies compliance.

7.2.2. Application No. WD/2023/1819/F

Date of notification: 14th August 2023

Parish Council Consultee expiry date: 18th September 2023

Location: OAK COTTAGE, COOMBE LANE, WADHURST, TN5 6NU

Description: garage extension

Object (unanimous)

Due to the recent barn/garaging application being approved for conversion to residential, this application is an unacceptable encroachment on the AONB.

The planning committee is surprised that WDC did not place a 'no permitted development' condition on the recent approved application, ensuring that upon the outbuilding being converted to residential, that no further outbuildings can be built.

It would have been incumbent in the previous application on the applicant to prove the barn, which was used for garaging, was now redundant. Therefore, they should not now be applying for additional garaging.

If WDC is minded to approve this application, a 'no permitted development' condition should be added, together with a condition to retain all hedging.

7.2.3 Application No. WD/2023/1984/FA

Date of notification: 14th August 2023

Parish Council Consultee expiry date: 18th September 2023

Location: PRIMMERS, PRIMMERS GREEN LANE, WADHURST, TN5 6DU

Description: variation of condition 14 of WD/2021/3034/F demolition of existing garage and garden structures/outbuildings including swimming pool and tennis court. Erection of new part single part two storey dwelling with detached garage, landscaping, pool and pool pavilion and associated works

Object (by majority)

It must now be noted by WDC that the property next door (Little Primmers) has now been Grade II listed

It must also be noted that this proposed building is very visible, not obscured and the planning committee would suggest a single story design, be considered.

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This variation of plans, provides the opportunity to review the Neighbourhood Plan's design code, to enable the proposed build to be in keeping with its surroundings.

For example, we note that the roof height makes it extremely visible. In addition, the parish council suggest the use of materials that are more in keeping, rather than the use of zinc, or aluminium for windows.

7.2.4 Application No. WD/2023/2041/F and WD/2023/2042/LB

Date of notification: 15th August 2023

Parish Council Consultee expiry date: 18th September 2023

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

Description: construction of single storey kitchen extension, replacement of pool shed and alterations to shape of existing swimming pool.

Object (unanimous)

As this is a listed building, the planning committee would recommend the Heritage Officer to visit and look at this application.

We note that the roof is not in keeping with the surroundings, using zinc rather than tiles. Moreover, WPC has grave concerns regarding damage to hedging.

7.2.5 Application No. WD/2023/2061/FR

Date of notification: 21st August 2023

Parish Council Consultee expiry date: 18th September 2023

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

Description: retrospective application for the continued use of land for ancillary residential purposes and the associated continued use of the existing detached outbuilding as a self-contained annexe

Object (by majority)

Although the committee would be minded not to object, subject to a condition being added, stating that the annex remains within the curtilage and cannot sold off separately. However, the committee does object to land being used for ancillary residential use and should be returned to the previous usage type.

8. Live planning applications

8.1 WD/2022/0535/MAO

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

(Action: Cllr Shairston to chase for clarification regarding time scales, for requesting the 'calling in' of an application)

8.2 WD/2021/2924/F

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

(Action: Cllr Shairston to chase response from Natural England regarding SSSI / RAMSAR application)

(Action: Cllr C Moore, Clerk, Cllr Shairston to inform Therese Coffey (Secretary of State for the Environment of WPC's letter to Natural England regarding the SSSI / RAMSAR application)

(Action: Cllr P Moore to forward gull report to Southern Water)

(Action: Clerk to obtain a copy of Southern Water's lease from Land Registry)

(Action: Clerk to amend future agendas, to show Bewl in section 8, with all applications at Bewl listed by bullet point)

8.3 WD/2023/0948/F

Homedene, Hollydene Road, Wadhurst, TN5 6TT

- To consider the legal position in light of the recent advice
- Discuss next steps following emails received from WDC Planning and District Councillor.

9. Appeals/WDC Planning Committee North:

9.1 Application No: WD/2022/1610/MAO

Location: Land to South of Cousley Wood Road, Sparrows Green, Wadhurst, TN5 6SX (known locally as Primmers)

Proposal: Outline application (seeking approval of access) for the erection of up to 15 residential dwellings. All other matters reserved.

Planning Inspectorate ref: APP/C1435/W/23/3321354

Deadline: 20th September 2023

Information: WDC refused to grant the necessary permission for the above site, and the reasons for refusal can be viewed on the Council's website at www.planning.wealden.gov.uk. The Planning Inspectorate has received notice of a planning appeal against this decision.

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The Secretary of State considers that the written representations procedure be followed for this appeal. This procedure requires that those owners and occupiers of properties near the site and those who expressed a view at application stage be informed of the appeal and be given the opportunity to submit further views in writing. Please Note: Any views received in writing by the Council at the application stage will have been forwarded to The Planning Inspectorate, for the Inspector's attention.

The Planning Inspectorate have introduced an on-line appeals service which you can use to comment on this appeal. This service can be found through the Appeals Casework Service website (<https://acp.planninginspectorate.gov.uk>). The Inspectorate may publish details of your comments on the internet. As your comments may include personal information (eg. name, address, etc.), please ensure that you only provide information that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, representations can be made in writing (please enclose THREE copies of your representations) and sent direct to The Planning Inspectorate at the address overleaf, quoting APP/C1435/W/23/3321354. The Planning Inspectorate will not acknowledge your letter.

Action:

It was unanimously agreed that:

- **The Planning Committee's response will be agreed by email.**
- **That a proposal be put to Full Council for a further budget for legal assistance (£6K)**

- **If necessary, instruct Simon Bell (or AN Other) to write to WDC, to follow up on Cllr Shairp's email sent requesting the appeal to be dealt with by a hearing / enquiry, rather than by written representations.**

- **Cllr Shairp to commission legal advice (Simon Bell or AN Other) to bolster WPC's objections to the appeal.**
- **Cllr P Moore to discuss and agree by email, the need for a landscape, transport etc, report.**
- **Cllr C Moore to advise residents, via social media, where to forward objections, if they wish.**
- **Cllr P Moore to speak with HWAONB and forward copy of WDC's officer's refusal.**

9.2 Application No: WD/2021/0559/MAJ

Description: conversion of care home to form 8 no. flats together with the construction of 9 no. new dwellings and associated works.

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Location: WEALD HALL RESIDENTIAL HOME, MAYFIELD LANE, WADHURST, TN5 6HX

Note: The above application was not heard at PCN 20th July 2023, and is expected to be heard at the September PCN meeting.

(Action: Clerk to chase for response regarding the Section 106/covenant query and formally recommend to WDC, that all discussions/valuations regarding the value that WDC will charge for the release of this 106/covenant, should be placed into the public domain, to ensure WDC is not vulnerable to subsequent legal challenge).

(Action: Clerk to apply to WDC for a FOI in respect of all documentation regarding the settlement figure, and the workings that support this estimate, for WDC to release the covenant).

9.3 Appeal reference: APP/C1435/X/23/3325157

Application reference: WD/2023/0537/LDB

Location: Land at Pell Bridge, Primmers Green Lane, Wadhurst

Description: removal of redundant stainless flue and falling tile flashing around main chimney.

An appeal has been made to the Secretary of State against the decision of Wealden District Council to refuse a certificate of lawfulness of proposed use for the following reasons:

‘the proposed works are set out within the application particulars for the replacement of the tile mortar fillet detail around the main chimney with detailed lead flashing would require listed building consent as the works would affect the character of the listed building as a building of special architectural or historical interest’.

The appeal will be based on written representations. All previous representations have been forwarded. If any further representation are to be made, the deadline is 19th September via the planning inspectorate portal, quoting the appeal reference.

No comment (unanimous)

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

Contested footpath – ROW/3321220

Description: Adding a footpath with three entrances from footpath Wadhurst 51 near Oak Wood to 2 entrances on footpath Wadhurst 45 near Beggars Roost

Update: The footpath officer at ESCC noticed he has used the wrong notification to indicate a footpath on the map. The Inspector confirmed that ESCC will need to do the Order again. Once that is done, there will need to be a 6-week consultation period again (possibly from 4 August to 20 September).

New notification received 1st August 2023

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THE EAST SUSSEX (PUBLIC FOOTPATH WADHURST 79a, WADHURST 79b, WADHURST 79c, WADHURST 79d, WADHURST 80, WADHURST 81, WADHURST 82)

DEFINITIVE MAP MODIFICATION ORDER 2023

On 2 September 2022 East Sussex County Council made an Order for the above paths in Wadhurst, being 'THE EAST SUSSEX (PUBLIC FOOTPATH WADHURST 79a, WADHURST 79b, WADHURST 79c, WADHURST 79d, WADHURST 80, WADHURST 81, WADHURST 82) DEFINITIVE MAP MODIFICATION ORDER 2022', however due to a drafting error in that Order it has been necessary to remake the Order.

Therefore, East Sussex County Council made the above-named 2023 Order on 28 July 2023.

Deadline for responses: 20th September 2023.

Meeting arranged

11. Planning control and High Street Enforcement:

- Magic Fade, High Street, Wadhurst.
- Waters Reach, Lower High Street
- Bewl Water
- Hospice in the Weald
- Fairglen Lane corner (Meadow Bungalow)

(Action: Clerk to query with WDC planning enforcement, as to why no lighting schedule has been undertaken, as required by planning, and recommend that planning enforcement should address lights that are not dark-skies compliant or out of keeping. In addition, it has been brought to our attention, that the entrance gate opening into the road, is dangerous)

Breach of Conditions Notice: None

12. To discuss Tree Preservation Orders:

13. Conservation areas

14. Community Infrastructure Levy

15. Policy/Correspondence/Consultations/budget

15.1 Complaint in respect of Wealden District Council

15.2 Items to be bought up by the parish council at the WDC Parish Cluster Meeting. Note: Correspondence received from WDC to advise Cluster Meetings will not be held until later in the year.

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3.7.23 The Clerk has written to Wealden Planning to ask when the meetings are likely to re start.

Update: 'sometime after the summer holidays'.

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 Wealden District Council Local Plan and undertaking of Sustainability Appraisal (SA)

The Consultation on the SA Scoping Report will run from 26th June 2023 to 05.00pm on the 7th August 2023.

'To find out more about the Draft SA Scoping Report please review the information published on our Wealden Local Plan - Wealden District Council - Wealden District Council. To make any comments please use our Consultation Home - Keystone (wealden.gov.uk), alternatively, you can complete a comments form, which is available on our website. A paper copy can be collected from the Council offices where a hard copy of the Draft SA Scoping Report can also be viewed. Please return the comments form to planningpolicy@wealden.gov.uk or by post to Wealden District Council Offices, Vicarage Lane, Hailsham, BN27 2AX. Please note that we will not acknowledge forms received by post'.

15.5 Members are asked to agree to subscribe to Nimbus Maps for gaining planning and land registry information - budget up to £1,500 per annum – Cllr C Moore

(Action: Purchase subject to additional budget being agreed by Full Council-unanimous)

15.6 Consultation: The Department for Levelling Up, Housing and Communities (DLUHC) have issued a consultation seeking views on proposals to implement the parts of the Levelling Up and Regeneration Bill which relate to plan-making, to make plans simpler, faster to prepare and more accessible. The main consultation document can be found [here](#). The consultation closes on 18th October 2023.

15.7 To approve draft letter to ESCC Asset Manager re disposal of assets – Cllr C Moore

16. Freedom of Information requests

17. Items for Noting:

To consider notices of decisions received: None

Certificate of Lawful Development: None

Raise no Objections: None

Prior Approval Not Required: None

Not Issued/refused:

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Application No. WD/880/CMCL (East Sussex)

Faircrouch Depot, Household Waste Recycling, Faircrouch Lane, Wadhurst, East Sussex, TN5 6PT

Description: Certificate of Lawfulness for a proposed use as a privately operated Household Waste Recycling Centre in accordance with extant planning permissions WD/1377/CC and WD/136/CM and their attached conditions. The deposit of household waste at the site by members of the public and or the importation of household waste by the operator without restriction on: a) the vehicle type or volume delivering to the site; and, b) the volume of waste throughout.

Note: application refused by East Sussex County Council.

Enforcement:

Notified by WDC

Issued/approved:

Application No. WD/2023/1110/F

Description: ground and part first floor extension to the eastern elevation; relocation of an existing dormer

Location: BROADWELL COTTAGE, SLEEPERS STILE ROAD, COUSLEY WOOD, WADHURST, TN5 6QX

Decision: approved

Withdrawn:

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

(Action: Cllr Shaip to circulate advice regarding the principles and process of ‘calling in’ applications at Wealden).

(Action: Cllr C Moore to search Tripadvisor regarding Bewl campsite)

Meeting closed 12:27