

WD/2016/2796/MAO

Objection to Hesmonds Stud Application June 2019

from Village Concerns

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Despite the Agent, Parker Dann, adding additional documents to the application on May 28<sup>th</sup> 2019 we still object strongly to this application.

#### **Response to Parker Dann Agents Letter 28<sup>th</sup> May 2019 Appendix 1**

This letter contains several misconceptions and errors:

- a) The Agent appears to be unaware that this is no longer a Hybrid Application.
- b) The Agent is assuming that his recent submitted evidence on Air Quality, Transport and the Impact Assessment on the Ashdown Forest completely overrules Wealden's evidence base.

We were present when these matters were vigorously debated by many experts at the Public Examination of the Emerging Plan. No decisions have been made by the Inspector and in fact two more days of examination on these matters is scheduled for July 30<sup>th</sup> and 31<sup>st</sup> 2019.

The Agent assumes that his Appropriate Assessment rules out the need to wait for further monitoring. This is the very opposite of the Precautionary Approach to Protect the Ashdown Forest. Growth at all costs without regard for the Environment.

The evidence base for the emerging Local Plan indicates that development in East Hoathly would certainly have an impact on the Ashdown Forest and Lewes Downs SAC.

SAR August 2018 to Jan 2019 Local Plan Submission Library Appendix 2 Page 781 Table 224 Impact of Developments on Roads. In this most recent iteration of the traffic modelling

**Wealden 013 South East Hoathly. This MSOA has a moderate potential impact on the Ashdown Forest SAC similar to that albeit slightly higher than**

**Wealden 013 N ( Maresfield}, Wealden 012 South Uckfield. Only MSOA's Wealden 001S to 007 have more traffic movements than MSOA 13S**

**This MSOA has very high traffic movements associated with Lewes Downs SAC.**

- c) The Agent states that

"The Inspector has indicated on more than one occasion that if she finds the Council's approach to the Ashdown Forest to be incorrect, a new plan will be required."

We find this a surprising statement. Members of Village Concerns have been present at all the Local Plan Hearings. On no occasion did she say anything like this in public. She did say her "Default position was to find the Plan Sound." Her letter to Ms Marina Briggshaw dated April 9<sup>th</sup> 2019 Appendix 2 outlines her approach to the Plan. The agent's statement is not repeated nor indicated in this letter.

We are confident no decisions have been made by the Inspector.

d) Although the Council does not have a 5yrs at the moment as pointed out extensively by the Agent may we draw your attention to the WDC Dec 2018 Monitoring report.

"As set out in the Authority Monitoring Report December 2018, the Council can only currently demonstrate 2.62 years supply of housing land. However, following the submission of the Wealden Local Plan and production of the associated Air Quality Mitigation Interim Tariff, the Council is now able to rapidly improve its five-year land supply position. It is projected within the Authority Monitoring Report December 2018 that once relevant consents are issued (those with resolutions to grant permission, awaiting the completion of legal agreements), based on the framework set by the submission Wealden Local Plan, the Council will be able to show in excess of a 5 year supply (5.69 years). The Council will continue to update this position at regular intervals."

Reference WDC Officer's report 12/06/2019 WD/ 2016/2268/F Appendix 3

e) The Agent states that there are no technical issues to be addressed that restrict the proposed development being Granted Planning Permission. In fact there are many reasons this development should not be Granted Planning Permission.

**1) Size of development**

This application is grossly disproportionate to the size of the Village

**2) This is an unsustainable development**

205 Houses would put unacceptable pressure on already inadequate existing local services and facilities. New residents would be car dependent for schools, employment, shopping and Doctor's appointments.

This has been well argued in our previous objections and Statements.

Village Concerns previous objections Appendix 4

Village Concerns Hearing Statement Appendix 5

We were interested to see Parker Dann statement in the Appeal Statement of Case for WD/2016/2268/F Appendix 6

"6.26 Paragraph 103 NPPF states:

"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan - making and decision - making."

**“6.27 We, (Parker Dann) interpret this to mean that larger developments should be located in the most sustainable locations. This is a principle we agree with.”**

We, Village Concerns, also agree with this principle. This is a very large development. East Hoathly is not a most sustainable location, far from it. Hence we and Parker Dann are all agreed Planning Permission should be refused for this application for 205 houses in East Hoathly.

### **Other Supporting Evidence Re Sustainability**

In WDC Appeal Statement for WD/2018/1508/MAO and PINS APP /C1435/W/19/3223599 Appendix 7  
This application is for 74 houses is outside the proposed development boundary.

Final Paragraph 8.6

**“Overall it is considered that the benefits of the appeal scheme are significantly and demonstrably outweighed by the adverse impacts. The opinion of the LPA is that this is not a sustainable development.”**

We put it to you that the same arguments apply to this application for 205 houses outside the development boundary only more so.

### **3) Planning Policy**

This application site is contrary to Wealden Adopted Plan and the Emerging Local Plan now at Public Examination stage. These arguments on Planning Policy grounds are strongly argued in Wealden’s Appeal Statement Appendix 7 regarding land at South St East Hoathly. Again the same arguments apply for this site only more so.

### **4) Relevant Appeals Regarding Impact on Ashdown Forest and Lewes Downs SAC**

East Hoathly is just over 10km from the Ashdown Forest. Appendix 8

Three recent appeals decisions March 2019 Appendix 9,10,11 would support this application being rejected. In fact these appeals are for very small numbers of houses (1 to 4) and are all much further from the Ashdown Forest than this application for 205 houses.

*Extract*

**“Effect on SACs 11. The proposed development would result in a net increase in traffic movements: Whilst there is no certainty that such movements would be on roads through or adjacent to the SACs there is a fair likelihood that some of them would be, for example on the A26 and/or A27. In any case, under the precautionary principle, it cannot be concluded that such increased traffic movements will**

**not affect the integrity of these SACs.** 14. Whilst I attribute little weight to the eLP because of the limited stage it has reached, such a likely impact and breach of the Habitats Regulations, is a significant material factor weighing against the proposal. The conflict with the above eLP Policies therefore assumes significant importance in the determination of this appeal. It also has the effect, as set out in NPPF paragraph 177, of disapplying the tilted balance in paragraph 11 d) ii), which would have applied given the current undisputed lack of a five-year housing land supply in the District. Conclusion 15. **The proposed development would conflict with the Council's spatial strategy and the NPPF taken as a whole and be likely to adversely affect the integrity of the Ashdown Forest and Lewes Downs SACs as set out above. Consequently, I conclude that the appeal should be dismissed".**

## **5) Visitor Impact on Ashdown Forest SPA**

Sussex Ornithological Society Hearing Submission Appendix 12

### *Extract*

"The HRA accepts that there will be increased visitor pressure on Ashdown Forest as a result of the planned housing increases in Wealden and in surrounding districts, and SOS agrees with this.

The two significant bird species specified in the SPA citation are European Nightjar and Dartford Warbler. Both are heathland birds, and both are very vulnerable to dog walking disturbance.

Sections 5.51 to 5.65 of the HRA show clearly how increased human disturbance can affect Dartford Warbler numbers, and the assumption we make is that this has been a significant factor in the decline in numbers of Dartford Warbler on Ashdown Forest. Given this underlying decline in one of the two key SPA bird species we believe that mitigation actions outlined in the Local Plan need to be aimed at trying to improve the current state of affairs for wildlife rather than merely trying to prevent them getting worse. In other words rather than trying to ensure "no significant net deterioration" we believe a "net improvement" needs to be achieved".

We note the discussion regarding Policy EA 2 at the Hearings. The Inspector considered that the wording needed amendment. Flexibility was needed regarding development outside the 7km zone. We put it to you that this application would result in increased visitors to the Ashdown Forest including for the purposes of dog walking which could not be mitigated.

## **6) Impact on Ancient Woodland**

The Woodland trust have objected to this application in the strongest terms. See Appendixes 13 and 14.

**For all of the above reasons Planning Permission should be refused**

Appendix 1 Agents Letter May 28<sup>th</sup> 2019

Appendix 2 Inspector's Letter to Ms Marina Briggishaw April 9<sup>th</sup>2019

Appendix 3 Officer's report WD/2016/2268/F

Appendix 4 Village Concerns Original Objection

Appendix 5 Village Concerns Hearing Statement

Appendix 6 Appellant Appeal Statement of Case WD/2016/2268/F PINS APP/C1435/W/18/3216971

Appendix 7 Wealden Appeal Statement of Case WD/2018/1508/MAO PINS  
APP/C1435/W/19/3223599

Appendix 8 Ashdown Forest Zone of Influence

Appendix 9, 10, 11 Recent Appeals

Appendix 12 Sussex Ornithological Society Hearing Submission

Appendix 13 Woodland Trust Objection Jan 2017

Appendix 14 Woodland Trust Objection Sept 2018