

Frequently Asked Questions (FAQ)

High Court Decision on Bewl Water Campsite – July 2025

1. What was the High Court case about?

The Parish Council challenged the Planning Inspector's decision to grant permanent planning permission for a campsite at Bewl Water, including tents, motorhomes, campervans and associated Yurts. The Council sought to have the decision quashed on the grounds that it conflicted with local planning policies and posed a threat to the tranquillity, wildlife, natural beauty and public accessibility of the area.

2. Why did the Parish Council take legal action?

The decision to pursue legal proceedings was made only after careful consideration and in accordance with professional legal advice at every stage. The action was taken in response to:

- Widespread concern from **residents** and the wider community, including **CPRE** (the Countryside Charity)¹ and over **80,000 petitioners**²;
 - The development's conflict with the Bewl Water Policy in the **Wadhurst Neighbourhood Plan**, a statutory document compiled by residents and voted in by residents in May 2024;
 - Concerns regarding conflict with the High Weald AONB Management Plan (2024-2029)
 - Concerns about the permanent loss of accessible open space and the impact on wildlife;
 - Support of the decision by **Wealden District Council's Planning Committee** (made up of elected councillors) to **refuse** this planning application;
 - The recently strengthened duty, under Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-Up and Regeneration Act³ 2023), which requires that authorities "must seek to further the purpose of **conserving and enhancing the natural beauty** of the area of outstanding natural beauty."³
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3. What was the outcome of the case?

On 9 July 2025, the High Court dismissed the Parish Council's challenge. While the outcome was disappointing, the judgment reaffirmed the importance of the statutory duty on public

¹ <https://www.cpresussex.org.uk/news/sign-petition-to-save-bewl-water-wildlife-haven/>

² <https://www.change.org/p/ask-southern-water-to-halt-development-to-save-protected-birds-and-local-wildlife-site>

³ https://national-landscapes.files.svdcdn.com/production/assets/images/Documents/Briefings/250509_NLA-s85-Briefing-Note-for-RAs_Final.pdf?dm=1747041360

authorities to conserve and enhance the natural beauty of the **High Weald National Landscape** (formerly AONB).

4. Why did Wealden District Council not submit a statement defending their decision to refuse permission for the proposals, which was made by Elected Members at their Planning Committee meeting?

Unfortunately, Wealden District Council admitted they made an error and missed the appeal statement deadline.

5. What are the environmental concerns?

The site is located within a national landscape designated for its natural beauty and has been **shortlisted by DEFRA** for designation as a **Special Protection Area (SPA)**⁴ due to its importance for birdlife. The Parish Council and Wealden District Council were concerned that this development may negatively affect local wildlife, dark skies and the tranquillity and rurality of the area as well as its beauty.

The WPC was concerned about the impact on wildlife, including bats, in the ancient woodland and the expert ornithological reports commissioned by the WPC highlighted the risk of introducing light and noise pollution through overnight accommodation and associated activities on the internationally important gull roost.

6. Why is this development controversial?

This is the first time permanent permission has been granted for such a use at Bewl Water. Previous permission was temporary and linked to COVID-19, when the pandemic provided exceptional circumstances for a temporary relaxation of previous policy.

The Parish Council is concerned that this could set a precedent for, gradually transforming Bewl Water into a private, overnight accommodation destination—crowding out its original purpose as a public space to support daytime water-based activities and provide a haven for wildlife and enjoyment of nature.

7. Who owns Bewl Water and how did it come to be owned by them?

Southern Water, is the private utility company that today owns Bewl Water.

Bewl Water was originally acquired via compulsory purchase, using public money; with the Medway Water (Bewl Bridge Reservoir) Act 1968 being enacted through a private members bill to give the authorities the necessary powers to construct the site. The Water Act 1973 resulted in the formation of the Southern Water Authority (SWA), taking the responsibility away from the local authorities. Subsequent privatisation in 1989 placed Bewl Water in the ownership of the

⁴ <https://hub.jncc.gov.uk/assets/5b816ab9-4268-4c48-bdc5-5241e4464d4b>

entity that would later become Southern Water. Since 2021, the Australian financial services company Macquarie Group has been the majority stakeholder in Southern Water.

In 2016 part of the land at Bewl Water was acquired on a long lease by a company that forms part of the privately owned Markerstudy Group. Although their main business is insurance, the Markerstudy Group also own local hotels and media outlets including “The Times of Tunbridge Wells”.

8. What happens next?

The Parish Council will:

- Continue to monitor all planning applications at Bewl Water;
- Engage with residents and statutory bodies to protect the area;
- Advocate for stronger enforcement of the Neighbourhood Plan and national landscape protections;
- Seek transparency and accountability from all stakeholders involved.

On the 9th and 10th of May 2025, the managers of Bewl Water exhibited a ‘Masterplan’ for Bewl Water and stated that they will be submitting further planning applications, starting with the conversion of the old Sailing Clubhouse into overnight tourist accommodation.

9. What is the purpose of the Bewl Water policy in the Wadhurst Neighbourhood Plan?

Policy WAD13: Bewl Water Reservoir area and associated public activities, aims to protect and preserve Bewl Water as the only ‘accessible natural green space’ in the Parish.

It also aims to protect the water-based recreational activities possible at Bewl Water. And, it seeks to maintain and improve its naturalness, biodiversity and access to it by parishioners and the wider public for the enjoyment of its open space, natural beauty, dark skies, tranquillity, recreational and leisure activities and beautiful views into and out of the area.

Access to such green space contributes to the mental and physical health and wellbeing of the community.

10. Why didn’t the Inspector follow the Bewl Water policy in the Wadhurst Neighbourhood Plan?

In his report, **the inspector found that there would be a conflict with Neighbourhood Plan Policy WAD13**, as the proposals would not directly promote water-based activities. However, he considered that the proposals would accord with the development plan as a whole.

11. Why does the High Weald AONB Management Plan (2024-2029)⁵ have camping and glamping developments in their top 5 issues of concern?

The Management Plan is concerned about the **‘erosion of rurality and tranquillity through ‘urbanising’ development, including new housing, camping/glamping accommodation and activity’**. It is also concerned about **‘increased light pollution in rural areas’** from a variety of developments including camping and glamping sites.

12. How did the Inspector address the issue in the High Weald AONB Management Plan (2024-2029)⁶ of urbanising camping/ glamping accommodation and activity?

The Inspector’s report explains that long-distance views of the tents, motorhomes, campervans and yurts will not be possible.

13. Who is the Inspector and how can he overrule Wealden District Council’s decision

The Planning Inspector, appointed by the Secretary of State, represents the Government in planning appeals and remains independent from both the appellant and local authority. In this case, an experienced town planner was selected as the Inspector. The Inspector, as in this case, can overrule the decision made by the local planning authority (Wealden District Council).

14. What did it cost?

The cost of pursuing the legal challenge was **£36,446.81**. This figure includes all legal and court-related expenses. The Parish Council gratefully acknowledges the **£10,000 in donations** received from residents, which significantly helped offset the financial burden. The Council made a specific application for a costs-capping order which was granted. This was secured before taking the decision to proceed to a hearing. The **£10,000 capped costs were awarded against the Council** following the High Court’s decision.

This means the **net cost to Wadhurst Parish Council was £36,446.81**.

The Parish Council would like to extend its sincere thanks to its legal team—**legal planning experts, Richard Max and Landmark Chambers**—who provided expert representation throughout the proceedings.

15. Doesn’t the Parish Council Support tourism?

The WPC absolutely does. In accordance with the Wadhurst Neighbourhood Plan Policy on tourism, the Parish Council supports proposals for Wadhurst **to develop itself as both a destination and base for sustainable rural tourism**.

Bowl Water currently attracts over 150,000 day-visitors annually, who come for the tranquillity, beauty, nature and recreational activities there. The catchment area for day-trips includes the population of greater London. The Parish Council is concerned that by converting land use to

⁵ <https://highweald.org/document-library/aonb-management-plan/high-weald-aonb-management-plan-2024-2029/?layout=default>

⁶ <https://highweald.org/document-library/aonb-management-plan/high-weald-aonb-management-plan-2024-2029/?layout=default>

overnight accommodation, a small number of paying guests are being prioritised at the expense of the much larger volume of day-visitors.

This is in line with the High Weald AONB Management Plan (2024-2029)'s objective PQ3 to meet the demand for informal recreation **from residents and those living close to the AONB**, whilst ensuring infrastructure, services and activities are consistent with conserving and enhancing natural beauty and its quiet enjoyment for this and future generations.

16. Doesn't the Parish Council want camping or overnight tourist accommodation in Wadhurst?

The WPC absolutely does support camping and overnight accommodation, in accordance with the Wadhurst Neighbourhood Plan Policies on **sustainable rural tourism and employment retention and local economy viability**.

The Council supported the objections from local camping businesses, who approached the Parish Council with their concerns about the proposals taking business away from them and threatening their ability to provide year-round employment. The council conducted an extensive survey of nearby campsites and accommodation and established that there was ample existing supply in sustainable locations. The Council sympathises with the concerns of small local family run businesses who struggle to compete with the resources of the multi-million pound Insurance Group who run Bewl Water.

17. How can residents stay informed or get involved?

Residents are encouraged to:

- Attend Parish Council meetings;
 - Subscribe to Council updates via the website and social media;
 - Contact the Clerk or local councillors with concerns or suggestions;
 - Participate in future consultations and planning reviews.
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