**BURWASH COMMON AND WEALD RESIDENTS’ ASSOCIATION**

Comments on the Rother District Council draft Local Plan (Regulation 18 consultation)

1. **Who we are**

1.1 The Burwash Common and Weald Residents’ Association (BCWRA) is a residents’ association formed in 2010 to look after the interests of the residents of Burwash Common and Burwash Weald and to provide a forum for discussion of matters of local interest. The emerging Local Plan falls into this remit. We currently represent 94 households in the area.

1. **Comments on the Plan’s specific proposals for Burwash Common and Weald**

2.1 The draft Local Plan (or more specifically the Housing and Economic Land Availability Assessment – HELAA- which underpins it) notes several locations in Burwash Common and Burwash Weald as either identified or potential sites for development.

BUR0005. The former Ashwood Nursing Home site. (Identified site)

2.2 This site is now under development, with 10 new properties on the larger, southern part of the site due to be occupied in the late summer/autumn. The smaller, northern part of the site currently has planning permission (RR/2021/1608/P) for two so-called eco-homes. However, our understanding is that the land on which these two properties were scheduled to be built has been put up for sale by the current owners. It therefore remains to be seen whether this part of the site will be developed in line with the existing planning approval or whether further planning applications will be submitted by any new owners. Any such applications can be judged on their own merits.

2.3 We have been very concerned to see that the part of the site that is being developed has encroached beyond the site boundary on its western side up to the edge of the existing footpath, such that a proportion of the previously existing grass verge has been lost. In addition, existing hedges along this boundary are being removed and replaced by poor quality fencing which is not at all in keeping with the local landscape. The remainder of the grass verge between the footpath and the road (Swing Gate Hill) has been churned to mud by contractors’ vehicles and needs to be reinstated by the contractor once the development is completed. These are all enforcement issues which have been reported but no action appears to have been taken by the relevant authorities.

BUR0020. The Nutrition Centre (Higher Nature), Goodsoal Lane. (Potential site)

2.4 Since this draft of the Local Plan was written, the site has been sold to ENN Recycling Ltd and will continue in commercial use under the new owner. According to the HELAA this is Rother DC’s preferred use for the site. Rother DC will need to establish what plans the new owners have for the development of the site and whether the HELAA assumption of residential development (3 dwellings) remains realistic.

BUR0027. Land south of Heathfield Road, Burwash Common. (Potential site)

2.5 We do not support the development of this site for housing.

2.6 This is a greenfield site which is well outside the current Burwash Common development boundary. Development of the site would be an unwelcome incremental step towards ribbon development of the green space between Burwash Common and Broad Oak which Rother DC has previously said that it is anxious to avoid.

2.7 We share the Highway Authority concerns about visibility and footway provision noted in the HELAA.

2.8 This site also has to be considered in the context of one of the rejected sites (BUR0017, Linkway Field, Burwash Common) which has been the subject of multiple recent planning applications, the two most recent being for housing development. The first of these (RR/2023/569/PIP) was rejected by Rother DC and is currently the subject of an appeal to the Planning Inspectorate. A second proposal for housing development on the site (RR/ 2024/745/PIP) is opposed by Burwash Parish Council but has still to be considered by Rother DC. In our view, if BUR0027 is earmarked for housing, it substantially weakens the case for resisting development on the Linkway Field. Both sites are outside the Burwash Common development boundary, with BUR0027 being significantly further outside than BUR0017. Both sites have similar topography, and both are wholly within the High Weald National Landscape. If Rother DC feels that developing the Linkway Field “would have a harmful impact on the landscape and character of the High Weald National Landscape” then it is very difficult to see how the same argument does not apply equally to BUR0027?

BUR0034. Land at Burnt House Farm, Burwash Weald. (Potential site)

2.9 We agree that this site is not suitable for residential development for the reasons set out in the HELAA. We accept that the site may be suitable in principle for small-scale employment use within certain constraints.

2.10 It should be pointed out that there are inaccuracies in the HELAA description. Firstly, there is no dwelling on the site. The current owner tried to get permission for a brick barn with a chimney to be turned into a dwelling, but planning permission was “not processed” (RR/2008/623/P). Secondly, the potential area highlighted on the HELAA map is not accurate because it includes the garage of a neighbouring property and the short drive to it.

2.11 Whether the site can support additional employment and how that is best done requires careful consideration. Burnt House Farm is a conservation area and needs to be protected. The current footprint should not be increased. It is essential that any changes are not visible across the Dudwell valley.

 2.12 Access is a problem. The long private access road referred to in the HELAA is private and there is believed to be a covenant on the land which prevents vehicles from the site from using the lane. It may be necessary to establish a new entrance to the site which minimises dangers to vehicles and pedestrians at the point of exit to the A265.

2.13 Some of the properties adjacent to the site have been subject to recent flooding. Neighbours have built storm drains, but any commercial development of the site itself which involves additional areas of tarmac will increase water run-off and worsen the flooding problems.

2.14 Before any development can be contemplated, the site needs to be cleared of all the rubbish that has been dumped and buried by the present owner over several years. Because of the nature of the dumping, the site may also require decontamination. Action on this lies firmly with the Enforcement Officer at Rother DC who, to date, has been unwilling to implement existing Enforcement Notices.

‘Rejected’ sites in Burwash Common and Burwash Weald

2.15 The following sites listed in the HELAA (BUR0004, BUR0015, BUR0016, BUR0017, BUR0018, BUR0021, BUR0023, BUR0028 and BUR0033) are considered to be ‘rejected’ sites, in that they are currently regarded as unsuitable, unavailable or unachievable for development. We note this but reserve the right to comment in future should the designation of any of these sites change for any reason.

1. **Comments on the Plan’s vision for Northern Rother**

3.1 We have addressed the Plan’s vision for Northern Rother in the context of our responses to Q68, Q69, Q70 and Q71 in the Local Plan, below.

Q68. What are your views on the vision for Northern Rother?

3.2 Generally speaking we support the vision in the draft Local Plan for Northern Rother as set out on page 156. While the further development of modes of active travel can be applauded, it is very important to note that the relative lack of a public transport infrastructure and the age profile of the local population means that ‘active travel’ for many is unrealistic and travel by private car will remain the only viable mode of transport for many. It should not be made more difficult than it already is.

3.3 A particular issue for us, the residents of Burwash Common and Burwash Weald, is the relative remoteness of our nearest railway station, Stonegate. Once reached, Stonegate provides easy access north to Tunbridge Wells and London and south to Hastings. Perhaps some consideration could be given to the development of a scheme similar to the patient transport scheme that already exists in a different context to get people to and from the rail services at Stonegate?

Q69. What are your views on the distribution and opportunities for growth in settlements within the sub-area in figures 29, 30 & 31?

3.4 Our comments insofar as they relate to Burwash Common and Burwash Weald are set out in detail in section 2 above. To summarise, we think that the plans for additional housing development in the area (12 dwellings) may need to be revisited, depending on further consideration of the sites BUR0020 and BUR0027 in the light of the information we have provided. Similarly, the plans for further commercial development need another look in the light of the recent sale of BUR0020.

Q70. What are your views on the potential sites identified in the draft HELAA that could accommodate more growth in Northern Rother?

3.5 See our response to Q69 above.

Q71. What are your views on a potential 30-year vision for the A21 transport corridor?

3.6 We cannot comment on the feasibility of the proposed 30 year vision for the A21 transport corridor. We are concerned that the draft Plan is silent on E – W transport links. Within the context of the South East region of the UK as a whole, something needs to be done to provide more robust E – W transport links for heavy goods vehicles arriving at or departing from Dover as the pressure on villages along the route of the A265 in particular is only likely to increase. This may be beyond the scope of the Rother Local Plan, but it should not be allowed to fall into the gaps between the local plans of the different local authorities who ought to have an interest in it.

1. **General comments on the draft Local Plan**

4.1 Potential new national planning policies. At the time of writing (July 2024) the new Labour government is proposing to relax planning regulations to allow the country’s undoubted need for new housing to be more easily met. It remains to be seen how this will impact on the Local Plan and the policies contained with it, but generally we support the development of the right houses (ie. those that meet a clearly defined local need) in the right places (ie. protecting greenfield sites as much as possible and, in particular, protecting the High Weald National Landscape). There needs to be early definition/clarification of what constitutes so-called “greybelt” sites (as this is a new term for many of us) and how this impacts, if at all, on the designation of sites in the HELAA. We agree that the development of on-shore wind farms on the High Weald NL is inappropriate and should be resisted.

4.2 Proposed Local Plan vision. We think the vision might be modified to improve support for young people and families. For example, perhaps there can be more involvement from appropriate housing associations to help deliver genuinely affordable “starter” homes? In addition, there could be more support for hybrid working and working from home (as these are likely to be the cradles for new small businesses) with more flexibility around what constitutes “commercial” and “residential” premises, financial incentives and the introduction more widely of reliable high-speed broadband. Consideration should also be given to strengthening the resilience of local power networks in rural areas which (in our area at least) are subject to frequent and sometimes sustained power cuts often at no notice.

4.3 Local Plan objectives and policies. We think it is important that the objectives in the Local Plan are practically achievable, and they should be tested in this context. Similarly, policies should be clear in their intent, unambiguous in their wording and capable of practical implementation. At the moment, some proposed policies are potentially weakened by reference to ‘exceptions’ or ‘exceptional circumstances’ in which they can be set aside or modified. While the Local Plan should not be a straitjacket, our experience is that developers (in particular) see these as loopholes and will seek to exploit them where they can. Policy wording should be reviewed to limit exceptions to those which really are necessary.

4.4 Targets. The Local Plan identifies some areas where it proposes targets for improvement which are significantly ahead of national norms. Whilst at one level this may be commendable, it may present a risk if, for example, it is going to lead to the relevant policies being subject to periodic complaint or legal challenge leading to unnecessary costs.

Burwash Common and Weald Residents’ Association

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