

7 Thomas Turner Drive  
East Hoathly  
East Sussex  
BN8 6QF

E-mail: [villageconcerns2016@gmail.com](mailto:villageconcerns2016@gmail.com)

Monday, 28 October 2019

**Planning Application -WD/2018/2741/MAO**

We, the Steering Group of the Village Concerns Action Group, represent the views of over 130 supporters from our community and we object to Planning Application WD/2018/2741/MAO.

This planning application does not conform with existing planning policy and totally disregards the emerging Submission Wealden Local Plan which is at an advanced stage of scrutiny by the Planning Inspector. It proposes houses that this community does not need and cannot sustain. There is no space in the school, no local jobs and this would force further congestion onto the A22 and add to the pollution of the Lewes Downs and Ashdown Forest SACs.

Several recent planning applications in Wealden have gone to Appeal with the Planning Inspectorate and the decision to reject these Appeals has clearly shown that the emerging Submission Wealden Local Plan is forming an important part of the decision making process. The detrimental effect on the Ashdown Forest SAC and Lewes Downs SAC are cited in the Magham Down, Robin's Nest and Wannock Road Appeal decisions. The proposal to build 32 homes in East Hoathly would have a significantly greater impact on the SACs than these examples.

The proposed site is outside the East Hoathly Development Boundary and it is not a sustainable development. The Hop Garden Appeal rejection gives a credible evidence that also applies to this application. The Appeal decision cites that the development is outside the Development Boundary and is not a rural exception site. It also points out that the services and facilities are inadequate and the development would be highly car dependant and not sustainable.

The application proposes to build in the Green Gap on South Street damaging the character of the village and destroying an important wildlife corridor connecting the ancient woodland of Moat Wood with open countryside. It proposes housing that this community does not need, does not want and is unsustainable.

## Green Gap

The Application Form states, at Paragraph 15, “that there are no trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character”. This is wrong and is a good example of how the whole case for this application ignores the importance of this site to the character of this landscape and the biodiversity it supports.

The Green Gap on South Street is identified in the Submission Wealden Local Plan at Paragraph 25.216 as:

*“The development boundary at East Hoathly seeks to prevent significant outward encroachment of development into the surrounding open countryside. To the south, the development boundary follows the clear physical edge to development backed by Moat Wood and open fields. The isolated ribbon of development fronting the A22 to the south of Park Lodge has been excluded since the intervening open land is considered to be an important and integral part of the countryside surrounding East Hoathly where any extension or consolidation of development would be harmful to the character and landscape setting of the village.”*

This has been the case in all Wealden characterisations of the village since at least the Wealden Local Plan 1998. This is supported in the Landscape and Visual Assessments and Landscape Character Assessments done as part of the Strategic Housing and Economic Land Availability Assessment (SHELAA).

The protection of Green Gaps in relation to Development Boundaries is clearly supported in Wealden’s Submission Local Plan and other examples are:

Paragraph 20.19 - Wadhurst. *“It is important to continue to maintain the existing separation of Durgates and Sparrows Green from Wadhurst, as the characters of these two settlements are distinctly different. Separate development boundaries are drawn to prevent any intensification of the existing development north of the High Street or an encroachment of new development into the more rural area to the south around Wadhurst Castle, which would lead to coalescence of the settlements. Any proposals for development in this gap will be strongly resisted.”*

Paragraph 20.12 - Wadhurst. *“The primary school's playground and playing fields have not been included in view of their more open aspect, which makes an important contribution to the gap between Durgates and the High Street.”*

Paragraph 27.66 - Laughton. *“This gives the settlement two distinct character areas, with significant gaps in development affording attractive views across the farmland and woods of the Low Weald. The village owes much of its charm to this unspoilt countryside setting, which is enhanced by extensive tree groups and mature hedgerows.”*

The Green Gap on South Street fulfils all the criteria discussed above and should be given the same level of protection to prevent it being included in any future development.

There have been 10 previous planning applications submitted for this site and all have been rejected on the grounds that they would destroy the green gap that is so important to the character of this village.

### **Wildlife Corridor**

The Green Gap on South Street provides a corridor of access linking the wildlife of the Ancient Woodland to the West in Moat Wood to the open countryside to the East and South of the Village. If the land is developed it would close this corridor and isolate this wildlife.

This is important because the wildlife in Moat Wood and its surrounding areas is enclosed to the East by the significant barrier of the A22. The Green Gap on South Street is the only connection that wildlife has to the open countryside to the East.

### **Bats**

The importance of this wildlife corridor is shown in the evidence provided by the applicant's Bat Survey. Large numbers of bats, of varying species, were detected flying in the area of the site. However, the surveyors did not make the obvious connection as to what the bats were doing. The bats emerging from Moat Wood cross South Street at the Green Gap and head East to the tree-line at the Eastern edge of the site. They then follow the tree line South to the Sewage Works where they feed on the abundant insects flying above the Works.

The Bat Survey correctly identifies that any development on this site would have an adverse effect on these bats. However, the proposed solution of a zone of lighting control is wholly unacceptable. These schemes are uncontrollable and ineffective. The bat's transit routes would

be badly affected and it is likely to isolate them from their feeding site. The proposed zone of lighting control is also at odds with the recommendation in the applicant's SWMP Report (pages 7/8) that the whole site has lighting to provide Safety of Movement and Security. It is an example of how they would make this area unsuitable for bat transits.

### **Deer**

It is also known that deer use the cover of Moat Wood and emerge from it to cross South Street through the Green Gap to connect to the countryside beyond for grazing.

### **Great Crested Newts**

The pond close to the Sewage Works was not surveyed or mentioned in the application. It should be surveyed.

### **Reptiles**

The Reptile Survey identified a juvenile slow worm and a juvenile grass snake on the site. Based on the time spent on the survey this is likely to be only a limited representation of the Reptiles actually using the site. It is highly likely that the adults that produced the juveniles are somewhere close. It is also highly likely that the site is used by Reptiles for occasional foraging that did not result in them being found on any survey.

Based on the ecologists report, the developer proposes to leave the grass long and put some log piles on the perimeter of part of the site. It is then assumed that the Reptiles will naturally relocate to this confined area and be happy. This is the wrong attitude. Reptiles use this site and others as a place to live and breed but also as a place for foraging. If you build on the site then you remove their ability to forage and they will not survive. Urbanising the site also makes it virtually impossible for them to transit from Moat Wood to the countryside to the East. This would hinder their existence and detrimentally isolate genetic groupings. To protect and enhance biodiversity (as required by NPPF Paragraphs 174 - 177) you need to allow the wildlife to continue living and thriving. They need the whole site to do this. In accordance with the wording of the NPPF this application should be refused because "there would be an adverse effect from the project on the integrity of the habitats site".

No mention is made of the rare Black Adder that is found in Moat Wood which is adjacent to the site. Although there are no known sightings of

this reptile on the site it is important enough to warrant additional surveying.

### **Pets**

The introduction of domestic cats and dogs into the area would be a significant hazard for the wildlife, principally the Doormice and Reptiles. The applicant's reports suggest that the "wildlife refuges" on the perimeter of the site would not be fenced. Without fencing, the areas at the fringes of the site would be used by pets and children and provide no refuge for the wildlife.

### **Trees**

The application proposes removing several trees. This should be opposed as they are all important habitats for wildlife. Any development should go around the trees that exist.

In particular, the circle of trees in the centre of the site is an important feature of the landscape setting and a much loved vista from South Street. It is known locally as the Circle of Oaks. Seven of the oak trees in this circle are protected by a TPO but some oaks are proposed for removal and a silver birch and sycamore that form part of the circle. All the trees should be retained. Any developer wishing to protect and enhance the biodiversity and landscape character of the site should propose to add more oak trees to maintain the circle and eventually replace the relatively short lived birch and sycamore.

The proposed layout of the site suggests that the excavations for the roads would be underneath some of the canopy of the circle of oaks. This is strongly opposed. To ensure the health of the trees today, no excavation should take place closer than 1 metre beyond the outer edge of the canopy. In addition, extra distance should be allowed to permit the long lived trees space for the root systems to grow further. A dig free zone of twice the diameter of the canopy should be provided to allow the trees to remain healthy.

### **Refuse Plan**

The Refuse Plan only shows a swept path analysis for the end of the development not the 2 first cul de sacs. Without the evidence to show that Refuse vehicles could safely access all areas of the site the application should be rejected.

### **Car Parking**

Much of the proposed parking is parking on car in front of the other. This makes access problematic and encourages on street parking. Parking Spaces should all be side by side to avoid an encouragement to park on the streets.

Based on the 2011 census the applicant states the car ownership per household as 1.9 but this is considered to significantly underestimate the reality in 2019 in such a rural community as ours. The EH Survey in 2016 produced a figure of 2.02 and this is now likely to have been exceeded. This application states that it would provide 2.4 spaces per dwelling but this is wrong. It proposes 68 spaces for 32 homes which is 2.1 spaces per dwelling. They have included the visitor spaces in their calculation and this is misleading as these spaces are not for use by the residents.

All the allocated spaces are the minimum size allowed. These are inadequate for many modern vehicles and many leisure vehicles. This promotes on street parking which renders the access for emergency vehicles and refuse vehicles impossible.

Village Concerns has surveyed the number of vehicles in East Hoathly overnight and the latest figures are:

Vehicles parked in garages or on driveways.

Vehicles parked in roadways/pavements, car parks or medical centre car park.

Number of Homes in East Hoathly

Real Ratio of Cars/Home.

The amount of on street parking is increasing and this is largely because car ownership is increasing in unsustainable rural villages and new housing does not provide sufficient car parking spaces.

### **Conservation Area**

The building on the corner of the site has been part of the character of the village for well over 100 years and should be retained. It is inside the Conservation Area and a strong case to remove it has not been submitted. Its removal would certainly not “conserve and enhance the historic environment” as required by the NPPF Paragraph 184. The applicant has argued that it should be removed to enable 2 houses to be built to join the run of housing on South Street so that it is all set back from the road and looks the same. They argue that this would enhance the character of the village. It would not. The character is provided by

the gap in the housing, the existence of a building running in the opposite direction to the housing and the fact that it is not a house. Uniformity is not character.

## **View**

The landscape view of the site from South Street is much loved and in particular the Circle of Oaks. The Circle of Oaks sits in open pasture and is framed to the rear and sides by thick hedgerows of trees and scrub. It is a very pleasing vista. This is beneficial to the health and wellbeing of the public and is part of the framing of this rural community in its landscape. The applicant argues that the view of the Circle of Oaks would be retained. However, this view would be a very partial glimpse, across tarmac and between housing. Clearly the applicant has a very perverse view of the aesthetic merits of nature. The two houses proposed for the front of the site would completely obscure the view that has welcomed people to this village for over 400 years.

Paragraph 7.9 of the Planning Statement says that “the site lies outside the High Weald AONB and is not a valued landscape”. Also, in the LVA Report on Page 18 it states that “The landscape character of the site and its local landscape is not considered to have a high scenic quality”. Both of these statements are wrong and offensive. The site is highly valued in this community. This is a perfect example of how a developer has no connection to the community. The LVA report doesn't even manage to make mention of the TPO on the Circle of Oaks.

## **Conformity with Local Plan**

The application seeks to pick those parts of the old Local Plans and Core Strategy that suit its purpose but to ignore the emerging Wealden Local Plan. The Planning Statement was written in 2018 and not been updated to mention that the emerging Local Plan is now at an advanced stage and quite rightly being given increasing weight in planning decisions. The Buttsfield Lane and Hop Garden Appeals have both been rejected because they do not conform with the emerging Local Plan. Amongst other things because they are outside the Development Boundary and would have an adverse effect on the SACs.

In Paragraph 5.48 of the Planning Statement the applicant very dismissively states that “no material weight should be given to it (the Submission Local Plan) at this stage. This is typical of a developer who cares nothing for a local authority who is trying to plan for the future and put the right housing in the right place. The direction of this District is clearly laid out in the emerging Wealden Local Plan

yet this developer feels he knows better. The developers judgement is based solely on the fact that he has access to this site. Wherever it might be, he will think it is perfect for development.

### **Village Main Sewer**

The SWMP Report correctly identifies that a mains service pipe crosses the site. This is the sewer pipe for the whole village. Relocating this pipe would have serious implications for the village and the disruption and proposed new route should be the matter of a detailed report.

### **Drainage Ditch to East of Site**

The drainage ditch to the East of the site removes a significant amount of water from the surrounding fields into the stream flowing South towards the Sewage Plant. The urbanisation of the Juziers and Mews developments have added to the amount of run off into this watercourse. The use of attenuation ponds does nothing to limit the amount of water that the watercourse eventually has to carry. Further development in this area is likely to cause a flood risk for this watercourse. Flooding of the adjacent fields may not be a significant problem but flooding at the Sewage Plant is of considerable concern. Previous developers of the Mews and Juziers paid no attention to this risk and it appears that this developer is also careless about the cumulative effect of such urban run off.

A secondary issue with urban run off is that it is contaminated by fuel, road spillages, cleaning materials, household detritus and domestic garden products. All of this contaminates the water courses and damages the environment. The effect of one development may be small but the cumulative effect is significant and does not support the NPPF requirements to protect the environment.

### **Community Involvement**

The Statement of Community Involvement records the applicants attendance at the Neighbourhood Plan Design Forum. However, it fails to mention the universal opposition to their proposal and the hostility towards any attempt to build on this site. Neither do they mention that their application is fundamentally opposed to the emerging Wealden Local Plan which represents the overall interests of our wider community.

## **Bus Service**

The Planning Statement states that the village has good bus connections. This is wholly untrue. It has no evening bus service and no Sunday bus service. The bus only runs once an hour not as claimed by the applicant in Paragraph 8.4 of the Transport Report. There is no bus to the West or East and the connection to Lewes that used to run from Halland was cancelled this year. The service that does exist is expensive, unreliable and is too infrequent to allow credible commuting.

## **Economic and Housing Need**

Many statements are made throughout this application which make no sense and are untrue. A single example of this is Paragraph 6.30 of the Planning Statement. It claims that the development would create permanent jobs in the local area. It is a worthless statement made to justify its conformity with broader policies. Developers should not be allowed to make such statements in applications unless they can prove them. No permanent jobs were created in this Parish as a result of the Juziers and Nightingales developments of 75 homes.

## **Traffic**

The Traffic safety assessment fails to include mention of the fatal accident on the East Hoathly bypass.

## **HRA Report**

The HRA Report concludes that the effect of the development would have no adverse effects on the SACs in respect of atmospheric pollution. This ignores completely the in-combination cumulative effect of development in this District and all areas creating pollution that affects the SACs. If all applications are considered on the basis that the effect of a particular development is small and therefore no damage is done, then the competent authority would be grossly negligent. Wealden has responsibly modelled such in-combination cumulative effects and produced an emerging Local Plan that safeguards the SACs. For an ecology company to produce a report that ignores this is woeful. The evidence produced at the Local Plan Hearings has demonstrated that neither side has proved beyond doubt that their science is correct. The precautionary principle should therefore prevail and side with Wealden's more cautious approach.

Wealden's modelling has clearly shown that development in this Parish has a significant effect on the SACs. This is because this community is not sustainable and any new development is totally car dependent for employment, schools, shopping and leisure.

## **Summary**

This application is contrary to Wealden's policies past and emerging. The housing it proposes is neither wanted nor needed in this community. The site is outside the Development Boundary and is unsustainable. There are no school places, no local job vacancies and new residents would be totally car dependent. It would destroy the Green Gap that is an important part of the Landscape Character of this community and the critical wildlife corridor connecting the Ancient Woodland of Moat Wood with the open countryside to the East. Please reject the application immediately.