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Tuesday, 16 August 2022

Dear Councillor Stedman and Mr Robins,

**Redrow Homes - Hesmond's Stud Detailed Planning Application WD/2022/0341/MAJ**

## **Village Concerns Objection 12 - Proper Consideration**

1. We are writing to you as the Co-Chairs of Village Concerns, a local Action Group from East Hoathly with Halland Parish. We represent the views of over 200 supporters against the overdevelopment of our Parish.
2. We object to Planning Application WD/2022/0341/MAJ. We wish to restate our objection of 3 March 2022 that there are fundamental problems with this application:
  - a. The application is incomplete and does not contain sufficient detail for a full planning application.
  - b. The applicant's claim on their website (<https://redrowconsults.co.uk/east-hoathly/>) to have begun the process of purchasing the site in early 2020. Elsewhere on the website they contradict this by saying they began the process of acquiring the site in Spring 2021. They also state on the website that they have exchanged contracts. At the public consultation event in November 2021 they went further and told many residents that they had purchased the site. We believe that this claim to be the owner of the site would amount to a breach of the planning obligation contained in the legal agreement that Planning Application WD/2020/2660/PO seeks to discharge.
3. We raised these matters with you on 3 March 2022 and you have not responded despite our request that you do so.

4. This objection covers matters related to the Proper Consideration of the Application.

### **Deferral of Decision**

5. Village Concerns was delighted that Planning Committee South chose to act decisively and defer this Application until Proper Consideration has been given to the Sewage Issue. We have been raising this matter for 6 years and it is hoped that you will not allow the planning department to roll out the usual assurances that all will be well and ignore the reality that all is far from well.

6. However, we were very angry that this was a surprise announcement. This matter was put onto the PCS Agenda on 3 August 2022. The lack of a response from Southern Water was already known about by the time the Planning Officer wrote his Officer's Report. This report is curiously dated 11 August but appeared on the website on 3 August. So, no new information changed from the time that it was put onto the PCS Agenda. In other words, it should never have been placed on the PCS Agenda in the first place. Members of the public took time off work, rearranged their day and travelled to Hailsham to be told that it was deferred and they would have to attend again to view the proceedings.

7. Village Concerns raised many reasons why it was wrong to place this Application on the PCS Agenda in Objection 8, dated 30 July 2022, and Objection 10, dated 9 August. Why was this not acted upon immediately and the application withdrawn from the Agenda ?

### **Statements by Planning Committee Chair**

8. Village Concerns is also alarmed at the statement of the PCS Chair that the public representations will be answered in a written precis by the Planning Officer and that this would be ["somehow incorporated into the next report"](#). The implication of this statement is that, when the application returns to PCS, that there will be a new Officer's Report but not be opportunity for new public representations. We strongly believe that this is wrong for the following reasons:

- a. We strongly feel that the planning officer should answer public representations in person on the day the decision is made. This is important because the public nature of these meetings should require a face to face exchange of information to ensure that the meetings are open and transparent. It is also important because the make up of the planning committee may change in the future and not all members will have listened to the public representations made on 11 August or that of our District Councillor.

b. The Public Representations already made were based on the information available at the time of the 11 August PCS Meeting. When the application is finally determined, perhaps not until at least October 2022, the public representations are likely to change dependant on several matters:

(1) The outcome of the Southern Water enquiries that should lead to a proper plan being put forward for the disposal of sewage in this community and that this should impact the size of the proposed development, phasing and a start date.

(2) The potential of a public liaison/meeting that could lead to changes in the size of the proposed development.

(3) Additional information submitted between now and the matter being placed back onto a PCS Agenda. This might be Redrow responding to public representations or possibly even a Wealden Biodiversity Report.

9. Village Concerns noted the comments of the Chair at the end of the discussion. These comments could have significant impact on the determination of this application:

a. The first comment of the Chair was: “and it gives our planning department the chance to go back to Redrow, who will hopefully have the opportunity to clarify some of the concerns that have been raised”. We welcome any discussion that the planning department have with Redrow, particularly in relation to reducing the “up to figure of 205” and “quite considerably”. If this is a discussion with a positive result then a revised housing figure and revised layout must be the subject of a new period of public consultation.

b. The second comment of the Chair seemed to be put out to the general audience but is thought to have been intended for the Redrow representatives: “And I would personally say, if you haven’t had a public meeting I would advise you to do so”. Village Concerns would engage positively with any public meeting, as would many members of our community. However, you need to take on board that whilst Redrow would be sensible in organising a public meeting, this is not a Redrow responsibility. The NPPF Paragraph 133 is very clear: “Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as

early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels”.

## **Content of Officer’s Report**

10. Village Concerns do understand the amount of work that goes into the preparation of bringing a major planning application to a planning committee. There is a significant amount of material to be read and digested. This puts a significant load on the planning department. However, we are concerned that the Officer’s Report, in this instance, makes too much use of material provided by Redrow, the applicant. The use of Redrow diagrams/plans is sometimes understandable but the wholesale repetition of Redrow wording and data is not considered to be appropriate. The diagrams/plans and wording should be checked for accuracy before they are used and they should be given attribution to the source so that Councillors are aware that they are reading the words of the developer and not the planning department. Some examples of errors in the Officer’s Report:

a. The Officer’s Report has copied a diagram from Page 33 of the Redrow Design and Access Statement dated 4 July 2022 purportedly showing the “Interaction with Ancient Woodland”. It copies the diagram and repeats verbatim the wording from the Redrow document. This information fails to identify what form of boundary is proposed between the Ancient Woodland and the proposed new development. This matter has been a consistent objection by Village Concerns and many residents. Why did the Officer’s Report not include this counterpoint to the Redrow vision and why does the Officer’s Report not consider such an important detail of this planning application. The way it has been presented to Councillors suggests that these are the words of the Planning Officer and that there are no challenges to this vision.

b. The Officer’s Report has copied a diagram (WD-2022-0341-MAJ\_Plans\_2158.101 - PROW extract) purportedly showing the revised route of a public right of way. This diagram is wrong and we pointed this out in Village Concerns Objection 10 - Officer’s Report Rebuttal dated 9 August 2022. This is not picked up in the Officer’s Report Update. The planning department has also failed to spot that the proposed change to the route will affect Plot 91 in addition to Plot 90. This has been omitted from the proposed Planning Condition 2, which only mentions Plot 90. The Officer’s Report should check the detail of any diagrams used and also balance any view of the applicant with those of objections to the proposal.

c. The Officer's Report commentary on matters of Biodiversity is very fleeting but it does state in the Executive Summary that ["Whilst the scheme will see some tree removal and that is to be regretted, elsewhere there is ecological mitigation and enhancements will be provided within the site"](#). There is absolutely no evidence to show that the planning department or the Wealden Biodiversity Officer have carried out any check on the figures or plans put forward by Redrow. It seems that it is merely assumed that the Redrow information is correct and should be accepted. Village Concerns have identified flaws and errors in the Redrow biodiversity and ecology reports and yet these views are not offered as any counterpoint to the Redrow assertions. We strongly believe that the Officer's Report does not give Councillors a balanced or impartial briefing.

### **Planning Committee Purpose**

11. Village Concerns does not wish to lecture the Planning Committee on its roles and responsibilities but we are concerned by the tone of the Public Representation made by the Parker Dann representative, Mr Mark Best. His words, on the Upper Horsebridge Road Application, were not about the merits of that application (In contravention of the Section 10 of the Local Government Association Guide to Probity in Planning) but a petulant, rude and dismissive attack on the public and their part in the planning process. He described the proceedings as ["Crazy"](#) and attacked the the Planning Committee by stating ["the approach you're taking is very reckless"](#). He seems to already know the views of Southern Water and is confident that nothing will threaten the approval of his applications despite the determination of the Full Wealden Council to give proper consideration to this important matter. It was a speech that was full of contempt for the public and the Planning Committee and we do not feel it was appropriate.

12. Mr Best's tirade also raises an issue that has concerned us for some time. A perception seems to have crept into the heart of the Wealden Planning Department that Officer's recommendations must be followed and that the Planning Committee is merely there to rubber stamp the Officer's decision. This is wrong in law and clearly laid out in Section 11 of the Local Government Association Guide to Probity in Planning. We believe that the duty of the planning department should be to challenge the veracity of information presented by developers and not merely accept it because it helps them achieve a housing target that is arbitrary and under challenge.

13. A recent press report indicated that Officers had refused to represent the Council at Appeals because their recommendations had not been followed. On 12 August, Wealden announced that it would not be defending two appeals because it would be unlikely to succeed. This is clearly a matter for the Council to resolve but it does question the purpose of Wealden Planning Committees and

how they are perceived by the public. It seems that all the power is vested in planning officers who only speak to developers and are in thrall of government targets ahead of the opinion of Wealden Councillors.

## **Summary**

14. Please make sure that, as the Local Planning Authority, you conform with NPPF Paragraph 133. Please ensure that the Planning Department engage with Redrow to reduce the size of this proposed Application and then submit this to a revised public consultation. You could also seek to get the Section 106 Application WD/2020/2660/PO determined by PCS and not allow it to be decided by a planning officer. You could also seek to persuade the planning department to provide all the missing details to enable you to properly consider this application. This might include a Wealden Biodiversity Officer Report and a response to similar enquiries from UK Power Networks to match the new focus on sewage issues.

15. Please disregard the contempt of Mr Best with regard to the importance of the public involvement in the planning process and maintain an open and fair public examination of planning applications determined by elected officials.

16. Village Concerns would also like to make the point that we would welcome the opportunity for any dialogue, workshops or meetings with the Planning Department and/or Redrow. The Planning Department consistently refuse to respond to our requests for dialogue and we can only assume that we are seen as some form of enemy, as opposed to the applicants who seem to be given many opportunities to have dialogue and develop their proposals. We believe it is wrong to be one sided in this dialogue and urge you to be more open to public ideas. This might have alerted you to the sewage issues six years ago.

Katherine Gutkind and Kathryn Richardson  
Co-Chairs  
Village Concerns

cc

Nusrat Ghani MP  
Councillor Draper  
Parish Council

Councillor Snell  
Councillor Blake-Coggins  
Councillor Bowdler

Councillor Cleaver  
Councillor Grocock  
Councillor Guyton-Day  
Councillor Howell  
Councillor Stephen Shing  
Councillor Watts  
Councillor White  
Councillor Baker  
Councillor Cade  
Councillor Clark  
Councillor Coltman  
Councillor Doodes  
Councillor Douglas  
Councillor Hallett  
Councillor Johnson  
Councillor Lunn  
Councillor Moss  
Councillor Owen-Williams  
Councillor Redman  
Councillor Daniel Shing  
Councillor Sparks