

To Burwash Parish Council

Full Council meeting 08.12.20

Circulated by email to all members of the Full Council.

**Proposed residential development
(30 dwellings)
at land south west of Strand Meadow at Burwash, East Sussex**

Reserved Matters Planning Application (conditions 1, 2 and 3) together with the discharge of conditions 7 (Foul and Surface Water Drainage), 8 (Parking and Turning of Vehicles), 9 & 10 (Archaeology), 13 (Levels) and 19 (Proposed Landscaping), relating to outline planning permission number RR/2017/582/P

The Applicant's response to the matters raised by Burwash Parish Council Planning Committee members during the first Planning Committee meeting on 16.11.20 and the second Planning Committee meeting on 23.11.20

1. The proposed footpath link

1.1 Planning condition 16 of the outline consent requires details of the proposed footpath link (including siting, gradients and surfacing) to be submitted for the planning authority's approval *prior to the commencement of development*. Although the proposed route is shown on the submitted layout plan forming part of the reserved matters application (demonstrating how this will be provided on the application site), the specific details required by condition 16 have not been submitted at this stage and do not therefore, form part of the current reserved matters application.

1.2 A planning condition can only be imposed on land within the ownership or control of the applicant and therefore, the proposed footpath only goes up to the boundary of the site and the adjoining public recreation ground.

1.3 The footpath is not only required by the planning condition but also by the planning obligation entered into with the planning authority at the time the outline consent was granted. The agreement plan shows a connection up to the playing field boundary and requires that it is not less than 2.5m wide between the residential area and the playing field site boundary. The footpath link is required to be available for public use "*from the*

Residential Site to the Recreation Ground Site” and is to be managed and maintained by an appointed management company. There is no planning obligation or other limitation requiring the Applicant to provide a footpath link beyond the site boundary and across the public recreation ground.

2. Design changes since to previous full application

2.1 The comparison computer images attached show the very significant differences in the dwelling design compared to the previous scheme so as to overcome the concerns expressed by the Appeal Inspector. The proposed dwellings are all of a reduced height and have been designed by architects (with a proven successful local track record) modelled on the traditional village design of buildings within the High Street Conservation Area. The scheme has also be the subject of an independent peer review by an eminent Sussex based architect and landscape painter, a copy of which is attached.

2.2 There were statements made to the effect the new designs were not substantially different from the design of the refused full application and still appear to be of a suburban appearance. The drawings submitted with the current application demonstrate however, that the ridge height of the dwellings has reduced significantly by up to 3.0m when compared to the refused scheme. The appearance of the dwellings has also changed considerably as can be seen from the attached images showing corresponding view points for the previous and current Reserved Matters schemes.

3. The nature of the reserved matters application

3.1 This was carefully explained in the statement circulated to all members of the Parish Council’s Planning Committee in advance of the first meeting (further copy is attached). It was requested that this should be read out in advance of the meeting to provide clarification and drew upon the matters raised by the previous Appeal Inspector both in relation to aspects considered to be acceptable (such as the layout and density as noted in para 13 of the Inspector’s decision) and those matters relating to the appearance and height of the dwellings that have now been addressed in the current application.

4. The footprint size of the proposed houses

4.1 The proposed footprint size of the houses was not the subject of any previous refusal of planning consent and was not an issue of concern raised by the previous Appeal Inspector. While comments were made at the last Parish Planning Committee about a comparison with the footprint areas of dwellings in Beechwood Close, these are *bungalows* that naturally have large footprint areas compared to the two storey dwellings as proposed. Also it was suggested at the first meeting that they would be “*too big*” for local purchasers but then at the second meeting it was suggested that they would be “*tiny*”. Notwithstanding the conflicting comments made it should be noted that all of the proposed dwellings meet or exceed the Nationally Described Space Standards in

accordance with Policy DHG3 of Rother District Council's Development and Site Allocations Local Plan

5. The provision of a turning head within the site and Highway improvements

5.1 This is shown on the submitted site layout plan and the submitted 'swept path' drawing (no 2018/4357/002D) shows how a large service or emergency vehicle would be able to turn within the site.

5.2 It should be remembered the access to the site has already been approved as part of the outline Planning Permission and the approved details include improvements to Strand Meadow. These improvements allow for adjusting the road width to allow the formation of an additional 11 parking spaces on the northern side of Strand Meadow on the approach to the site.

6. Surface Water Drainage and Flood Risk

6.1 This is the subject of a detailed assessment by qualified drainage engineers. The drainage ditches, central ghylls and spring lines will be retained in their existing position. The drainage scheme also includes swales to manage surface water using these above ground features along with a new 'on line' pond added as an amenity feature and to attenuate flows into the adjoining watercourse. Indeed, all natural features such as field boundaries have been retained and incorporated into the proposed layout. Surface water from the new houses and hard area will be attenuated in underground storage tanks to control the rate of run off into the adjoining water course so that this would be no greater than at present.

7. Foul Drainage

7.1 A connection will be made to the public foul sewer crossing the site.

8. Impact upon the AONB

8.1 The HWAONB designation covers the whole of this part of the District including Burwash. The site has extant outline consent for 30 dwellings and at the time this was approved, the planning authority accepted that this amount of development can be satisfactorily accommodated on the site, notwithstanding its location within the AONB. The redesigned proposal now the subject of the reserved matters application, has been the subject of a Landscape and Visual Assessment that confirms that the proposal would not give rise to any unacceptable impact from open public viewpoints looking towards the site from the higher ground and valley side to the north.

9. Ecology

9.1 The site has been the subject of extensive ecological surveys and assessments and these have been updated as part of the current application. At the time the outline consent was granted the planning authority (in consultation with the County Ecologist) was satisfied that there would be no harmful impact upon any off site Ancient woodland (there is none on the site itself) and that satisfactory ecological mitigation measures can be secured through planning condition 5 and the planning obligation.

9.2 While previously in relation to the full application some queries were raised by the County Ecologist, these were then satisfactorily addressed and the County Ecologist confirmed there were no objections to planning permission being granted subject to the imposition of appropriate planning conditions.

10. Community Involvement

10.1 The proposed housing design etc has been the subject of community involvement in the form of a public exhibition and a presentation to the Parish Council. The responses from members of the public as well as the Parish Council and Burwash Save Our Fields on the designs were considered and incorporated where possible in the submitted designs.

The Parish Council's Planning Committee Response

Despite two Planning Committee meetings, no tangible reasons for objection were raised or voted upon by the Committee Members. There were also conflicting statements made by various members of the Planning Committee over the course of the two meetings with reference to such matters as the size of the dwellings as well as the designs. It was also noted during the first meeting that one of the members said that it would be difficult to find reasons to refuse the Reserved Matters application if it was a wholly social housing scheme.

Although there was a show a hands at the end of the second Committee Meeting with apparently all the Members objecting, no reasons were given for doing so. To vote to recommend that the Planning Authority should refuse planning permission but with no stated reasons, does not amount to clear and transparent decision making.

Thank you for your time taken to read this.

Town and Country Planning Solutions
On behalf of the Applicant Park Lane Homes (SE) Ltd.
04.12.20