

The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002 2002/2685 Rule 6(6)

The Planning Inspectorate

Appeal No APP/U1430/W/18/3200853

Developer's name for the site: Land north-west of Shrub Lane, Burwash, TN19 7BU

(Known in Burwash as Shrub Wood Meadow)

Application for Rule 6 status

- 1** The clerk to Burwash Parish Council applies for Burwash Parish Council to have Rule 6 status in the above planning appeal.
- 2** The reasons for the application to be granted are:
 - a)** In a letter to Rother District Council dated 17 May 2018 Stella Perrett, the then case officer, stated that one of the two reasons for holding the inquiry was the level of local interest. The Shrub Wood Meadow application has generated great interest and opposition in the Burwash community. Burwash Parish Council drafted objections to the scheme. That level of local interest should be heard at the inquiry.
 - b)** It is not possible for Rother District Council to represent the views of the Burwash community as the planning officers of Rother District Council ruled out important reasons for the refusal of the application. Also, they were for one short stage supportive of the application.
 - c)** We understand that Burwash: Save our Fields from Concrete (BSOFFC) has been granted Rule 6 status. Burwash Parish Council would have similar but, in some respects, different arguments from BSOFFC at the inquiry.
 - d)** Burwash Parish Council has been working on the Neighbourhood Plan for Burwash Parish and the Inspector would benefit from Burwash Parish Council presenting evidence about the progress of the Neighbourhood Plan. It would not be appropriate for anyone else to call that evidence.
 - e)** Burwash Parish Council understands the dangerous state of Burwash's roads. Part of the problem is traffic management and part is the unsuitability of certain roads to carry the volume and type of traffic. Very strong local views about the issues have been expressed, particularly about a) the fact that Shrub Lane cannot carry the volume and type of traffic

that uses it, and b) the junction where Shrub Lane joins the A265. At that junction the danger to pedestrians and vehicle users is particularly acute. Burwash Parish Council has set up two groups. One of the groups is a sub-group of the Neighbourhood Plan management team. The other is a community-based group just to deal with the traffic management issues. That group works with Burwash Parish Council, and together they petition East Sussex Highways and make recommendations. As a result of their own knowledge and the workings of these groups, the councillors of Burwash Parish Council are fully apprised of the local highways and road traffic problems. Burwash Parish Council should be able to present those issues to the inspector and call relevant evidence about them. It would not be appropriate for another person or group to perform that task.

- f)** It would not be appropriate for the interests of a statutory planning authority (Burwash Parish Council) to be represented by a non-statutory political group. When the application was refused permission by Rother District Council the planning committee permitted only one speaker to address it. That speaker was a member of BSOFFC but that decision was based on availability of speakers and was not an indication that Burwash Parish Council could always be represented by a political group at the inquiry.
 - g)** Unless this application is granted, the important views and arguments that Burwash Parish Council has about this application will not be properly heard at the inquiry.
 - h)** Burwash Parish Council could provide 'significant value' to the appeal process as required by para 2.2 of the *Guide to Rule 6 for interested parties involved in an inquiry – Enforcement appeals and certificate of lawful use or development appeals – England*.
- 3** Burwash Parish Council has not applied for Rule 6 status earlier as: a) there was such a long wait until the appeal documents were available, and b) as it is a statutory body, council procedures have to be complied with.
- 4** How Burwash Parish Council would be represented at the inquiry has not as yet been determined. That decision would be based on an evaluation of how best Burwash Parish Council could assist the inspector assigned to hear the appeal with the various issues.