

Minutes of the **PLANNING COMMITTEE** meeting held at
Groombridge Village Hall on **Monday 25th October** at 7.00pm

PRESENT: Cllrs Andrew Fane, Robert Gordon-James, Jill Pardey,
Chris Pope, Marcus Tarling (Chair).

In attendance: Natalie Brett –Assistant Clerk (Minutes)
Debbie Siddle – Clerk
Wealden District Councillor Keith Obbard

Members of the public are encouraged to come to the meetings and there is a 10-minute opportunity at the start of the meeting for them to address the Planning Committee. There were 6 members of the public in attendance.

Cllr Jill Pardey addended the meeting as a member of the public with no voting rights until item 6.2 when she joined the committee.

6 members of the public were in attendance for 6.1. A spokesman for those in attendance and the residents of the lower stretch of Hoadleys Lane gave a verbal overview of the information provided to the committee as detailed below:

Comments on Planning Application

1. *The application was made some time ago but there has been no planning notice visible on the site. I walk past the site every day and I first saw the planning notice today (18/10/21) and it was lying on the ground outside the front gate. (Photo available).*

2. *Hoadleys Stables. Location.*

The site lies beyond the development boundary for any settlement defined in the Local Plan. It is also within the High Weald Area of Outstanding Natural Beauty. In such areas great weight is given to conserving landscape and scenic beauty which are therefore given the highest status of protection. The siting of three caravan, a sewage treatment package, the extensive security fencing around the site, the large barn/utility building (for which retrospective planning was refused) and the permanent residence of at least two and possibly three families would dramatically damage the rural nature of the area and cause harm to the intrinsic natural beauty of this part of the countryside.

These factors make the application for retrospective planning permission contrary to Saved Policies GD2, EN6 and DC12 of the adopted Wealden Local Plan (1998), Spatial Planning Objectives SPO1 and SPO12 and Policy WCS14 of the adopted Wealden Core Strategy Local Plan 2013, Policies WLP 4, EA 5 and RAS 9 of the submission Wealden Local Plan 2019 and also counter to advice in paragraphs 174 and 176 of the NPPF 2021. On these grounds the application should be refused.

3. *Hoadleys Stables. Location.*

The Wealden Landscape & Settlement Character Assessment Chris Blandford Associates 2014. This report was commissioned by Wealden District Council to provide a detailed survey of Landscape Value, Landscape Sensitivity and Landscape Capacity for planning and development purposes and forms part of the evidence base for the emerging Wealden Local Plan. It describes the specific area that is the focus of this planning application as follows;

“4.13.12 Landscape Setting Area 1 is considered to have Low Landscape Capacity as a result of its High Landscape Sensitivity and High Landscape Value. This area is predominantly within the High Weald AONB and contains large areas of Ancient Woodland and is therefore considered to have High Landscape Value. The strong, mature landscape structure of Ancient Woodland and mature hedgerows contribute to High Landscape Sensitivity.” On these grounds the application should be refused.

4. Hoadleys Lane

Hoadleys Lane itself is also considered to be of particular significance and to require particular protection.

The Wealden Landscape & Settlement Character Assessment makes specific reference to the importance of ancient drovers roads and routeways of which Hoadleys Lane is an example (as described in Application No. WD/2016/2819/F).

“Hoadleys Lane was identified in the Wealden Landscape and Settlement Character Assessment 2014 as part of a remnant historic landscape falling within the Central High Weald Character Area. Some of the key characteristics identified in that area include: ‘ancient route ways in the form of ridge top roads and a dense system of radiating droveways often narrow, deeply sunken and edged with trees....’ The case officer adds “This ancient landscape is distinct with a strong sense of place and enclosure with country lanes such as Hoadleys Lane adding a unique contribution to this protected landscape.” The case officer’s report (WD/2016/2819/F) is clear “It can therefore be concluded that Hoadleys Lane is deemed to be of a significant character, including the ancient routeways and should therefore be protected.”

This opinion was also adopted in a recent planning appeal decision (Appeal Decision Site visit made on 5 July 2017 by Mr Kim Bennett BSc DipTP MRTPI an Inspector appointed by the Secretary of State for Communities and Local Government.

Decision date: 13 July 2017. Appeal Ref: APP/C1435/D/17/3173351). Kim Bennett, the Inspector, also quotes the Wealden Landscape & Settlement Character Assessment’s definition of the ancient route ways and adds “In my view, Hoadleys Lane is a charming example of such routeways.”

If this application is allowed it will detract further from this “charming example” of such a routeway. Some damage has already been done. The earth bank that forms one boundary of Hoadleys Lane was partially removed without planning permission and the retrospective application (WD/2019/0214/FR) was refused. Since then the entrance to Hoadleys Lane from Hoadleys Stables has been widened, which involved cutting into the characteristic earth bank, to create additional parking on the roadside.

The Planning Application (WD/2021/1086/FR) specifically refers to RETENTION OF FENCING. I assume this means the fencing that was built by the previous occupants and also the fencing that was built by the current occupants and runs along approximately 50 metres to the right of the gates as seen from the lane.

The solid wood and concrete fencing that shields the stables – built both before and after the current owners moved in - is built on the earth banks that define the lane and this has detracted from the character of this ancient routeway. Damage to the earth banks is clear. The fencing itself is also intrusive and totally out of character with the vernacular style of field boundaries which consists of mixed hedgerows and chestnut post-and-rail fences.

The proposed addition of three new households, extensive solid fencing, caravans, carparking spaces, extended hard standing, a large new barn/utility building as well as increased private and commercial traffic on the lower section of the lane (which currently has two households comprising of 4 adults and a baby along its entire length) would be totally inappropriate on a highly protected quiet, rural lane. On these grounds the application should be refused.

5. *Hoadleys Stables. Environmental Considerations*

The site is located approximately 178 m from Ashdown Forest SAC/SPA/SSSI and so lies within the 400 m exclusion zone which means that any net increase in residential buildings on site is not permitted. Therefore, any proposals to increase the number of dwellings on site will not be permitted by Natural England. The proposed use of the barn and the permanent siting of three caravans on a quiet drover's lane would create a significant number of new dwellings and totally change the nature of this rural location which is in the highly protected exclusion zone. On these grounds the application should be refused.

Comments on Design and Access Statement

1. *The Planning application refers to "Additional Hard Standing" – "MATERIAL CHANGE OF USE OF LAND FOR STATIONING OF 3NO. TOURING CARAVANS FOR RESIDENTIAL OCCUPATION WITH ASSOCIATED DEVELOPMENT INCLUDING ADDITIONAL HARD STANDING." (WD/2021/1086/FR)*

This is contradicted in The Comments on Design Statement which asserts that "There will be no additional hardstanding". This may just be a drafting error but it needs to be clarified. The current level of activity on the site which has already spills over onto the meadow suggests that there will be a need to create additional hardstanding to accommodate the number of caravans, camper vans, cars and commercial vans that are on site remains the same as it has been for several months. It should also be noted that some of the hard standing currently in place was built without planning permission and that a retrospective planning application was refused (WD/2019/0214/FR).

2. *The Design and Access Statement refers to "Needs of the applicant and other intended occupiers" for a pitch in the following terms; "The site is occupied by the applicant, his brother, and his son along with their partners and children. They are Gypsy Travellers, and they all travel regularly, albeit not necessarily together, throughout the summer months, carrying out mainly landscape and gardening work."*

What the occupants of Hoadleys Stables do to earn a living is of course entirely their own business but, since it forms part of The Design and Access Statement, I think it is reasonable to offer a comment about the argument that is being made. The argument is that occupants of the site will live and work away from the site "throughout the summer months, carrying out mainly landscape and gardening work" and I am not sure that this presents the full picture.

Since mid-Summer 2021 the site has been used as a base for TNR Roofing Ltd. There is some coming and going of TNR vehicles during the day and at least one is usually parked there at night. TNR Ltd is registered as a limited company with Hoadleys Stables as its company address <https://find-and-update.company-information.service.gov.uk/company/13520667>.

TNR appears to be a successful local business with an office less than a mile away in Crowborough. The statement that the family will travel in the summer months to seek work does not fit in with the reality which is that, throughout the year, they run a busy local business that has Hoadleys Stables as its registered address. I do not know if this is relevant and I only raise it because the occupation of the owners of the site forms part of the argument made in The Design and Access Statement and, if that argument carries any weight, it should be placed in context.

3. *The Design and Access Statement asserts that “The barn structure has already been part converted and has been prepared with plasterboard walls, sink and bathroom area and this had been done prior to the new owners moving on so it is not a change of use.” The barn was built without any planning consent, it simply should not be there at all, so to base an argument about “change of use” on its existence should carry no weight.*

a) *A Retrospective Application for the barn was refused (WD/2019/0214/FR) and the barn should have been removed some time ago. The only existing planning consents at Hoadleys Stables date back to 1986 and 1988 and are specifically for a stable and tack room (WD/1986/2448/F APPROVED 23/09/1986) (STABLES WITH TACK ROOM LAND WITH HOADLEYS COTTAGE, HOADLEYS LANE, CROWBOROUGH) and (WD/1988/2764/F APPROVED 17/08/1988). Any argument about “change of use” should refer back to the planning consent given for the stables in 1986 and 1988 and not to a building that should not be there.*

b) *The argument that “the structure has been part converted” “prior to the new owners moving in” and therefore “it is not a change of use” should carry no weight and is illogical. If the partial conversion was carried out by the previous owners the change of use at the time is very clear and is contrary to their failed Retrospective Planning Application which described the barn as being a farm office (WD/2019/0214/FR). If it has been carried out subsequently, again without Planning Consent, it is also a clear change of use both from the description as a farm office and from the original consents given in 1986 and 1988 for a stable and tack room.*

4. *Wealden GTTA Report November 2016. The planning application questions the robustness of the GTTA report and argues that, due to a number of “unknown” households that were not available for interview the “total number (of pitches) required should be at least 34” by 2038 rather than the figure of 21 identified in the GTTA. The GTTA in fact directly address the issue of “unknown” households and concludes that; “it is highly likely that actual need from ‘unknown’ households could be as low as 1 additional pitch.” P36 (6.29)*

A map of the location was provided by a member of the public in attendance and is contained in appendix 1. With particular note being made to the proximity of the application and the view from the footpath.

Further comments were made by the public in attendance regarding covenants on the land.

It was advised by the committee that covenants were not a planning consideration but individuals could follow these up with legal action.

Cllr Tarling thanked the residents for their comments and opened the meeting.

1. **ENQUIRE WHETHER ANYONE PRESENT INTENDS TO FILM, PHOTOGRAPH AND/OR RECORD THE MEETING:** None.

2. **APOLOGIES** – Cllr Kelly

3. **DECLARATIONS OF INTEREST** - None

4. MINUTES

002147 4.1 MINUTES OF THE MEETING HELD ON 13th SEPTEMBER 2021
RESOLVED that the minutes of the meeting held on 27th September 2021 be taken as read and signed by the Chairman

4.2 MATTERS OUTSTANDING FROM THESE MINUTES:
The Assistant Clerk has written to Wealden District Council regarding the quality of applications.

5. ENFORCEMENT - None

The Assistant Clerk advised a correction to the agenda that the applications listed should be prefixed by 6 not 7. The committee accepted the amendment.

6. PLANNING APPLICATIONS
COMMENTS TO BE RETURNED TO WEALDEN DISTRICT COUNCIL

6.1 WD/2021/1086/FR HOADLEYS STABLE, HOADLEYS LANE, CROWBOROUGH, TN6 1TH Description: MATERIAL CHANGE OF USE OF LAND FOR STATIONING OF 3NO. TOURING CARAVANS FOR RESIDENTIAL OCCUPATION WITH ASSOCIATED DEVELOPMENT INCLUDING ADDITIONAL HARD STANDING, RETENTION OF FENCING, RETENTION OF EXISTING TIMBER CABIN BUILDING FOR USE AS SHARED UTILITY BLOCK AND INSTALLATION OF PACKAGE TREATMENT PLANT (PARTRETROSPECTIVE). Change in description. (Expiry Date for Comments: 21st October 2021 extended to 26th October 2021)

Link to documents on web:

<http://planning.wealden.gov.uk/plandisp.aspx?recno=153843>

The suggestion that the existing buildings that are habitable are suitable for conversion is not correct. The existing timber stables are not suitable for conversion and planning for this has previously been refused.

The application suggests that the site is well screened, however this is with fencing that is not suitable for this area and is out of keeping with this ancient drovers way. The “day room” having been refused already would be classed as another dwelling. Whilst it is stated that there will be no more hard standing this is due to hardstanding that is already on site without permission.

Buying land does not give a right to build or convert buildings already on site, especially in such a sensitive area. Planning policy must be applied. The committee would challenge the statement made in the application that suggests great weight should be given to the status of the applicant based on the lack of housing and the 5-year land supply. It was suggested in the application that Wealden are required to supply 21 Travellers sites however private Travellers sites are not included in this figure so this should have no weight on the application and the applicant should therefore be bound by the Planning Regulations. It was challenged that Cllrs do not have to see all of the information.

This site sits outside of the development boundary with a few scattered dwellings, in an Area of Outstanding Natural Beauty, on an ancient drovers way, within the Ashdown Forest 400 meter zone of exclusion and is covered by the Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The committee agreed that great weight must be given to this.

The application contains no traffic statement, which given the nature of the ancient drovers way and the increase in traffic this application would generate, must be required. This should also be reviewed by the Wealden Heritage Officer and the High Weald.

The application does not meet the requirements of SP01, SP013, GDI, EN1, EN2, EN6, EN7, EN13, EN15, EN29, DC6, DC12, DC17, DC19, HG12 and it neither enhances nor protects the area in any way.

As a part retrospective application it was questioned if it was covered by building regulations or had been inspected by environmental health.

Withyham Parish Council Objects to the Application

Cllr Pardey joined the meeting as a Councillor

- 6.2 WD/2021/2387/F 1 SENLAC PLACE, MEADOW ROAD, GROOMBRIDGE, TN3 9RQ Description: DEMOLITION OF EXISTING DETACHED FLAT-ROOFED GARAGE. PROPOSED PITCHED-ROOF GARAGE LINKED TO SIDE WALL OF EXISTING HOUSE. ADDITION OF ROOF LIGHTS TO EXISTING REAR EXTENSION. (Expiry Date for Comments: 8th November 2021)

Link to documents on web:

<http://planning.wealden.gov.uk/plandisp.aspx?recno=155466>

The committee agreed this was a reasonable application and was in keeping with the area.

Withyham Parish Council Supports this Application

- 6.3 WD/2021/2375/F 13 THE RIDGE, WITHYHAM ROAD, GROOMBRIDGE, TN3 9QU Description: SINGLE STOREY SIDE EXTENSION AND ENLARGED PARKING SPACES. (Expiry Date for Comments: 1st November 2021)

Link to documents on web:

<http://planning.wealden.gov.uk/plandisp.aspx?recno=155453>

The committee agreed this was a reasonable application and was in keeping with the area.

Withyham Parish Council Supports this Application

7. APPLICATIONS RECEIVED AFTER AGENDA - None

002148 **RESOLVED** that the observations on the planning issues detailed in these minutes be submitted to the Planning Authority.

**8. PLANNING DECISIONS – All Noted
ISSUED**

WD/2021/2114/LDE CERTIFICATE OF LAWFUL DEVELOPMENT FOR EXISTING DWELLINGHOUSE (USE CLASS C3). UPPER TANYARD, CORSELEY ROAD, GROOMBRIDGE, TN3 9PP

It was agreed that the Parish Council would investigate the possibility of appealing against this decision. The Assistant Clerk was asked to investigate how this would proceed. Cllr Tarling and Pope agreed to draft the appeal for agreement should it proceed.

It was questioned how the 4-year rule was applied when a previous application had been refused meaning the 10-year rule should have been applied.

Wealden District Councillor Obbard gave a brief update about his understanding of this decision based on his discussions with officers. He also advised that an injunction had been applied for. The Assistant Clerk was asked to request a copy of the injunction.

APPROVED

WD/2021/1653/F REAR EXTENSION TO FORM A REAR ENTRANCE PORCH AND THE REMOVAL OF AN EXISTING EXTERNAL CHIMNEY STACK AND INTERNAL CHIMNEY BREASTS SUMMERSALES HOUSE, SUMMERSALES HILL, LONDON ROAD, CROWBOROUGH, TN6 1UT

WD/2021/1776/F DEMOLITION OF SUN ROOM, GARAGE AND OUTBUILDING. CONSTRUCTION OF A TWO STOREY SIDE WITH PORCH AND REAR EXTENSION WITH FIRST FLOOR ROOF TERRACE. REROOFING OF EXSTING ROOF AND WEATHERBOARD CLADDING TO ALL ELEVATIONS. WINDLESHAW LODGE, BEECH GREEN LANE, TN7 4DB

WD/2021/1932/F REMODELLING AND EXTENSIONS TO AN EXISTING BUNGALOW. THE PINES, WITHYHAM ROAD, GROOMBRIDGE, TN3 9QT

WD/2021/2201/F SIDE EXTENSION TO DINING ROOM WITH TERRACE ABOVE. ALTERATIONS TO EXISTING 2NO. DORMERS AND ADDITIONAL ROOFLIGHTS. CORNER CROFT, SMUGGLERS LANE, CROWBOROUGH, TN6 1TG

WITHDRAWN

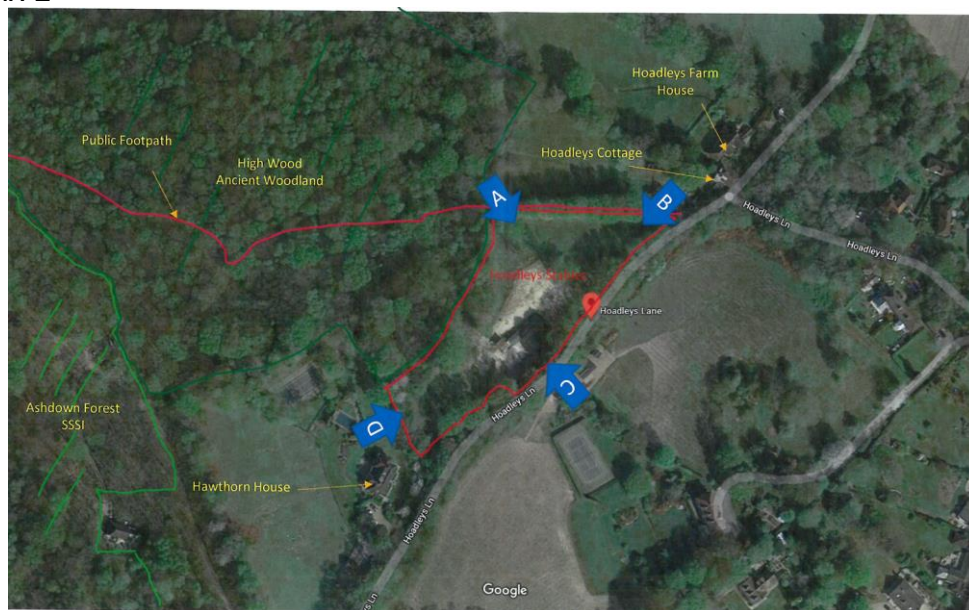
WD/2021/1817/F CHANGE OF USE OF ANCILLARY OUTBUILDING TO RESIDENTIAL DWELLING BARN ADJACENT TO 1 SCHOOL HILL HOUSE, WITHYHAM ROAD, WITHYHAM, TN7 4BE

**9. MATTERS OF URGENT IMPORTANCE FOR NOTING OR INCLUSION ON
A FUTURE AGENDA - None**

**10. DATE OF MEETING - noted that the date of the next meeting is on Monday
8th November 2021 at 7.00pm to be held at the Parish Office unless
otherwise notified by the agenda.**

Meeting closed at 7.55pm

Appendix 1



A



B



C



D

Photos of
site from key
views

Photos of site at time of excavation
works when earth bank to road was
removed

