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Clerk and RFO  
Burwash Parish Council  
PO Box 61  
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Mrs S Shepherd  
Rother District Council  
Town Hall  
Bexhill-On-Sea  
TN39 3JX

19<sup>th</sup> April 2017

Dear Mrs Shepherd,

**RR/2017/456/P - Shrub Lane - land North West of, Burwash TN19 7BU**

Demolition of the existing buildings and structures on site and the erection of 45 dwellings, enhancements to the existing Shrub Wood, together with an additional 1.4ha of new Community Woodland.

Burwash Parish Council (BPC) Objects to this planning application for the following reasons:

**1. The proposed development is in an Area of Outstanding Natural Beauty**

ANOBs are protected under the following areas:

- a. NPPF 115 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty';
- b. Section 85 of the Countryside and Rights of Way Act 2000 requires local authorities to have regard to 'the purpose of conserving and enhancing the natural beauty of AONB's in making decisions that affect the designated area';
- c. RDCs Core Strategy Policy 2.4 cite that 'development should be restricted included...AONB'.

BPC was very disappointed with RDCs decision not to review this application as a 'major development' for this village. We understand that this is at the discretion of the Planning Officers but fail to understand why an increase of 7.4% in properties in a village which hasn't seen development of this size for several decades as not significant.

**2. Impact on ancient woodland and ancient meadow land**

The applicant themselves admit that there has been no extensive work to understand the impact of their proposed 'Community Woodland'. Page 22 of their 'Design and Access Statement' states:

'It should be noted that the proposals for Shrub Wood as shown on the proposed Landscape Masterplan are indicative only at this stage... further detailed woodland surveys are to be undertaken, with a long-term woodland management plan prepared'.

In the NPPF 118 it states:

“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.”

The High Weald Joint Advisory Committee also cites this as a key area of concern:

“these proposals are likely to result in an intensive use of this small gill woodland by residents of the new houses and others which would damage the fragile ecology through the trampling of rare plants and disturbance to wildlife. This would be contrary to the NPPR para 118, Natural England’s standing advice on ancient woodland and objective W1 of the High Weald AONB Management Plan.’

No assessments have been done on the possible deterioration of the ancient woodland through the proposed ‘Community Woodland’ or the development itself. Considering these facts, BPC believes that this ancient woodland should be protected and the developer has shown no evidence or regard the potentially negative impact this development would have on this important and fragile ecosystem.

The lack of provision of any details on the management of the woodland also raises the question who would manage and pay for the management of the ‘Community Woodland’. There have been no discussions with BPC about this and there are further concerns about the financial liabilities to manage such a large site and the impact this will have on the precept.

**3. The position, size and scale of the development contravenes the areas within the RDC SHLAA**

The proposed development sits on two sites identified in the SHLAA 12r and 12a. 12r has been identified in the SHLAA as ‘Not suitable for residential development’. BPC agrees with this conclusion. 12a has been identified as an amber site which is ‘Suitable for developable subject to more detailed investigations’. However, it also states this would be up to 30 houses not the proposed 45 which seems an overdevelopment of this site in such an AONB as this is an extra 15 houses.

The Parish Council recognises that in the SHLAA 12a is a potential site but not an actual green site for development. In Rother’s Local Plan Policy DS3 states and includes Burwash that ‘The majority of all new development will take place within the development boundaries.’ In conjunction with this Policy DS4:

“unless there is specific provision in these policies for the proposed form of development to be located in the countryside, the proposals will also be required to demonstrate that a countryside location is necessary for the development.”

In accordance to the Local Plan, Burwash, Inset Map no. 8 this development is clearly outside of the village development boundary. The Parish Council cannot see any reason why a countryside location outside the development boundary is necessary for this development nor a development of this size. BPC is currently undertaking the writing of its Neighbourhood Plan. In initial surveys done the majority of the local community states in their feedback that to reach the villages target of 52 houses this should be done on smaller infill sites of over 6 houses.

The position of the development being here also goes against RDCs Core Strategy policy 17.16:

‘New development also brings the threat of suburbanisation of landscape character, with roads, light pollution, gentrification of buildings and loss of tranquillity.’

BPC Considers the size and positioning of this development will clearly contravene this policy as it will be an over sub-urbanisation of the area through:

- a. The proposed increase of roads, cars and parking between 45-90 as a minimum for this size of development not including visitors and houses with more than two cars
- b. The street lighting which is not featured in any part of Burwash which will cause significant light pollution (which will also impact on the ancient woodland)
- c. A direct impact on the tranquillity of the NW end of Shrub Lane due to the volume of housing proposed leading to a 7.4% increase in housing in the village

#### **4. There has not been a proper evaluation on the impact on the ecology of the site**

The Parish Council has taken note of the report submitted by the ESCC Ecologist and raises aspects of this report as specific concern:

- a. The contradictions within the ecological assessment provided by the developer:  
Section 5 – “the Main reports refers to the site as supporting species-rich, semi-improved neutral grassland...However, the NVC Survey report provided in Appendix 1 states that the grassland is species-poor.”  
Section 14 – “the survey demonstrates low populations of slow worm and grass snake... However, the peak county of eight adult slow worms equates to a good population... the site would therefore qualify as a Key Reptile Site and mitigation should be designed accordingly.”
- b. Insufficient information provided on the impact on several protected species:  
Section 9 – “in particular dormice, bats, breeding birds and badgers.”
- c. That the proposed mitigation for the existing species on the site is insufficient:  
Section 6 – “There a large number of species that are entirely reliant on ragwort, several of which are rare or scarce. As such, ragwort should not be removed from the site.”  
Section 15 – “It is proposed that the mitigation for reptiles is insufficient....No consideration has been given to the likely impacts of increased predation of reptiles.”
- d. Some of the surveys appear to have been carried out in ‘sub-optimal months’ (section 13) to keep the figures/impact on the existing species low and not giving a true account of the actual species found on the site.

Due to the large body of evidence from the ESCC Ecologist report BPC considers that the reports submitted by the developer are totally insufficient in providing a clear picture of the damage and impact this development will have on the local ecology.

#### **5. The impact on the infrastructure is too significant**

The main concern is the impact the extra pressure on the sewerage system. We note that a letter from Southern Water states that:

“the proposed development will be drained to Southern Water’s Burwash Common Wastewater Treatment Works. The works currently does not have the capacity to accommodate flows from the proposed development.”

On top of this residents within that area have reported to the Parish Council of two leaks of sewerage into the nearby pond due to overdemand on the current system.

**6. The impact from the traffic will have a severely adverse effect on the area and village**

Currently the village has several existing concerns and issues raised regularly with BPC and ESCC about the impact of traffic within the village. These include:

- a. Lack of parking for residents living on the High Street and those visiting the village from within the Parish and Neighbouring Villages making use of the doctors, shops and pubs. Due to the position of the proposed development this will lead to a large increase of traffic into the village adding to existing parking issues as residents are likely to drive into the village with it being around a mile in distance up a steep hill and there is currently no pathway from the proposed development.
- b. The submitted plan has the entrance coming onto Shrub Lane. This has poor access and visibility coming in and out of the site. The road itself is a poorly maintained country lane with no road markings. The increase of traffic from this site will lead to more traffic on this small lane near an existing housing site which already has huge issues with parking. The impact of traffic did not take into consideration the increase of traffic from the additional 14 housing being built on this road. Residents reported a hold up between buses and
- c. The road that Shrub Lane connections onto is the A265 on an extremely dangerous bend with poor visibility and already the issue is of much concern and worry from residents within the village.
- d. The bus service of the 31 is no longer available to the village and has been replaced with the number 231 and is only available Mon-Fri not Saturday as stated on p12 on the transport report. Residents will not have any access to public transport at the weekends. The bus only goes to Etchingam railway station from 11.15am therefore the train stations will only be available to reach by car for commuters.
- e. Both the secondary schools will need to be reached by bus or children driven. It has been made know to the Parish Council that children already need to stand due to the lack of buses to the schools.

**7. Understanding the Housing Need for the village**

BPC fully understands the need for housing within Rother especially affordable units. Considering the potential ongoing eroding away of the highly protected AONB fail to understand why such developments as this are required. National or Local level policies do not demand that sites have to be of this scale as sites even with 6 houses are required to give a contribution to affordable housing needs.

The BPC would again refer to the feedback from the community from initial consultation over the Neighbourhood Plan. The majority of the local community states in their feedback that to reach the villages target of 52 houses this should be done on smaller infill sites of over 6 houses. Whilst fully aware the NP is in its early stages BPC is there to engage with the community to understand their thoughts and views on the needs within the village. This coupled with the numerous

objections from those based within the village BPC would ask RDC to consider the responses of these residents.

The developer indicates that there will be 65% rented affordable and 35% intermediate affordable housing. Nevertheless, no details are given on the actual affordability of these properties nor which of the units will be rented and those that will be intermediate affordable housing. According to Rother the current need is for 19 units. With Hastoe providing 8 units and Rectory Court providing another 15 this would amount to 23 units of rented accommodation which is 4 above the current need. Residents living within larger affordable rented housing by moving into the smaller units provided by Hastoe and Rectory Court would also free up the larger households for families to move into. Nor does the proposal state which of the properties will be rented and if none of the 3 bedroom houses are put forward this is not supporting the need for 3 bedroom rented properties which seem to be the key area lacking looking and the figures of need provided by Rother.

When the public consultation took place Councillors and the public asked how much the units would be going for we were told that this is unknown. The current situation on the 14/04/17 looking at 3 bedroom semi-detached or terraced houses with the Parish of Burwash puts the average house at £370,000. At sub market value this would put the houses at £296,000 making the properties hardly affordable. Until further evidence is submitted BPC cannot see how this development is truly supporting affordable housing need within the village.

Yours Sincerely,

Jane Cheshire  
Clerk and RFO for Burwash Parish Council  
On Behalf of Burwash Parish Council