

Rother Draft Local Plan Regulation 18b Consultation
Draft Policy BR3 - Land at Broad Oak Lodge, Chitcombe Road, Brede

1) Introduction

- 1.1 This Statement sets out grounds for objection to a potential housing site allocation under Policy BR3 of the draft Rother Local Plan, which would allocate the site for some 20 dwellings. The site is known as Land at Broad Oak Lodge, Chitcombe Road, Brede.
- 1.2 The draft allocation boundary is shown below. The site is located on the western side of Brede, some 0.5 miles from the central part of the village. It comprises a transition site between the linear development of the village to the east and the open countryside to the west. The site lies entirely within the High Weald National Landscape and is extremely open and sensitive in character and setting.



3D satellite view of the site looking north west © Google Earth



3D satellite view of the site looking north east © Google Earth



Aerial view showing the distance of the site from Broad Oak



2) Draft Policy BR3

2.1 The supporting text for draft Policy BR3 is as follows:

The site includes the residential curtilage of a single dwelling together with a field to the rear, and the southern portion of a separate field to the west, at the western end of Broad Oak village. While development of the entire fields would not be acceptable, as it would extend into the countryside, be out of character with the settlement pattern and would impact on an adjacent area of ancient woodland, extending the existing residential curtilage slightly northwards and into the adjoining field to the west provides an opportunity to achieve an appropriately designed development in keeping with the character of the adjoining small cul-de-sac development (to the east), while retaining an appropriate separation from the existing pond and mature trees at the front of the site. The location is relatively sustainable, accessible via the existing footway on Chitcombe Road to services and bus stops further east in Broad Oak, although improvements to off-site pedestrian and cycle facilities may be required.

Environmental constraints include the site being located within the High Weald National Landscape, ancient woodland adjoining the northern boundary, a pond located near the southern boundary and a nearby listed building.

2.2 The draft Policy would allocate the site for some 20 dwellings. The policy criteria are outlined below.

1. *Provide a policy-compliant amount of on-site affordable housing in line with policy HOU2 of the Rother Local Plan.*
2. *Include a new vehicular access from Chitcombe Road.*
3. *Include any necessary off-site highway improvements to improve pedestrian and cycle links towards services in Broad Oak including the Primary School.*
4. *Limit development to the southern part of the site (avoiding the existing pond and mature trees).*
5. *Include provision for the retention and future management of a buffer zone of semi-natural habitat, at least 15m wide (which does not include residential gardens), on the northern boundary, between the edge of development and the designated ancient woodland Redland Wood.*
6. *Retain and enhance the existing hedgerow and trees on the southern and eastern boundaries of the site.*
7. *Retain and enhance the existing pond on the southern boundary part of the site and informed by ecological surveys, provide an appropriate buffer to any built development including roadways.*
8. *Protect the setting of the Grade II listed building 'Whiteacres' to the east of the site.*

3) Grounds for the site to be removed from the draft Local Plan

- 3.1 This section sets out the material planning policy and other considerations which demonstrate that the site should not be allocated for 20 dwellings in the draft Local Plan.
- 3.2 A deliverable local plan can identify sites that are currently available, suitable, and have a realistic prospect of being developed within five years of adoption. Any sites that do not meet these criteria should not be included and should be removed.

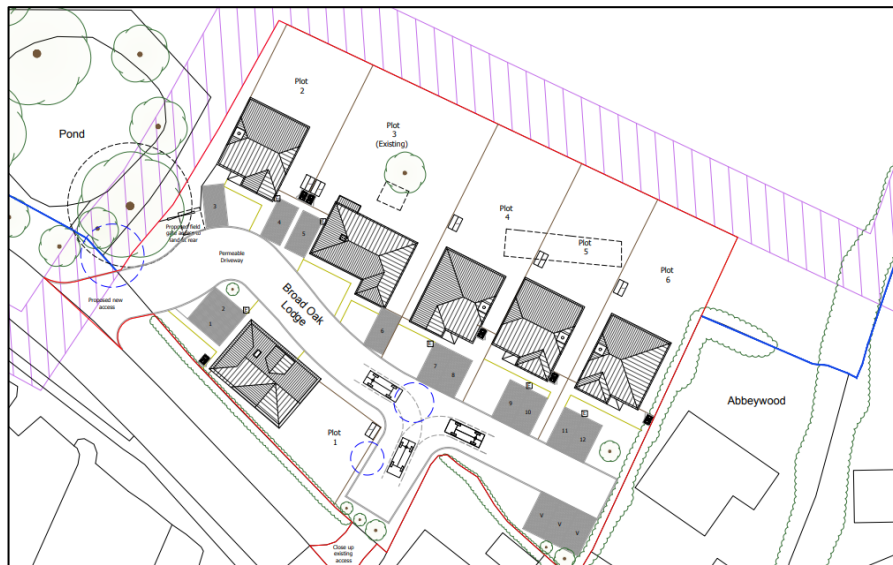
i) Site history

- 3.3 The site has a recent planning history of three planning applications, with two being subsequently dismissed on appeal. These are summarised below.

RR/2021/1430/P - Demolition of existing outbuildings for the provision of four new 4 bed dwellings and one new 2 bed dwelling. All with associated proposed parking and landscaping.

This application retained the existing dwelling and sought to erect five new dwellings. The application site comprised the residential curtilage of the existing dwelling. The application was refused by the Planning Authority in February 2022 for two reasons relating to the visual and landscape impact.

Refused site layout plan – Drawing no. BA 2054.05



RR/2022/1008/P - Demolition of existing outbuildings for the provision of two new 5-bed dwellings and one new 4-bed dwelling. All with associated proposed parking and landscaping.

This second application sought to retain the existing dwelling and erect three larger dwellings within the curtilage. This application was refused for similar reasons relating to visual and

landscape impact. This decision went further and considered this to be a 'green transition' between the village to the east and the open countryside to the west.



Appeal decision nos. 3305548 and 3307541

The two refusals were considered as part of the same appeal decision. Both schemes were considered to result in significant harm to the character and setting of the High Weald National Landscape (formerly Area of Outstanding Natural Beauty). The key issues were the quantum of development and amount of engineering required to create the new access and driveways. This decision comprises an important material planning consideration for any new development at this site and on immediately adjoining land.

RR/2024/625/P - Demolition of existing outbuildings for the provision of one new 5-bed dwelling and one new 3-bed dwelling. All with associated proposed parking, landscaping and a new access for the proposed 3-bed.

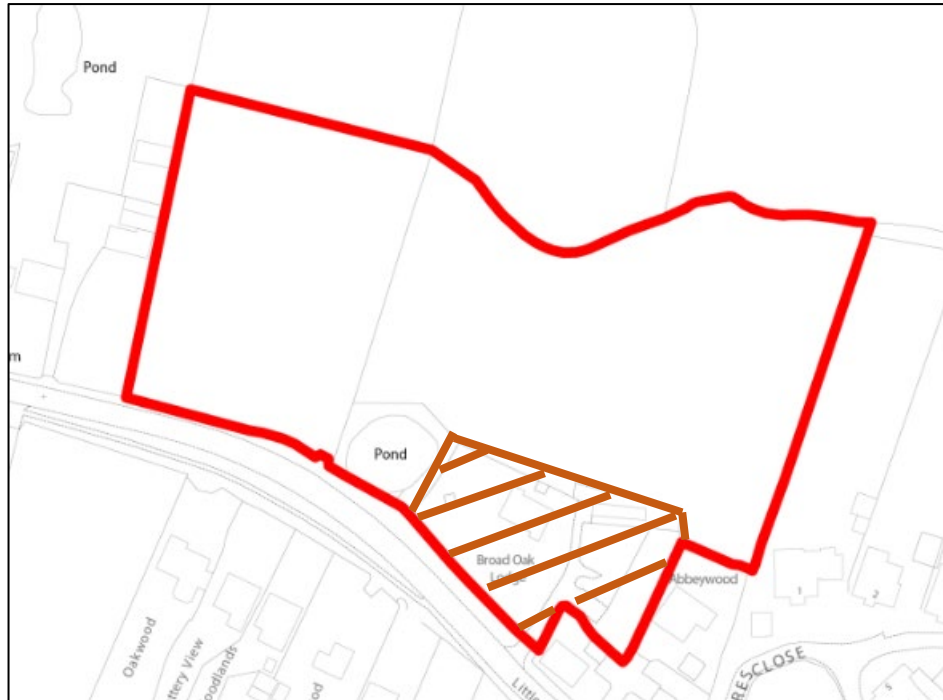
This application retained the existing dwelling and created one new dwelling on either side. This scheme was considered to comprise a sufficient reduction in quantum and visual impact and it was approved.



- 3.4 Therefore, the planning history for the front (southern) part of the site (the land comprising the residential curtilage of Broad Oak Lodge confirms that the land can accommodate a maximum of three dwellings (including the existing dwelling).

ii) Other planning constraints at the site

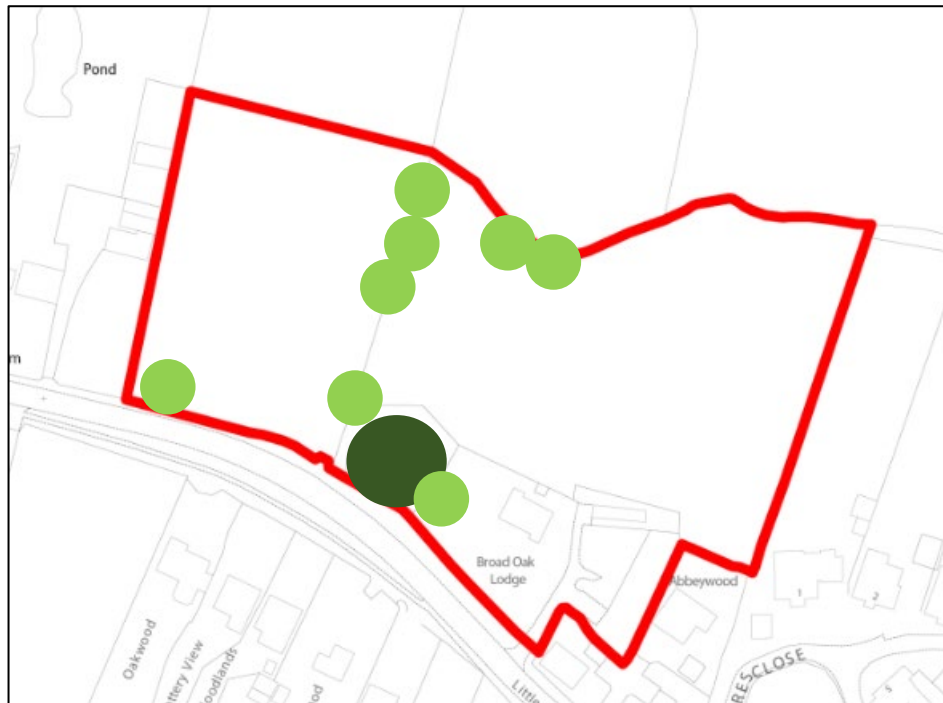
- 3.5 It has already been established that the front part of the site can accommodate a maximum of three dwellings (including the existing dwelling). This section of the wider site is shown below.



- 3.6 The background wording to the draft Policy accepts that there are several important planning constraints that will significantly restrict and future development potential at the site. These are listed below and assessed in turn.

- Existing pond to the west of the existing curtilage
- Mature trees across the site
- Ancient woodland to the north of the site
- Grade II listed 'Whiteacres' to the east of the site.

- 3.7 The pond and mature trees are illustratively shown below. The pond is shown in dark green and the trees in light green. These areas, plus an appropriate buffer surrounding these, cannot be developed.



- 3.8 The woodland (known as Redland Wood) to the north of the boundary is classified as ancient woodland. An extract from the Magic Map system shows the boundary below.

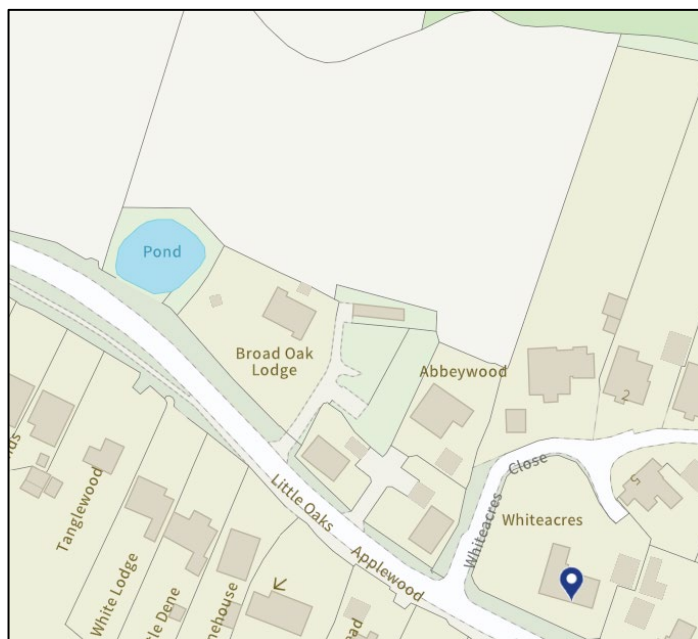


- 3.9 To ensure that the woodland and important habitats are protected, a 30 metre buffer should be provided between the woodland edge and the new development. This buffer cannot include any built form, including private gardens. The buffer is illustrated on the allocation plan below in blue.



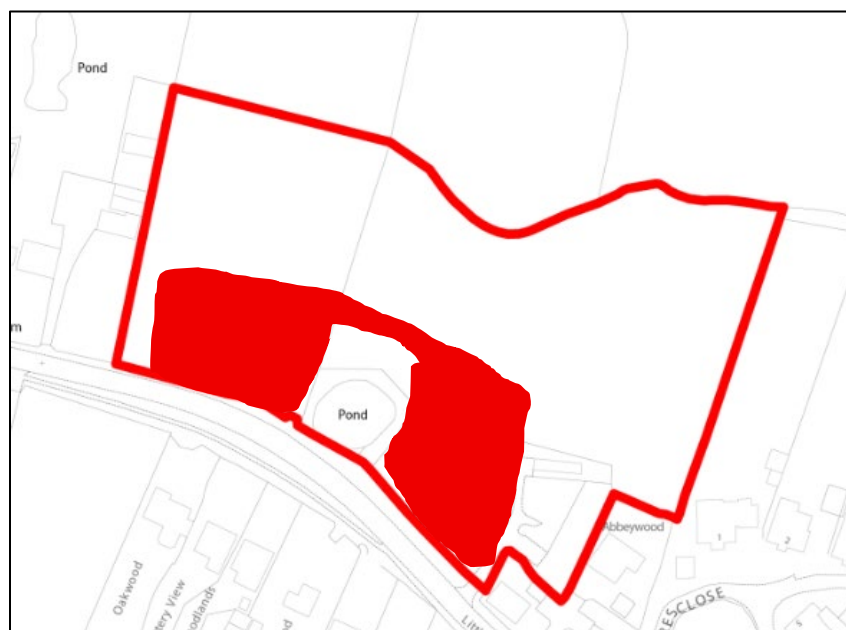
- 3.10 Whiteacres is a grade II listed dwelling to the south east. A buffer should therefore be provided at the south western corner to protect its setting.

Extract from Historic England listed buildings





- 3.11 This demonstrates that there are several planning constraints on and surrounding the site which need to be carefully considered, which all significantly reduce the development potential at the site.
- 3.12 The background wording of the draft Policy accounts for this, stating that the existing residential curtilage can be extended 'slightly' to the north and west (while avoiding any harm to the existing pond and trees to the west), with appropriate buffers being retained to protect all heritage and environmental designations.
- 3.13 Therefore, taking this into account and factoring in the other planning constraints impacting the site, the developable area would be along the lines of that shown below in red.



- 3.14 Given that a maximum of three dwellings can be provided on the eastern section, there can only be a maximum of four new dwellings on the western section. On this basis, at the very least the site allocation should be reduced to 'up to 7 dwellings' including the existing dwelling (a net gain of 6 dwellings).
- 3.15 However, the creation of a new access road to the western section would still result in significant landscape and visual harm to the High Weald National Landscape. Therefore, the Council should carefully consider whether there is any scope of the western section of the site to be developed at all.
- 3.16 In the event that the western section is removed from the draft allocation (and as the eastern section can only accommodate two additional dwellings), this would render the site too small to be allocated meaning it must be removed from the Plan altogether.

iii) Other more suitable sites available for housing allocations in Brede

- 3.17 The draft plan has also allocated two other sites in Brede for some 99 houses (sites BR1 and BR2). These are on two sites which are far more central in the village and are better suited to housing development compared to BR3. The three sites are shown below.



- 3.18 Site BR1 forms part of an existing housing allocation which has already been confirmed as acceptable for major housing development. Site BR2 directly adjoins this site and the main built form in the central part of the village. The relationship of both sites to the village are shown below.



3.19 By contrast, Site BR3 is shown in relation to the village below.



3.20 Therefore, there are alternative sites available to deliver some 100 additional houses for Brede during the new Local Plan period. This is plenty of housing for a village of this size. The village is also relatively unsustainable, benefitting from a convenience store, public house and primary school. It does not benefit from a train station and has a fairly limited bus service.

3.21 As such, there is simply no need to include Site BR3 as well, especially as the site can only deliver around 4 new dwellings (excluding the two additional dwellings already approved).

4. Summary

4.1 Site BR3 lies within a highly sensitive location within the High Weald National Landscape, on the outskirts of Brede. The village is relatively unsustainable, benefitting from a convenience store, public house and primary school. It does not benefit from a train station and has a fairly limited bus service.

4.2 The draft Local Plan seeks to allocate two other sites in Brede (BR1 and BR2) which directly adjoin the village centre which would deliver some 100 new dwellings. These are far better located to the village and would deliver more than enough new housing for a village of this

size and with its relatively poor sustainability credentials. Therefore, there is simply no need to include Site BR3 as well.

- 4.3 Indeed, when taking the important planning constraints on and surrounding the site into account, the site can only deliver six additional dwellings. As two dwellings have already been approved, the site allocation would effectively be for just four additional dwellings. As new site allocations must be for a minimum of five dwellings, this makes the site too small to be allocated. Therefore, it does not merit its own allocation and it should be removed from the draft Plan.
- 4.4 In conclusion, there is no justification for Site BR3 to be included as a site allocation and it should be removed from the next stage of the draft Local Plan.
- 4.5 However, if it is to be included, careful consideration should be given to significantly reduce the quantum to some 6 additional dwellings.