



WEST HOATHLY PARISH COUNCIL

representing Highbrook, Selsfield, Sharpthorne, Tyes Cross and West Hoathly

Document Reference 2417

Minutes of the Meeting of West Hoathly Parish Council held on Monday 2nd September 2024 at 7:30pm in West Hoathly Village Hall

Members

Ken Allfree*

Will Buckley

Martin Robinson (Vice
Chairman)

Bob Darvill*

Peter Browne

Paul Brown

Claire Hilton

Douglas Denham St Pinnock (Chairman)

Amy Marshall

Sinead Young*

Manfred Lindfield*

* denotes absence

Also present:

Leanne Andrews (clerk)

There were no members of the public present

107) To receive apologies for absence

Apologies were received from Cllr Ken Allfree, Cllr Bob Darvill and Cllr Sinead Young

108) To receive declarations of interest from Parish Councillors in respect of any matter on the agenda

There were none

109) To approve minutes of the Meeting of West Hoathly Parish Council held on 29th July 2024 (Document Reference 2415)

The minutes were approved as a true record and signed by the chairman

110) Planning applications

a) To note decisions from the Local Authority

The following applications have been granted permission

DM/24/1563 - Sunnyside

DM/24/1637 - The Vineyard

DM/24/1636 - The Barn

DM/24/1409 – Alington

DM/24/1643 - Deanlands Farm

b) To consider planning applications received from the Local Authority

DM/23/0827- West Hoathly Brickworks, Hamsey Road, Sharpthorne

Full planning application for the demolition of existing structures and redevelopment of the site to provide 108 residential dwellings (Class C3) and associated works, including the provision of an on-site SANG, access, landscaping, parking and associated works. (Amended plans received showing minor changes to scheme, as detailed in applicant's letter dated 13th November)

The Parish Council agreed that our previous **objections** still stand, and the Parish Council strongly support the objections of Cllr Paul Brown (14th and 20th August) and Tony Grubb of Mayes Farm (20th August).

The Parish Council would like to highlight that WSCC Consultation Response: County Planning -Minerals & Waste Planning Authority dated 18/01/2024 states 'The MWPA would also like to highlight that the delivery of the SANG is seemingly predicated on the delivery of the restoration scheme required by WSCC/081/14/HO. In this regard, whilst it is noted that the restoration is underway, the LPA will need to satisfy themselves that any proposed conditions and/or legal agreements take this into account.'

For full objection see Appendix 1.

DM/24/1039 - 16 Garden Mead, West Hoathly

Proposed brick slips with insulated behind all external facing walls. (amended plans and description 31/07)

The Parish Council has **no objections**

DM/24/1040 - 17 Garden Mead, West Hoathly

Proposed brick slips with insulated behind all external facing walls. (amended plans and description 31/07)

The Parish Council has **no objections**

DM/24/1929/1930 - Combers Cottage, 2-3 Queens Square, North Lane, West Hoathly

Roof alterations to double garage and link to single garage

Listed Building Consent

The Parish Council has **no objections**

DM/24/1410 – Pericles, 18 Hoathly Hill, West Hoathly

Erection of oak framed orangery following the removal of a porch

The Parish Council has **no objections**

DM/24/1446 – Pericles, 18 Hoathly Hill, West Hoathly

Erection of oak framed orangery following the removal of a porch

The Parish Council has **no objections**

DM/24/2011 - Wickenden Manor, Chilling Street, Sharpthorne

Confirmation that commencement of development has taken place pertaining to DM/20/4179 / DM/24/0121. This is an application to establish whether the development is lawful. This will be a legal decision where the planning merits of the existing use cannot be taken into account.

The Parish Council have concerns with the adequacy of the Construction Management Plan, for example there are no wheel cleaning requirements. The plan does also not recognise the safety issues at the Chilling Street – Top Road-Plawhatch Lane junction. The junction is also highly likely to be physically damaged by the construction traffic, particularly when coupled with the development at Wickenden Farm.

111) To receive correspondence

The items of correspondence were noted

112) To note items of interest or items for inclusion at next meeting of the Parish Council

SID analysis

Date of next meeting 30th September 2024

There being no further business the meeting closed at 20:19

Chairman-----



WEST HOATHLY PARISH COUNCIL

representing Highbrook, Selsfield, Sharpthorne, Tyes Cross and West Hoathly

3rd September 2024

Application Reference DM/23/0827

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The Parish Council agreed that our previous **objections** (see below) still stand, and the Parish Council strongly support the objections of Cllr Paul Brown (14th and 20th August) and Tony Grubb of Mayes Farm (20th August).

The Parish Council would like to highlight that WSCC Consultation Response: County Planning -Minerals & Waste Planning Authority dated 18/01/2024 states 'The MWPA would also like to highlight that the delivery of the SANG is seemingly predicated on the delivery of the restoration scheme required by WSCC/081/14/HO. In this regard, whilst it is noted that the restoration is underway, the LPA will need to satisfy themselves that any proposed conditions and/or legal agreements take this into account.'

West Hoathly Parish Council objection submitted 25th April 2023

Dear Mr Malcolm

Application Reference DM/23/0827

Full planning application for the demolition of existing structures and redevelopment of the site to provide 108 residential dwellings (Class C3) and associated works, including the provision of an on-site SANG, access, landscaping, parking and associated works.

The Parish Council's Position

The parish council recognises that reuse of this site for some beneficial purpose is both necessary and desirable and would be generally in accordance with local and national planning policies. It will support a sustainable redevelopment proposal which makes efficient and effective use of the previously developed area. To be properly defined as sustainable this should have no detrimental impact on existing residents or on local infrastructure. It should also provide a well-designed and high-

quality living environment in accordance with the policies of the Mid Sussex Local Plan and the West Hoathly Neighbourhood Plan.

Unfortunately, in our view the current application does not represent sustainable development and is therefore unacceptable. The fundamental reason for this is a failure to reconcile the location of the development with issues of accessibility and impact on local infrastructure, including the effect of additional traffic from a car dependent development on the immediate highway network. The parish council also has serious concerns regarding the management of the proposed SANG, which far exceeds the area required to provide necessary mitigation for the development, and on the design language of the proposed dwellings. The parish council therefore **OBJECTS** to the application as submitted and asks that it be refused.

Alternatively, the applicant could be invited to withdraw the application. In either case, the parish council would be happy to participate in a constructive discussion between the site owner, local residents and the local planning authority ('LPA') to achieve acceptable development proposals.

In addition to these fundamental issues, there are a number of other matters about which the parish council has concern, and these are also set out below. We ask that these be addressed and resolved through negotiation or dealt with by way of condition, if the LPA is minded to approve the application despite our representation.

Clarifications Sought

We note that the description of development used for purposes of consultation differs from that used by the applicant in their submissions. The amended description is clearly more appropriate, but for the avoidance of doubt the parish council seeks confirmation that this has been agreed with the applicant.

A key assertion of the applicant is that the proposed new development occupies only previously developed land. The area of previously developed land includes the area known as Homicking Hole, although this is not included in the description of the site to be found in the SHELAA, site reference 386. In paragraph 2.8 of the applicant's Planning Statement this extension of the scope of previously developed land is said to have been 'agreed by the Council'. We assume that this is an accurate statement but would appreciate confirmation that this is the case.

Consideration of Planning Policy Position

Policy DP34 (Existing Employment Sites) of the adopted Mid Sussex Local Plan identifies the application site for retention in employment use. The site retains this status in the emerging Mid Sussex Local Plan under policy DPE2. This is reinforced by policy WHP12 of the West Hoathly Neighbourhood Plan 2014 – 2031.

All of these development plan policies provide for the possibility of the reuse of the land for other purposes if no viable alternative employment use exists. The applicant has provided evidence that site has been extensively marketed and we acknowledge that there appears to have been serious intent to offer it for alternative employment use. The fact that no interest in such a use has been put forward no doubt reflects its relative isolation and poor access. The LPA will satisfy itself as to whether the marketing exercise documented by the applicant has satisfied the relevant policy requirements. The parish council believes that at very least a small element of local employment opportunity, perhaps in the form of a workspace hub or micro

employment units, could have formed part of the scheme and is disappointed that this has not been incorporated.

If the site is to be released from employment use then primarily residential development is the inevitable alternative. Like many previously developed sites, West Hoathly brickworks is located on the margin of a small settlement in a rural area, reflecting historic commercial activities established before planning controls. Its location means that it is not well placed to meet the sustainable travel and transport requirements which would be essential criteria for a local plan allocation today. The lawful established use and any alternative use may therefore be in conflict with aspects of planning policy and have practical impacts on the community which has grown up around them.

Whilst the National Planning Policy Framework ('NPPF') gives strong support for the reuse of previously developed land, careful consideration is still required of whether development proposals accord with local and national planning policy. Paragraph 177 of the NPPF places a high bar for the acceptability of major development within an AONB, and the LPA need not feel under any pressure to approve an application which falls short of that policy requirement.

Policy DP6 of the adopted local plan ('Settlement Hierarchy') requires that:

"Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design), and not cause harm to the character and function of the settlement."

The expansion of settlements outside the defined built up area will be supported where:

"The development is demonstrated to be sustainable, including by reference to the settlement hierarchy"

Policy DP16 gives additional emphasis to preserving the character of settlements in the High Weald AONB and which requires that development within the AONB has regard to:

"character and local distinctiveness, settlement pattern, sense of place and setting of the AONB"

Policy DP21 relating to transport sets out that decisions on development proposals will take account of whether:

"The scheme is sustainably located to minimise the need for travel noting there might be circumstances where development needs to be located in the countryside, such as rural economic uses (see policy DP14: Sustainable Rural Development and the Rural Economy)"

These policies make very clear the criteria against which proposals for new residential development should be assessed. There is nothing in local or national policy which would 'switch off' these policy tests just because a site consists of previously developed land. The LPA is currently able to demonstrate a 5-year housing land supply and is therefore in a position to give careful, unpressured, consideration to all of its policies in making a planning judgement.

The parish council's position is that the applicant has proposed development which is not of an 'appropriate nature and scale' or 'sustainably located' and that it does not comply with these policy requirements. The LPA should not be blinded by the prospect of windfall housing, or the fact that this is previously developed land, to the shortcomings of the application. Policy compliant redevelopment of the site is possible, but it requires greater acknowledgement that the location is not intrinsically sustainable and that better alignment of the nature and scale of development with its impact is required.

Objection on Highway and Traffic Grounds

The parish council has commissioned a report from highway consultants PJA to examine the transport and highways impacts of the application. The report, dated April 2023, is submitted with this representation. Much of the baseline information PJA have considered coincides with the findings of the applicant's own transport assessment (TA). The difference between them relates primarily to the genuine accessibility of the site for movements on foot and by cycle ('active travel' as it is generically called) and for the mitigation of vehicle movements to and from the proposed development.

The application proposes to retain a single access to the development site via Station Road and Hamsey Road. In recent years the level of vehicular access to the brickworks itself, including HGVs, has been at a level which the local road network has been able to absorb. According to the TA, and accepted by PJA, the proposed development would be expected to generate approximately 600 total daily vehicle movements – over four times the number generated by the brickworks operation.

Hamsey Road in particular is a residential road with significant levels of on street parking. Since no alternative or additional access is proposed to the site, all residential and delivery traffic would have to use Hamsey Road, causing significant impact for both new and existing residents.

The operation of the junctions at Hamsey Road/Station Road, and Station Road/Top Road, through which all traffic will need to pass to reach the site, will also be adversely affected by the number of additional trips being generated. Without mitigation their operation may not be safe or convenient for road users. There are poor public crossing opportunities on Top Road and additional traffic would further worsen the situation for pedestrians.

Whilst it would, in theory, be possible to make improvements to these roads and junctions, it may be that they cannot be improved for reasons of land ownership or access. In particular it would not be possible to provide a ghost island on the Station Road/Top Road junction which PJA have identified as required to meet projected traffic volumes.

The location and in particular the topography of the site mean that it is unrealistic to believe that measures to promote active travel for functional purposes (i.e. to make a necessary trip to schools, shops or work) will do anything to significantly reduce car based trip generation. Car use would always be the primary mode of transport for residents and this brings it into conflict with the requirements of policy DP21 of the Mid Sussex Local Plan. To ensure that development is sustainable then either the volume or the impact of this car use must be reduced.

A feature of the active travel options from which the application claims to benefit relates to the public rights of way (PROW) network. In order to access the network conveniently from the application site it is necessary to cross the Bluebell Railway line, which is currently made possible by a grade level permissive crossing between the head of Hamsey Road and Bluebell Lane. This route has been open for many years and is well used by local residents. The railway operator has previously expressed concerns that they may be forced to close the crossing if its usage were to increase significantly. It would be ironic, but not acceptable, if the effect of development were to reduce active travel options for the whole community by causing the closure of an existing route. We recognise that the operation of this crossing is not within the control of the applicant or the LPA, but without it an important feature of the active travel options on which the application site relies will cease to exist. It is therefore essential that the applicant demonstrates (and the LPA requires) how they will secure agreement to ensure that the option to cross the railway at this point remains available in the long term.

We ask the LPA to consider the report prepared by PJA and to give proper weight to the concerns it raises about poor active travel options, and the ability of the road network to cope safely with the additional traffic that would be generated. We also ask the LPA to consider the reality of conditions on Hamsey Road given the amount of on-street car parking and essential residential access.

Were the applicant and the LPA, working with West Sussex County Council, to consider a more strategic approach to solving the problem of access to the site (in a way which also had benefits for other residents in and around the area), then this might provide a solution, albeit in the longer term.

The possibility might exist for the allocation of a small quantity of additional housing on land to the north of Top Road if, and only if, this enabled the provision of an improved access to Hamsey Road/Station Road and the brick works site. This would require reconfiguration of the current application which cannot, of course, be modified from that now before the local planning authority. However, were the application to be refused, or withdrawn, constructive dialogue could take place.

Objection in Relation to the Management of the Proposed SANG

The proposals submitted with the application for the management of the SANG are opaque and evasive as to its future maintenance and management costs, and the practical issues of ownership and management. Whilst it is accepted that a refinement of detail can be a matter for Section 106 negotiations, as the application stands the proposals are so vague that they cannot be considered as a basis for decision making and the parish council objects to the application on this basis.

In particular:

- no proposal is made as to the future ownership of the land or the liabilities of those who will be responsible for its upkeep
- no costings are provided for the annual management regime proposed (only for the initial costs, and even these are not comprehensive)
- no indication is given as to the likely service charges that will fall upon the residents or what responsibilities they will have
- no mechanism is proposed by which suitably qualified contractors or managers will be appointed to undertake the work required

More generally, there is only the most tenuous recognition in the proposals that the fundamental purpose of a SANG is to promote and encourage public use and access, deliberately seeking to deflect it from the sites to be protected. On a site as large as that proposed this will require a degree of active management (for instance to ensure cleanliness and lack of public disturbance) which will require on-going attention and may incur significant cost.

The applicant should be required to provide a fully costed management plan for at least the first 10 years of management of the site so that the financial impact on future residents can be evaluated. This should include detailed proposals for site ownership, liabilities and stewardship at a practical level.

Whatever this detailed information demonstrates, is possible that residents might unite in refusing to pay these charges and use some legal means to extricate themselves from the arrangement. We therefore urge the local planning authority to ensure that the Section 106 agreement includes a fall-back arrangement should such a situation arise. We suggest that in such circumstances the district council requires that the ownership of the SANG be transferred to a suitable and willing organisation dedicated to nature conservation and site management. The applicant should be required to place a sum equivalent to at least 30 years management costs into an escrow account to be held in perpetuity and payable on demand to the transferee. This will provide a practical fall-back option and protect the integrity of the SANG over the necessary mitigation period. This approach was adopted by the LPA in relation to the SANG provided by the development at Hill Place Farm (Section 106 agreement dated 19th December 2016).

Other Matters of Concern

Design Considerations

The parish council is not convinced that the proposed design of dwellings has actually been influenced by the requirements of the High Weald AONB Design Guide, despite the analysis provided by the Design and Access Statement. In particular there is extensive use of full height brick elevations which the design guide specifically advises against, and the form of the development lacks any of the charm (even eccentricity) associated with High Weald communities. In our view the form of development would surprise first time visitors (in a bad way) as an urban 'block' which is out of context with the AONB. Pastiche development is not the answer, but there is no doubt that that proposed design has the character of residential townscape which, whatever its merits in another location, is not sufficiently sensitive to its location.

We particularly draw attention to the decision of the Secretary of State on 6 April 2023 to refuse permission for development within the AONB at Cranbrook in Kent for reasons including that:

“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”¹

¹ APP/M2270/V/21/3273015 Application made by Berkeley Homes (Eastern Counties) Ltd Land adjacent to Turnden, Hartley Road, Cranbrook

The NPPF is clear that development which is not of a high design quality should be refused. As proposed, we consider that the application is contrary to Policy DP16 of the Mid Sussex Local Plan and we would urge careful reconsideration of aspects of the detailed design to achieve more sympathetic and interesting development genuinely appropriate to the AONB.

Affordable Housing

We are pleased to see that policy compliant provision of affordable housing has been provided subject to the revisions required by the Mid Sussex Housing Enablement officer in her consultation response.

However, we are anxious that those with a local connection to the site receive priority for available affordable and social housing and ask that the site be treated as one to which the policy of attaching a local connection priority to 50% of second lettings (as well as 100% of first lettings) applies given that the site is within the AONB.

We would also ask for consideration to be given to a local lettings policy being attached to the site if the LPA is satisfied that there would be sufficient local demand to justify such an approach. It is important to the parish council that those in housing need with a connection to the community have the opportunity to access an affordable home.

Lighting

In order to maintain the essentially rural feel of the area and to respect the 'dark skies' objectives of the AONB Management Plan 2019 – 2024² it is important that unnecessary lighting is kept to a minimum. In particular no street lighting should be provided as part of the development. Where exterior or public lighting is absolutely essential it should be low level, low intensity and time controlled.

William Robinson Gravetye Charity

The parish council fully supports the concerns of the William Robinson Gravetye Charity expressed in their letter to you of the 4th April 2023. It would be entirely reasonable to anticipate that residents living in the new development will make use of the estate for recreational purposes, and indeed it is desirable that they should do so by way of further mitigation of the impact of development on the Ashdown Forest SPA/SAC. In the absence of any additional income from user charges the request for a capital sum to provide a 'dowry' to support future maintenance and improvement work is reasonable and we ask that this be secured by way of a planning obligation.

Contributions to Community Infrastructure

The addition of 108 new homes to Sharpthorne would enlarge the population by approximately 250 people, an increase of almost 25%. There are potentially some benefits to the future of the village from well managed growth. New residents may invigorate community life and provide valuable customers to support local services. However, the parish council is extremely concerned that far from being well managed this growth will place an unsustainable burden on those facilities due to a lack of investment on the part of the responsible authorities.

² Objective OQ4 Page 61

According to its Section 106 obligations calculator the education authority is likely to seek a Section 106 contribution of somewhere close to £1million towards local educational facilities. The LPA should obtain a commitment that this will be invested directly into West Hoathly Primary School or other schools in the local cluster. This will ensure that primary age children are educated locally, something which is desirable not only for educational reasons but also for social and community development with the school as a hub for activities and events. It is not good enough for the development to be 'mitigated' by general contributions which do not, in fact, go towards local service improvements.

Contrary to the information supplied by the applicant, the experience of existing residents is that access to primary health care is highly constrained and difficult to obtain. The LPA will be aware that the Modality Mid Sussex partnership of GP practices (which serves the local area) issued an open letter on the 31st March 2023 apologising for the issues faced by existing patients in obtaining essential services due to a lack of medical staff. The local NHS authority has requested a contribution towards new primary health care facilities in the area. We do not see how this will result in an improvement in the currently poor performance of NHS primary care services locally. Against this background we question how the LPA will ensure that the arrival of 250 new patients to the area will not make a bad situation even worse than it is now.

We also question whether West Sussex County Council, as highway authority, will use any general contribution towards highway infrastructure to benefit local road users. It seems more likely that it would simply be added to a general pot and used for projects unrelated to the development site. The applicant may be willing to accept this form of mitigation but the parish council asks the LPA to be more vigorous in ensuring that funding is used on genuinely local highway improvements.

At a local level, a significant increase in the population of the village would require improvements to key local amenities, such as the village hall, in order to welcome and accommodate new residents into community life. We would therefore ask the LPA to seek reasonable contributions towards improvements into the quality and resilience of those facilities.

The parish council requests that developer Section 106 contributions for local community infrastructure be allocated towards North Lane Recreation Ground- to include the Pavilion, public toilets and recreation area.

Construction Access

The submission of a construction access plan must be required as a condition attached to any consent. Construction access via Station Road/Hamsey Road will present significant difficulties and potential road safety issues. Consideration should therefore be given to the possibility of a temporary haul route being constructed to give access to the site without using Hamsey Road.

Summary

The parish council objects to this application because it does not represent sustainable development given its location and the consequential issues which are not adequately mitigated by the applicant's proposals. Whilst it is a windfall site capable of being redeveloped, for this to be achieved on a policy compliant and sustainable basis the shortcomings of the site's location must be properly addressed

either by aligning the scale of development with the available infrastructure, or by providing additional infrastructure to support the scale of development proposed. The parish council would be willing to engage constructively with either approach. The design characteristics to be applied to any development should be properly responsive to the character the AONB and to the existing community. We ask that the LPA refuse the application (if not withdrawn) so that a properly sustainable alternative scheme can be brought forward.



Leanne Andrews
Parish Clerk, on behalf of West Hoathly Parish Council

West Hoathly Parish Council objection submitted 5th September 2023

Dear Mr Malcolm

Application Reference DM/23/0827

Full planning application for the demolition of existing structures and redevelopment of the site to provide 108 residential dwellings (Class C3) and associated works, including the provision of an on-site SANG, access, landscaping, parking and associated works.

West Hoathly Parish Council has considered the revisions made to this application and recently readvertised for consultation. We are disappointed that none of the issues raised in our representation of the 25th April 2023 have been addressed by the applicant. The amendments to the submitted plans may improve the design and layout of the proposed development slightly, but they do not engage with any of the wider questions about the appropriateness of major development in the AONB, the sustainability of the site, highway access or the justification for the proposed SANG. Nor is there any response to our concerns about the effect of development on local infrastructure. In our earlier representation we set out why the application does not comply with policies in the Development Plan and should be refused. The amendments made have not changed our position.

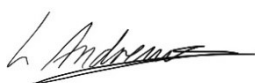
It remains our view that approving this application would mean that the opportunity to test a wider range of options for the site and adjacent land will be lost. Although these would need careful consideration at planning policy and community level, they could create a better outcome for all involved.

We do however note that there are no objections to the application from a number of consultees and with this in mind we reiterate the following points if, against our advice, you are minded to accept their recommendations:

- any arrangements for the management of the SANG must ensure that no burden, financial or otherwise, falls on the local community or West Hoathly Parish Council. Those arrangements need to be robust and work successfully over the long-term.

- the preparation of an effective and enforceable Construction Management Plan is essential and West Hoathly Parish Council should be formally consulted about the content so that it can represent the concerns of residents.
- the impact of the development on the interests of the William Robinson Gravetye Charity must be taken into account and the applicant required to make reasonable arrangements to mitigate these.

West Hoathly Parish Council would be very willing to participate in further discussions about the application, perhaps to include provision of a second access and peripheral light industrial employment, prior to you writing up your report and recommendations.



Leanne Andrews
Parish Clerk, on behalf of West Hoathly Parish Council

West Hoathly Parish Council objection submitted 19th December 2023

Application Reference DM/23/0827

Full planning application for the demolition of existing structures and redevelopment of the site to provide 108 residential dwellings (Class C3) and associated works, including the provision of an on-site SANG, access, landscaping, parking and associated works. (Amended plans received showing minor changes to scheme, as detailed in applicant's letter dated 13th November)

The Parish Council agreed that our previous **objections** still stand. After considering the updated application and drainage issues that have been brought to our attention, West Hoathly Parish Council have major concerns over the drainage plans and the responses from Southern Water who have not commented on the ability of the New Coombe Wastewater Treatment Plant to cater for the additional wastewater, or on surface water drainage from the application site, both of which flow into Coombe Brook and Weirwood Reservoir. The Parish Council additionally **objects** on these grounds.