

**APPEAL IN RESPECT OF THE REFUSAL OF ROTHER DISTRICT
COUNCIL TO GRANT PLANNING PERMISSION FOR THE
ERECTION OF 18 RESIDENTIAL DWELLINGS WITH ASSOCIATED
ACCESS, CAR PARKING AND OPEN SPACE TOGETHER WITH THE
TRANSFER AND CHANGE OF USE OF LAND TO BE USED AS
SCHOOL PLAYING FIELDS ON LAND AT BREDE LANE,
SEDLSCOMBE, EAST SUSSEX.**

**PINS REF: APP/U1430/A/14/2219706
RDC REF: RR/2014/147/P**

**SUMMARY OF STATEMENT ON BEHALF OF SEDLESKOMBE
PARISH COUNCIL**

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1.0 The Appeal Site and its Surroundings

1.1 The appeal site is situated on the south side of Brede Lane, and was described in my proof.

2.0 Relevant Planning Policies

Rother District Local (2006)

2.1 The status of the Plan was set out and refers to Policies DS1; DS2(v); DS3; DS4; GD1(v) and HG10. The Policies include the requirement that development should avoid prejudicing the character and qualities of the environment, particularly the AONB and that proposals for new dwellings in the countryside (outside development boundaries) will be refused unless it meets a number of exceptions.

Rother District Local Plan (2011-2028)

2.2 The progression of the Rother District Local Plan (2011-2028) Core Strategy towards adoption were described together with the relationship and status of the Council's SHLAA. It is anticipated that the final version of the Core Strategy be considered by Full Council on 29 September 2014.

2.3 Policies OSS1; OSS3; OSS4; RA1; RA3 and EN1 of the Strategy were referred to. They indicate that there will be flexible limited growth of villages that contain a range of services, notably in relation to service provision and local housing need, and which is compatible with the character and setting of the village. Sedlescombe is defined as a local service village. Policy RA1 refers to villages and contains a figure of 1,670 dwellings to be provided during the Plan period. Figure 12 refers to Sedlescombe providing 35 dwellings. With regard to development in the countryside new dwellings will be permitted only in extremely limited circumstances. Policy EN1 seeks to ensure the protection of the High Weald AONB.

Sedlescombe Neighbourhood Plan

2.4 Following the resolution of the Parish Council in February 2013 to prepare a Neighbourhood Plan, on 1 July 2013 Rother District Council approved the Sedlescombe Neighbourhood Plan Area as the whole Parish of Sedlescombe. The Sedlescombe Neighbourhood Planning Project Group was set up by the Parish Council as an Advisory Committee on 19 March 2013 and a number of meetings have been held. My proof set out the extensive consultations and documents that have been prepared prior to the Plan being submitted to Rother District Council. It is anticipated that the Plan will be considered by Cabinet at its meeting on 6 October 2014. The publicity period ran from 19 August 2014 to 7 October 2014.

3.0 Relevant National Policies

3.1 The relevant paragraphs of the NPPF are contained in my proof. The Framework encourages empowering local people to shape their surroundings. The advice is that Neighbourhood Plans can enable a shared vision to be developed which delivers the sustainable development communities need. Paragraphs 76 to 78 relate to the designating of land as Local Green Spaces. The allocation accords with this advice. With regard to AONB's, the NPPF, amongst other matters gives great weight to conserving landscape and scenic beauty. This advice is amplified in the Natural Environment/Landscape section of the NPPG. Annex 1 of the NPPF, and the NPPG entitled Determining Planning applications deal with the issue of the weight to be given to emerging Plans. In this particular case, the local authority publicity period has expired and the plan is expected to have been examined, and therefore an objection to the development on the grounds of prematurity is justified.

4.0 The Case for the Parish Council

4.1 The two issues that are central to the Parish Council's objections are: the status of the SNP and the fact that the proposal does not accord with its policies and would prejudice its implementation and, the impact of the development on the character of the area and the AONB.

- 4.2 The site which has been chosen for the housing allocation (Sunningdale) and those where the Plan supports housing development (Pestalozzi, Blackbrooks, Sawmills and Parish Church) received a great deal of support in the village. This reflects the desire not to see greenfield sites developed as only one of the supported site is greenfield. The other supported/allocated sites are either on previously developed land or garden land that is partly within the existing development boundary (Local Plan 2006). All sites defined by the SNP also have economic and social benefits. The sites proposed by the SNP contribute towards the three dimensions to sustainable development set out in paragraph 7 of the NPPF. The Street Farm site offers none of the combined benefits of the sites in the SNP.
- 4.3 The allocation of Street Farm as a Local Green Space (Policy 7) of the SNP also reflects the desire of 44% of those who responded in the Parish not to see the site developed. My proof dealt with the analysis of the comments made at the application stage and in respect of the appeal, which in short resulted in 60% supporting the SNP. This further supports the 92% of residents who supported this policy at the regulation 14 consultation. It is considered that the allocation does accord with paragraphs 76 to 78 of the NPPF. Indeed, the only objection to Policy 7 in terms of the principle of the Local Green Space allocation was from and on behalf of the landowner.
- 4.4 The officer's report to the Planning Committee dated 13 March 2014, stated that the SNP was at an early stage of production and a decision that the application be refused on the grounds of prematurity could not be supported. Since then, the SNP has advanced considerably and when the appeal is heard the local planning authority consultation period will have expired. Therefore in accordance with the advice in the NPPG, the Plan should be given weight, and the granting of planning permission would undermine and prejudice the plan making process and the development conflicts with policy 7 of the SNP. I consider it is important to distinguish between the SNP, which is at an advanced stage and the site allocation document, which is not.
- 4.5 With regard to the character of the AONB, the relevant local and national policies have been referred to earlier in this statement. Also of relevance is the High Weald Area of Outstanding Natural Beauty Management Plan 2014-2019 published by the High Weald Joint Advisory Committee in March 2014. My proof referred to the relevant sections and the implications in respect of this appeal.

4.6 The development would result in the loss of part of an existing field which is rural in character and the provision of a new access road and footpaths, provision of visibility splays, hard surfacing, car parking and the introduction of the new residential properties. The change in the character of the area will be detrimental and the land will appear much more urban than now. There will be views of the development from Brede Lane and public footpaths, the development will be visible from nearby the properties. This effect is acknowledged in the landscape assessment submitted with the application. This states that the visual perception of the site will alter, with the likelihood of the proposals being subject to more formal management than currently exists. That report accepts that the appearance of the site would be more in keeping with the nearby residential estates in comprising low density detached and semi-detached dwellings and thereby making it incongruous with the countryside and AONB. In addition, over 50% of comments made in letters from residents and stakeholders at application and appeal specifically note objections to this development in the AONB, close to a SNCI, views across the valley, need to retain this green space, use of the claimed footpaths across the fields and visual interference from footpath 2B. There are also two separate claims for footpaths running across the development site based on long term usage which have yet to be determined by the County Council. For these reasons I consider that the development will have a harmful effect on the AONB.

5.0 Unilateral Undertaking

5.1 Without prejudice to the position of the Parish Council, details of additional matters it is considered should be the subject of the Undertaking have been supplied.

6.0 Conclusion

6.1 The development of this site outside the development boundary for Sedlescombe as defined in the Rother District Local Plan (2006) is contrary to the emerging policies of the SNP which is at an advanced stage of preparation and to which due weight should be given in accordance with the advice in the NPPG. The proposal will also have a harmful effect on the character of the AONB. For these reasons it is requested that the appeal be dismissed.