Minutes of the meeting of the Planning Committee of Wadhurst Parish Council held at The Pavilion, Sparrows Green Recreation Ground, South View Road, Wadhurst, TN5 6TW at 0930 hours on 30th September 2023 Claudine Feltham

**Present: Cllr Shairp (Chair) Cllr Gadd, Cllr Anderson, Cllr Smith, Cllr Crawford**

**Public: 1 member of the public was present**

**It was proposed by Cllr Shairp and seconded by Cllr Crawford, that Cllr Gadd take the minutes. Unanimously agreed.**

**Minutes**

1. To receive apologies for absence

**Cllr P Moore, Cllr C Moore**

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

**Applicant in 7.2.2 is known to WPC**

3. To approve the minutes of the meeting held 21st September 2023

**Cllr Anderson proposed that the minutes be agreed, this was seconded by Cllr Shairp and agreed by majority.**

4. To discuss matters arising from the minutes of the meeting of 21st September 2023

**None**

5. Public forum – time limit 15 minute

**A resident spoke in respect of 7.2.1 confirming WDC’s Conservation Officer involvement and advice, together with confirmation that hedging will be protected and retained.**

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/2023/2041/F & WD/2023/2042/LB

Date of notification: 18th September

Parish Council Consultee expiry date: **2nd October**

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

Description: Request for the planning committee to consider withdrawing their objection (as per the email sent to planning committee 18.9.23)

WD/2023/2041/F & WD/2023/2042/LB - STREAM COTTAGE, WENBANS LANE, WADHURST, TN5 6NR

**We withdraw our objection, as requested, SUBJECT TO the condition, as discussed, being included, that the hedging is protected during construction and is permanently retained in its entirety. Unanimous.**

**We are incredibly disappointed that the Conservation Officer/ Heritage Officer has not visited the site, as we recommended, due to the topography of the land allowing the structure to be visible and due to the property being a listed building.**

7.2.2. Application No. WD/2023/2220/LB

Date of notification: 19th September 2023

Parish Council Consultee expiry date: **10th October 2023**

Location: THE FORGE COTTAGE, ST JAMES SQUARE, LOWER HIGH STREET, WADHURST, TN5 6AT

Description: Internal alterations to existing domestic annex to provide elderly/disabled ground floor bedroom and shower. Minor external alterations: external gas boiler flue, extractor fan grill, underground gas pipe and EV charging point.

**No objection. Unanimous.**

7.2.3 Application No. WD/2023/2268/AI please also see agenda item 7.4

Date of notification: 20th September 2023

Parish Council Consultee expiry date: **11th October 2023**

Location: THE GREYHOUND HOTEL, HIGH STREET, W ADHURST, TN5 6AP

Description: erection of illuminated and non-illuminated signs to the exterior of the building

**See below**

7.2.4 Application No. WD/2023/2273/LB

Date of notification: 20th September 2023

Parish Council Consultee expiry date: **11th October 2023**

Location: THE GREYHOUND HOTEL, HIGH STREET, WADHURST, TN5 6AP

Description: display of illuminated and non-illuminated signs to the exterior of the building together with replacement floodlighting and a lantern light above the main entrance.

**No objection SUBJECT TO all lighting being ‘Dark Skies’ compliant. Please note that this property lies within the Conservation Area of Wadhurst. Unanimous.**

7.2.5 Application No. WD/2023/2259/LBA

Date of notification: 15th September 2023

Parish Council Consultee expiry date: **6th October 2023**

Location: SKINNERS FARM, BEST BEECH HILL, WADHURST, TN5 6JT

Description: removal of condition 10 of WD/2020/0201/LBR (proposed conversion of former granary to provide a three-bedroom dwelling, Sussex Barn (Colyers Barn) to provide a four-bedroom dwelling and dairy to provide a four-bedroom dwelling; conversion of former Oast as ancillary accommodation to Skinners Farmhouse to provide two-bedroom first floor apartment with games room and home office below; separation of former Oast as ancillary accommodation to skinners farmhouse to provide two-bedroom first floor apartment with games room and home office below; separation of former annexe from Skinners Farmhouse to provide separate two-bedroom dwelling with associated landscaping and external works. Retrospective listed building consent for works to Skinners Farmhouse, Granary, Sussex Barn (Colyers Barn) and Oast. Replacement septic tank for Skinners Farmhouse and Oast and the construction of a new shared sewerage treatment tank) as the dairy is not within the curtilage of the listed buildings.

**Object. Condition 10 must remain. Unanimous**

 **In addition, 2 further conditions should be added:**

1. **No further development should be permitted on the site.**
2. **No subdivision of the site should be permitted, until the listed building has been restored / protected from the elements, as described in Condition 10a.**

8. Live planning applications

8.1 WD/2022/0535/MAO

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

8.2 Bewl Water

· WD/2021/2924/F Boat House Bistro extensions and alterations; replacement of the adjacent fishing facility building and change of use to form 6 x 1 bed and 5 x 2 bed tourist units, creation of a cafe with terrace, with some sailing club facilities retained. (Additional drawings and proposals).

Bewl Club House **(WD/2021/2924/F)**

**(ACTION for Clerk: The response below should be sent to WDC Planning under the above application number, requesting confirmation that these comments will be added to our original comments, under this application number . In addition, we wish to request clarification from WDC and Cllr Howell, as to why this has not been withdrawn and resubmitted as usual, with application changes. Please advise WDC that not doing so, risks alterations to applications, to ‘go under the radar.’)**

**The applicant has put in yet another eleventh-hour change of proposal, designed to persuade the LPA to grant planning permission. Sadly, there is a paucity of explanation as to how this proposal will overcome planning concerns. WPC can only go on what it sees.**

**The illustration (left), from the applicants, is intended to convince the LPA that light emission will ‘improve’ under the new plans, because the area of glazing has reduced from the existing configuration.**

**But the applicants are being misleading. At present, the current construction is rarely used at night, so cannot be too disruptive to wildlife at Bewl. However, the seemingly innocuous plans for the Club House / Bistro mislead, as light emissions will occur throughout the night. So, whether there is more, or less, glazing is a moot point. The point is that overnight accommodation will, by definition, cause greater light emission in an area known for its dark skies. Greater light and noise as a result of the development will disrupt the resident birdlife around Bewl (including the gull roost).**

**This point was recognised by the WDC Biodiversity Officer in his submission, dated 26 July 2023. He recognised this In June and July 2023 when two third party reports were submitted, concluding:**

**“Based on the information provided, and the ecological information deficiency highlighted, it is concluded there is a likelihood the development proposed in its current form would result in negative impact upon bird populations (with potential for impacts beyond local level) and degradation of local wildlife site. It has not been demonstrated that the provided design mitigation (or suitably worded conditions) would be possible of preventing significant harm to biodiversity, as sufficient ornithological assessment or EcIA has not been provided with the application”.**

**These revised plans, are unlikely to ‘shift the dial’ in addressing the Biodiversity Officer’s understandable concerns.**

**The other concern is this constitutes a loss of sports and recreational buildings contrary to September 2023 National Planning Policy Framework (NPPF) para. 99, and DC8 of the Wealden Local Plan. The NPPF states:**

**“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:**

**a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**

**b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**

**c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”. [WPC emphasis in red]**

**The answer to all three criteria is ‘No’. Thus, this development should be refused based on para 99 for the NPPF.**

**This ‘revision of the revision’ is yet another ‘eleventh- hour’ gambit to push the LPA into granting planning permission on the Clubhouse/Bistro at Bewl Water. The WPC has wearily followed the relentless campaign to commercialise Bewl over several years, with attempts to establish the principle of overnight accommodation in what is essentially a wildlife reserve.**

**The parish council looked carefully at this revised application and reiterates the findings in its previous submissions and respectfully requests that this application should be robustly refused, for the following reasons:**

**(1) Change of use for all three buildings (Club house, Fishing Lodge, Racing Hut) will prevent any meaningful revival of the sailing and other water sports at Bewl**

**(2) The tourism case is flawed**

**(3) It is incorrect to state that there are limited facilities for overnight accommodation in the area.**

**(4) Site lies within the AONB**

**(5) Southern Water needs to fulfil its responsibilities**

**(6) These proposals amount to a change of character of the area**

**(7) This application should be treated as part of a major development**

**(8) The two projects in aggregate would create a Holiday village and should be refused**

**(9) Light spillage from the holiday village would threaten Bewl’s Dark skies**

**(10)Noise impact would be far greater**

**(11)There will be a Detrimental impact on Wildlife**

**(12)Out of keeping design in an extremely prominent building on the landscape**

**(13)Reflection and Glare from Extensive Glazing**

· WD/2023/1895/F campsite for up to 80 pitches and for the erection of a portacabin between the months of April and September.

· WD/2023/6501/SO request for screening opinion for the Bewl Water treatment works to Cottage Hill service reservoir scheme

8.3 WD/2023/0948/F

Homedene, Hollydene Road, Wadhurst, TN5 6TT

**(Action: Forward to Cllr I Tysh, original emails in respect of Homedene, sent to Cllr M Everitt, Cllr A Wilson, Cllr J Howell and Cllr Glynn-Ives (highlighting dates) and advise that WPC are incredibly disappointed by their failure to respond to our emails and that their lack of response has denied us fair representation and the opportunity to legally challenge the decision. In addition , we have advised on several occasions, that this application was of great importance to Wadhurst, bearing in mind our emerging Neighbourhood Plan and Design Codes.**

· 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:

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

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 (response received from WDC Planning Enforcement and circulated to planning committee 13.9.23)

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: the next Cluster meeting is scheduled for 4th October (On Teams)

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 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.

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

15 Freedom of Information requests

16 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:

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/2023/1858/F

Description: demolition of existing garage and attached store; proposed annexe to provide ancillary residential accommodation

Location: SADLERS, COUSLEY WOOD ROAD, WADHURST, TN5 6EF

Decision: approved

WD/2021/0559/MAJ

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

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

Approved at WDC PCN: RESOLVED that subject to a Section 106 Agreement to secure a commuted sum in lieu of affordable housing, Full Planning permission BE GRANTED.

*RECEIVED from WDC regarding FOI :*

*From: InformationGovernance <informationgovernance@wealden.gov.uk> Sent: 20 September 2023 16:33 To: Clerk <clerk@wadhurst-pc.gov.uk> Cc: InformationGovernance <informationgovernance@wealden.gov.uk> Subject: EIR23-0397 - CLARIFICATION REQUEST*

*Dear Ms Feltham,*

*Thank you for your email requesting information under the Environmental Information Regulations 2004.*

*In order to deal with your request appropriately, we require your clarification.*

*You ask for copies of “all documentation/correspondence regarding the settlement figure for WDC to release the S106/covenant, and the workings that support this estimate”. Please could you confirm the following points:*

*1. Please confirm whether you are referring to the pending S106 under WD/2021/0559/MAJ?*

*2. Please confirm if you are seeking copies of original covenants?*

*3. Please could you clarify what you mean by ‘settlement figure’ and ‘estimate’ and for what are you seeking the ‘settlement figure’ and ‘estimate’ of?*

*Thank you in advance of any clarification that you can provide. I would like to highlight that our the 20 working day statutory time limit has ‘stopped’ and will commence again the day after we receive your response. We will then recalculate the 20 day response date.*

*If we do not receive any clarification from you within the next 60 days, your request will be considered to have lapsed.*

*Kind regards,*

*Information Governance Team*

*Legal Services, Wealden District Council informationgovernance@wealden.gov.uk*

*Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27*

**(ACTION :REPLY TO WDC INFORMATION GOVERNANCE TEAM:**

1. **We are referring to the two Section 52 discharge requests.**
2. **We have these thank you**
3. **We have been advised by our Lead Planning Councillor Johanna Howell, that a figure of £275,000 had been agreed by WDC, for the discharge of these section 52’s. Therefore we require all documentation/correspondence regarding the settlement figure to discharge these section 52 agreements and the workings that support this.**

 **Thank you)**

Application No. WD/2023/1866/F

Description: PROPOSED ENLARGEMENT OF EXISTING CAR PARK

Location: THE MOUNT CAMPHILL COMMUNITY, FAIRCROUCH LANE, WADHURST, TN5 6PT

Decision: approved

Withdrawn:

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

**Meeting closed 11:14am**