PART B – YOUR REPRESENTATION(S)

Please complete a separate PART B sheet for each policy, site, or matter you wish to comment on.

Name or Organisation	Matt Walsh / Rubicon Associates Ltd On behalf of the landowner of TIC0039

1. To which part of the Local Plan does this representation relate?

Policy reference	SS2; Chapter 14 Flimwell site selection. FW1 and FW3 are comparators.
Paragraph number	2.8-2.13; 14.147-14.153; 14.160-14.168
Policies Map	Flimwell development boundary; reduced eastern parcel of TIC0039
Sustainability Appraisal	Appendix 6: excluded HELAA sites TIC0039 and separate TIC0088 entry
Other (please specify)	Omission of reduced TIC0039 parcel; approximately six homes; fewer considered.

2. Do you consider the part of the Local Plan that you have indicated above is:

	YES	NO
Legally compliant	☐	☐
Sound	☐	☑

3. If you consider the Local Plan is NOT Sound, please indicate which test(s) of soundness your representation relates to:

Soundness test (select any that applies)	
☐	Positively prepared
☑	Justified
☐	Effective
☐	Consistent with National Policy

The tests of soundness are set out in the National Planning Policy Framework. Information can also be found in the Council's ***Consultation Guidance Notes****.*

4. Please provide full details of why you consider this part of the Local Plan is not legally compliant or unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan please also use this box to set out your comments.

Should you require further space, please continue on a separate page or sheet of paper as necessary.

This representation concerns the omission of the reduced eastern parcel of TIC0039, land at Broom Hill, west of Bewl Bridge Close, Flimwell. It challenges Policy SS2, the proposed Flimwell development boundary and the Chapter 14 site-selection strategy insofar as they exclude that parcel. The principal soundness objection is that the Plan is not justified. No separate legal-compliance objection is made (Question 2 boxes left unticked).

The original promotion covered approximately 2.9 hectares. The revised proposal concerns only the eastern parcel adjoining housing at Bewl Bridge Close, for approximately six dwellings as illustrated by the indicative concept plan. A lower number would be considered where justified by technical assessment. The detailed layout and design remain subject to assessment. The concept uses single-storey and 1.5-storey forms and retains the wider holding for proposed environmental mitigation. These characteristics warrant assessment as a reasonable alternative; not every promoted site must be so assessed.

Appendix 6 of the Regulation 19 Sustainability Appraisal lists TIC0039 among excluded HELAA sites and separately lists TIC0088 as an extension site. These entries do not establish which boundary, dwelling number and layout were assessed for the reduced proposal. Please identify that assessment and distinguish it from the wider site and any separate extension promotion.

FW1 allocates 27 homes with woodland buffering, green infrastructure and drainage safeguards (paragraphs 14.147-14.153). FW3 allocates 35 homes subject to safeguards for woodland, field boundaries, highways and infrastructure (paragraphs 14.160-14.168). The comparison should address residual impacts after mitigation and explain any material differences that justify excluding TIC0039.

Map 16 on page 73 of the adopted Ticehurst Neighbourhood Plan 2019, compared with the Regulation 19 allocation plans, shows FW3 outside the adopted Flimwell development boundary and the enlarged FW1 extending beyond it. Part of FW1 was already included through the neighbourhood plan. Being outside the current boundary cannot, by itself, justify exclusion of TIC0039; its settlement relationship and site-specific impacts require assessment.

Paragraphs 2.8-2.13 identify need for 15,215 homes but provision for 8,671, leaving 6,544 unmet. I acknowledge the constraints and that Policy SS6 says the Ticehurst-area target of 134 homes is met. Nevertheless, the unmet district need makes justified site selection important.
Landscape sensitivity is acknowledged. The earlier representation reports approximately 90 metres to ancient woodland and avoidance of the wider site's material surface-water issue. These claims require testing against the reduced boundary and evidence. Woodland distance alone does not establish acceptability. Landscape, ecology, drainage, access and rights, Green Gap objectives and delivery timing require proportionate assessment.
The published material reviewed does not clearly identify an assessment of the reduced scheme; this is the basis of my objection. Omission alone is not alleged to establish a legal breach. See the access evidence on pages 11-15.

(Continue on a separate sheet /expand box if necessary)

5. Please set out the modification(s) you consider necessary to make this part of the Local Plan legally compliant and sound, and why each modification(s) will make the Local Plan legally compliant and sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please note: your representation should succinctly cover all the evidence and supporting information necessary to support your comments and suggested modification(s). You should not assume that there will be a further opportunity to submit evidence. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Should you require further space, please continue on a separate page or sheet of paper as necessary.

I seek an additional residential allocation for approximately six dwellings, on the reduced eastern parcel of TIC0039, land at Broom Hill, west of Bewl Bridge Close, Flimwell, with a corresponding amendment to the development boundary and Policies Map.

The reduced eastern parcel is proposed for approximately six dwellings, as illustrated by the submitted indicative concept plan. A lower number would be considered where justified by technical assessment. The detailed layout and design would remain subject to that assessment.

The full response, including the modifications and suggested allocation wording, is on the continuation sheet at page 9. That sheet forms part of this representation.

The Council should allocate the reduced parcel; assess it as a reasonable alternative and update the supporting evidence; apply site-specific safeguards; amend the boundary and Policies Map; and update housing totals and the trajectory. The remaining land would stay outside the residential allocation.

Supporting plan: drawing BH.S02, Proposed Site Plan, dated October 2024, is appended at page 10. Its red outline identifies the reduced parcel and its six-dwelling layout is indicative. A lower number would be considered where justified by technical assessment. No extension of the reduced parcel is proposed.

Access evidence and limitations are set out on page 11. The proposed access drawings and two existing topographical survey sheets follow on pages 12-15. They identify a potential access option and measured existing conditions; residential suitability remains subject to highways assessment and coordination with the concept plan.

(Continue on a separate sheet /expand box if necessary)

6. If you are proposing a change to the Local Plan, please indicate whether you consider it necessary to participate in the examination hearing session(s).

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

✔	YES I want to participate in the hearing session.
	NO I do not wish to participate in the hearing session.

If you wish to participate in the hearing session(s), please explain why you consider this is necessary.

Yes. I seek a change to the Plan through allocation of the reduced eastern parcel of TIC0039 and amendment of the Flimwell development boundary.

I wish to explain the relationship of the reduced proposal to Bewl Bridge Close, clarify how it differs from the original wider promotion, and discuss whether the published evidence justifies its exclusion compared with FW1 and FW3.

The hearing would allow the Council's assessment of the reduced parcel, treatment of the existing development boundary and proposed mitigation to be examined and any remaining technical requirements clarified.

I request participation in the relevant session on the Northern Rother strategy, Flimwell site selection or development boundaries. I understand that the Inspector determines the hearing arrangements.

Please confirm registration, provide a representation reference, and forward this form and any supporting material submitted with it for examination. Please also notify me of relevant proposed main modifications as well as the stages selected in Question 7.

(Continue on a separate sheet /expand box if necessary)

7. Please indicate whether you wish to be notified at the following stages of the Local Plan preparation:

When the Local Plan is submitted for examination		✔
When the Inspector's report and recommendations are published		✔
When the Local Plan is formally adopted by the Council		✔

Question 5 continuation sheet

TIC0039 - Land at Broom Hill, Flimwell
Matt Walsh / Rubicon Associates Ltd, on behalf of the landowner

I seek an additional residential allocation for approximately six dwellings, on the reduced eastern parcel of TIC0039, with a corresponding amendment to the Flimwell development boundary and Policies Map. This would address the identified gap in the justification for site selection and enable a proportionate additional contribution to housing supply.

The reduced eastern parcel is proposed for approximately six dwellings, as illustrated by the submitted indicative concept plan. A lower number would be considered where justified by technical assessment. The detailed layout and design would remain subject to that assessment.

The Council should:

1. Assess the reduced parcel as a reasonable alternative, clearly identifying its boundary and development assumptions. Explain its treatment compared with FW1 and FW3 and update the HELAA, site-selection evidence and Sustainability Appraisal as necessary.

2. Include a site-specific allocation requiring low-rise, landscape-led development, retention and enhancement of vegetation, appropriate ecological buffers, biodiversity provision, safe access and sustainable drainage. The proposed allocation would retain the balance of the holding outside the residential allocation for environmental purposes.

3. Amend the development boundary and Policies Map to include the residential parcel and update housing totals and the trajectory, subject to assessment of any reduction in dwelling number and delivery timing.

Suggested allocation wording, subject to technical assessment and the defined reduced parcel:

"The reduced eastern parcel of TIC0039, land at Broom Hill, west of Bewl Bridge Close, Flimwell, is allocated for approximately six dwellings. A lower number would be considered where justified by technical assessment. The detailed layout and design remain subject to that assessment. Development must follow a low-rise, landscape-led approach, informed by technical assessments; retain and enhance important vegetation; provide appropriate habitat buffers and biodiversity measures; and secure safe access and sustainable drainage. The balance of the holding is excluded from the residential allocation and retained for proposed landscape and ecological purposes."

The existing boundary is not treated as fixed for FW1 and FW3. The modification would apply the same assessment principle to TIC0039 while addressing its particular constraints. The comparison alone does not establish suitability. If exclusion is maintained, please identify why the reduced scheme remains unacceptable after mitigation and explain the material differences from the selected Flimwell sites.

Supporting plan appended at page 10: drawing BH.S02, Proposed Site Plan, Broom Hill, Flimwell, dated October 2024. The red outline defines the reduced parcel. The plan illustrates six dwellings, single-storey and 1.5-storey forms, tree buffers and a SuDS feature. The layout is indicative; a lower number would be considered where justified by technical assessment. No extension of the reduced parcel is proposed.

Access evidence is provided at page 11, with proposed access drawings and topographical survey sheets at pages 12-15. Residential-access suitability remains subject to highways assessment.

Rosemary Mount

House 3

SITE SECTION A-A

N

•Tree buffer

•Tree buffer

•SuDS feature

pond

A

A

BEWL BRIDGE CLOSE

BROOM HILL

0 5 10 20 30 40 50 60m

Houses 1 and 2 **single storey**

Houses 3, 4, 5 and 6 **one and a half storey**

TITLE
BROOM HILL, FLIMWELL
DRAWING
PROPOSED SITE PLAN

SCALE	DATE	DRAWING NO.
1:1000 @ A3	OCT 2024	BH.S02

Access evidence supporting Questions 4 and 5

TIC0039 - Land at Broom Hill, Flimwell
Matt Walsh / Rubicon Associates Ltd, on behalf of the landowner

This statement supports Questions 4 and 5. It supplements the approximately six-dwelling proposal for the reduced eastern parcel. A lower number would be considered where justified by technical assessment.

A potential access location from Broom Hill is illustrated on the accompanying SJM Planning proposed block plan. Existing frontage conditions have been recorded in SJM Surveys drawings 2023-1403-001-Survey Plan and 2023-1403-002-Survey Plan, dated 29 November 2023. These provide a measured basis for further access assessment.

The accompanying drawings illustrate an earlier access proposal from Broom Hill, supported by a topographical survey of the frontage. They are submitted as evidence of a potential access option, rather than an approved residential access design. Suitability to serve approximately six dwellings, or a lower number justified by technical assessment, remains subject to proportionate highways assessment and coordination with the residential concept plan.

Suitability to serve approximately six dwellings remains subject to proportionate highways assessment, including visibility splays informed by appropriate speed information, gradients and access geometry, pedestrian safety, servicing and turning, and control of land needed for the access and visibility splays. The access must be coordinated with the residential concept layout. Any vegetation works must also be considered for their landscape and ecological effects.

The blue outline on the access location plan identifies the wider holding. It does not replace or enlarge the red reduced-parcel boundary on drawing BH.S02 at page 10. No extension of the reduced residential parcel is proposed.

The drawings demonstrate that an access option has been explored and that measured frontage information is available. They do not, by themselves, establish highway acceptability or remove the need for technical assessment.

Drawing schedule

Page 10 - Residential concept: BH.S02, Proposed Site Plan, October 2024 (already included).

Page 12 - SJM Planning 2023-1403v1-Block, Existing and Proposed Block Plans, 13 February 2024, 1:500 at A3.

Page 13 - SJM Planning 2023-1403v1-Location, Location Plan, 13 February 2024, 1:1250 at A3.

Pages 14 and 15 - SJM Surveys 2023-1403-001-Survey Plan and 2023-1403-002-Survey Plan, Existing Topographical Survey, 29 November 2023, 1:200 at A0.

Existing Block Plan



Proposed Block Plan



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The Old Granary. Strettit Farm. Snoll Hatch Road.
East Peckham. Tonbridge. Kent. TN12 5EE
T. 01892 882288 E. enquiries@sjmplanning.com
www.sjmplanning.com

Client: Mr M Walsh

Site Address: Land North of Broom Hill, Flimwell, Wadhurst, East Sussex

Drawing Title: Existing and Proposed Block Plans

Scale	Date	Drawn
1:500 @ A3	13 February 2024	GB

Drawing N°: 2023-1403v1-Block

Rev:

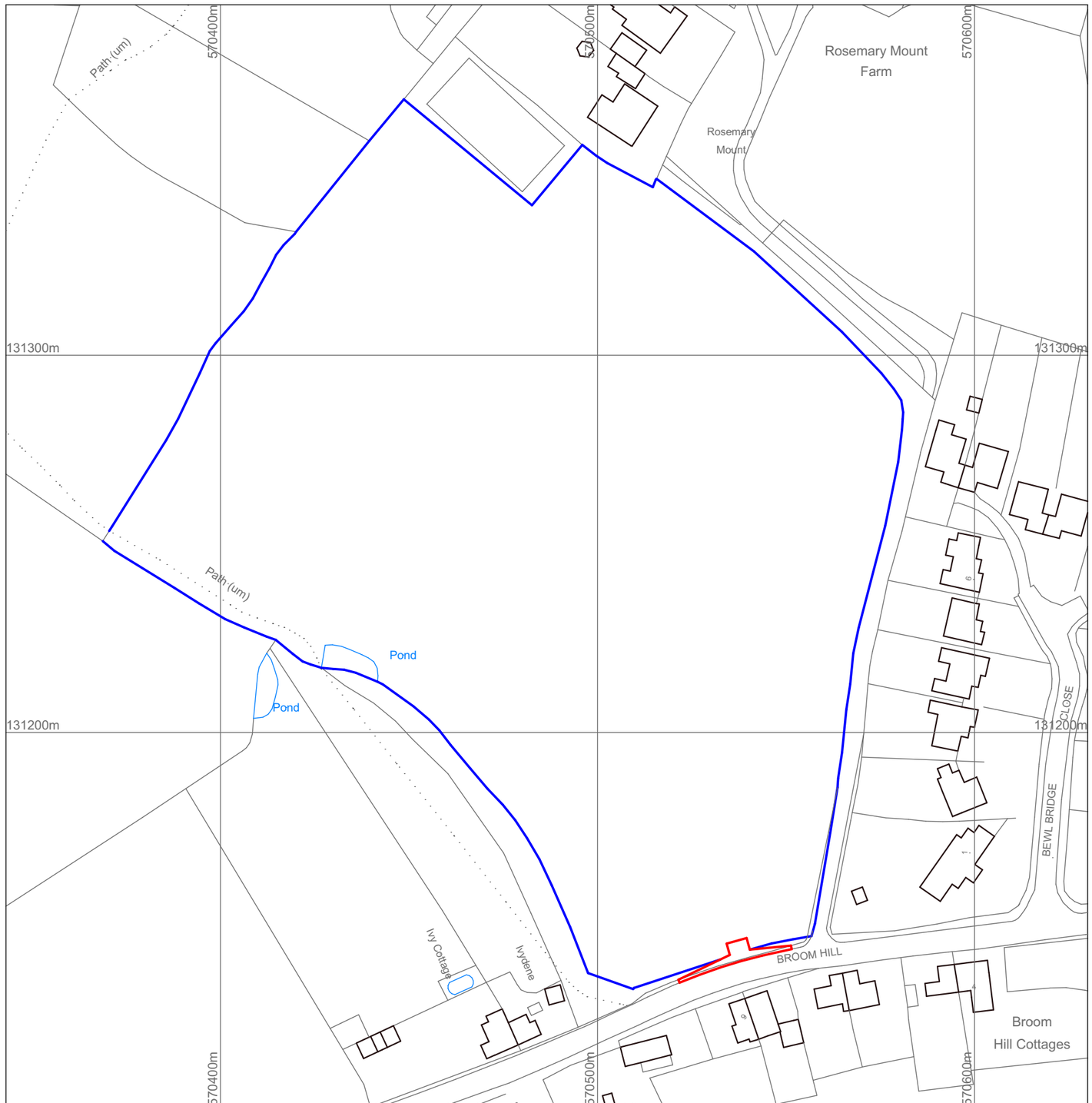
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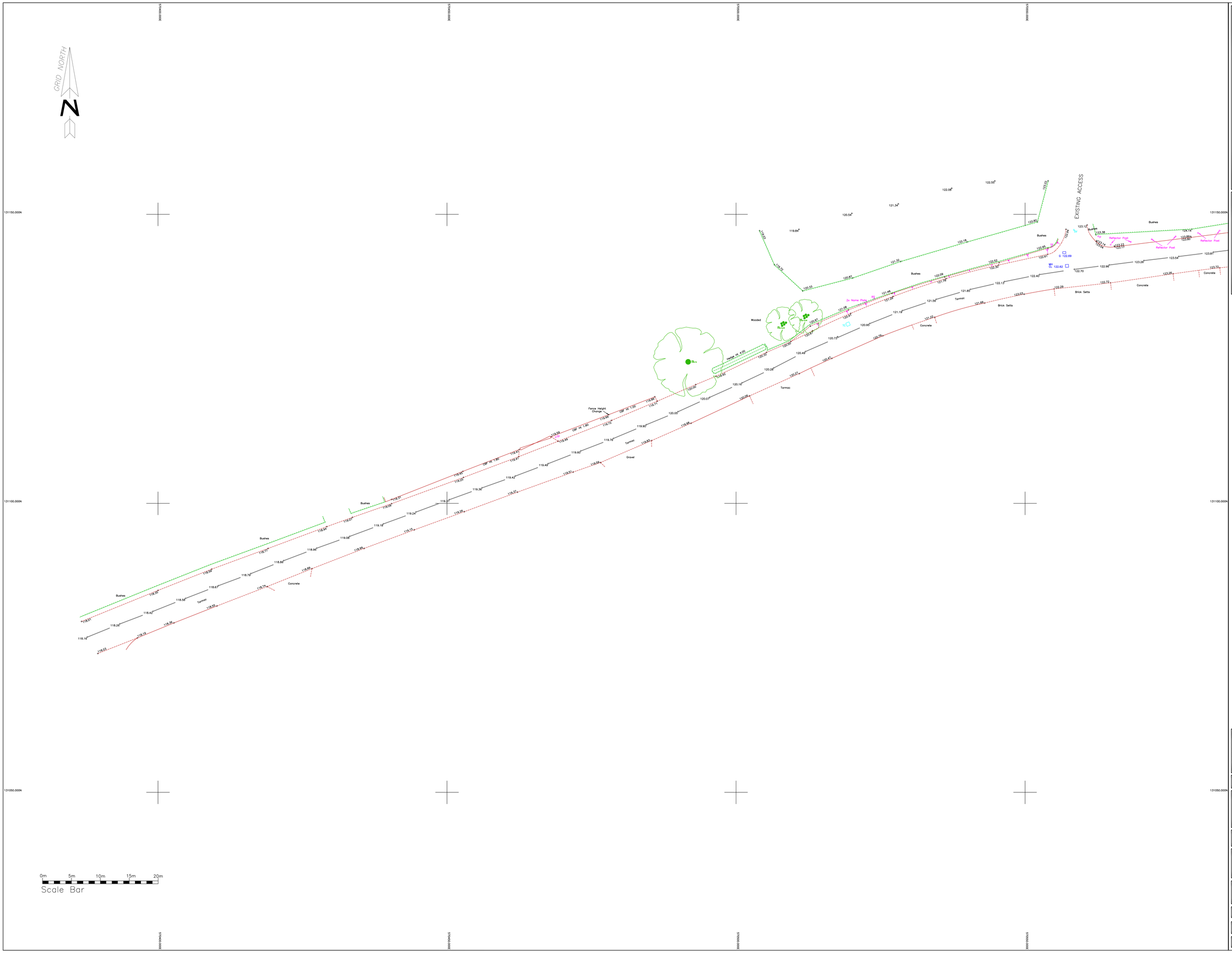
Drawing Title: Location Plan

Scale	Date	Drawn
1:1250 @ A3	13 February 2024	GB

Drawing N°: 2023-1403v1-Location

Rev:

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LEGEND

Street Furniture

ACU	Air Conditioning Unit
BB	Belisha Beacon
BO	Bollard
BS	Bus Stop
CB	Call Box
EP	Electricity Pole
FP	Flag Pole
LB	Litter Bin
LP	Lamp Post
MK	Marker
PB	Post Box
PM	Parking Meter
P	Post
RS	Road Sign
RWP	Rain Water Pipe
TCB	Telephone Call Box
THL	Threshold Level
TL	Traffic Light
TP	Telegraph Pole
VP	Vent Pipe

Covers/Drainage

AV	Air Valve
CL	Cover Level
CH	Catch Head
CP	Catch Pit
CTV	Cable TV
DC	Drainage Channel
EC	Electric Cover
FH	Fire Hydrant
G	Gully
GV	Gas Valve
IC	Inspection Cover
IL	Invert Level
KO	Kerb Outlet
MH	Manhole
RE	Rodding Eye
SC	Stop Cock
SV	Sluice Valve
TC	Telecoms Cover
UNK	Unknown Cover
WC	Water Cover
WM	Water Meter
WO	Wash Out

Walls

BW	Brick Wall
CW	Concrete Wall
GW	Gabion Wall
RTW	Retaining Wall
SW	Stone Wall
TW	Timber Wall

Fences

CBF	Close Board Fence
CLF	Chain Link Fence
CPF	Chestnut Paling Fence
CSF	Concrete Slat Fence
IRF	Iron Railing Fence
OBF	Open Board Fence
OBF	Open Board Fence
PRF	Post and Rail Fence
PSB	Pedestrian Safety Barrier
PWF	Post and Wire Fence

Levels

DPC	Damp Proof Course
EL	Eave
FL	Finished Floor
PAR	Parapet
RL	Ridge
RFL	Flat Roof
THL	Threshold
TKL	Trackside
WGL	Wire-grid Lift
WHL	Window Head

STN Survey Station
20.00 Spot Level
Gate
Contours
Hedge

Trees

All trees canopy spreads and heights are approximate.
Species have been identified to the best of the Surveyors knowledge.
Notation — Diameter of Trunk / Height, Spreads drawn to scale
Trees that have multiple boles will have the number shown.

NOTES

Survey Grid & Datum Levels

Survey Grid

The survey grid is Related to Ordnance Survey grid by GPS Observations.

Survey Datum

The survey datum is related to Ordnance Survey datum by GPS observations.

Drainage

Where drainage invert levels/pipe sizes are shown, data has been recorded from the surface by visual inspection only . Drainage connections to other manholes/gully's are assumed, Where drainage information is critical a full drainage tracing survey should be undertaken.

Base Map Data

Information shown in grey for adjacent properties and boundaries is shown for illustrative purposes only, these features have not been surveyed unless otherwise stated.
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The Old Granary, Strettt Farm, Snoll Hatch Road.
East Peckham, Tonbridge, Kent, TN12 5EE
T. 01892 882228 E. enquiries@sjmsurveys.com
www.sjmprojects.com

Client: Rubicon Associates Ltd

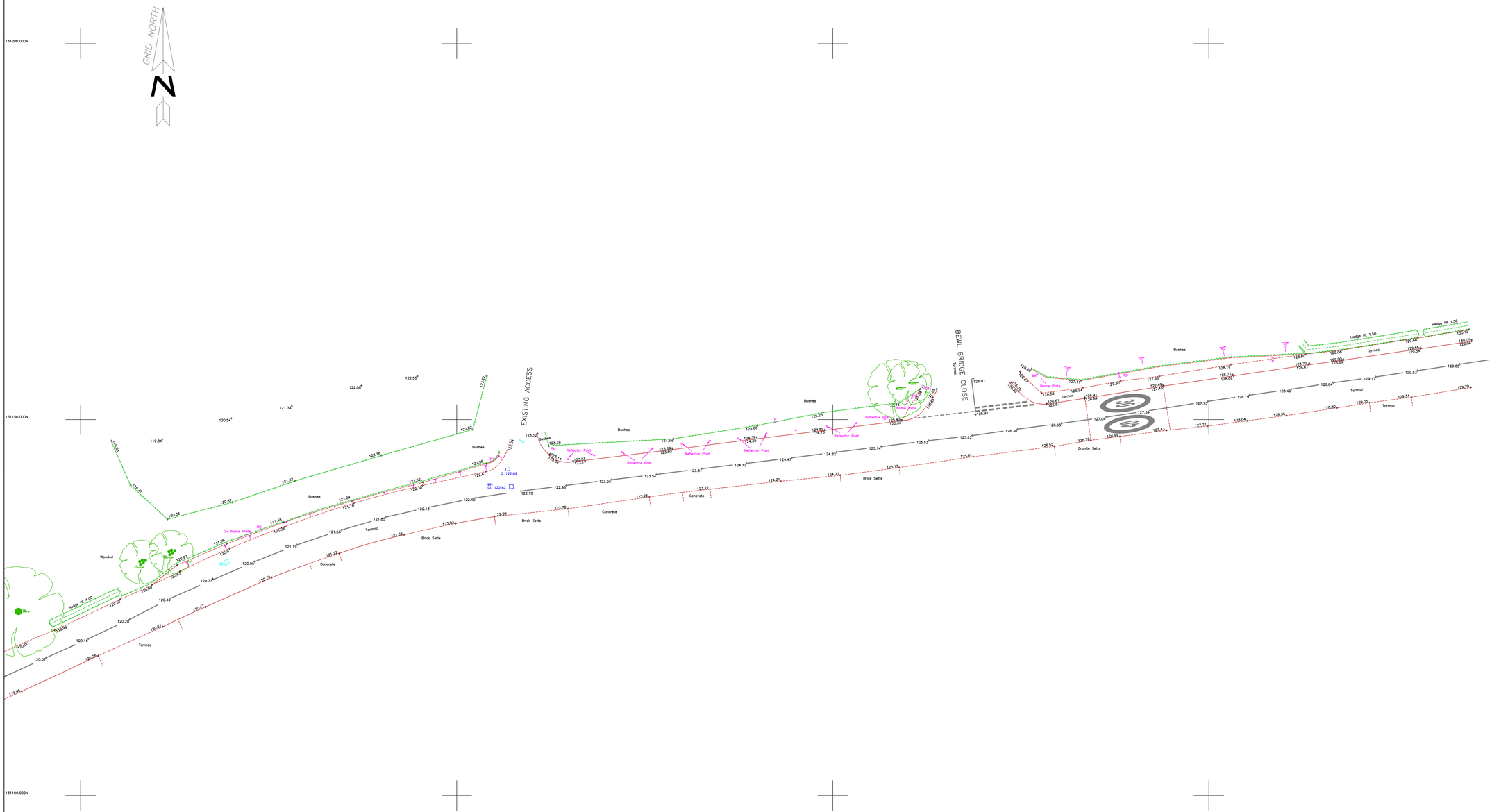
Site Address: Proposed New Entrance Broom Hill, Flimwell

Drawing Title: Existing Topographical Survey

Scale	Date	Drawn
1:200 @ A0	29/11/2023	TJJ

Drawing N°	Rev
2023-1403-001-Survey Plan	000000

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LEGEND

Street Furniture

ACU	Air Conditioning Unit
BB	Belisha Beacon
BO	Bollard
BS	Bus Stop
CB	Conifer Bush
EP	Electricity Pole
FP	Flag Pole
LB	Litter Bin
LP	Lamp Post
MK	Marker
PB	Post Box
PM	Parking Meter
P	Post
RS	Road Sign
RWP	Rain Water Pipe
TCB	Telephone Call Box
THL	Threshold Level
TL	Traffic Light
TP	Telegraph Pole
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CSF	Concrete Slat Fence
IRF	Iron Railing Fence
OBF	Open Board Fence
OBF	Open Board Fence
PRF	Post and Rail Fence
PSB	Pedestrian Safety Barrier
PWF	Post and Wire Fence

Covers/Drainage

AV	Air Valve
CL	Cover Level
CH	Catch Pit
CP	Catch Pit
CTV	Cable TV
DC	Drainage Channel
EC	Electric Cover
FH	Fire Hydrant
G	Gully
GV	Gas Valve
IC	Inspection Cover
IL	Invert Level
KO	Kerb Outlet
MH	Manhole
RE	Rodding Eye
SC	Stop Cock
SV	Sluice Valve
TC	Telecoms Cover
UP	Unknown Pipe
WC	Water Cover
WM	Water Meter
WO	Wash Out

Levels

DPC	Damp Proof Course
EL	Eave
FL	Finished Floor
PAR	Parapet
RL	Ridge
RFL	Flat Roof
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East Peckham. Tonbridge. Kent. TN12 5EE
T. 01892 882228 E. enquiries@sjmsurveys.com
www.sjmprojects.com

Client: Rubicon Associates Ltd

Site Address: Proposed New Entrance Broom Hill, Flimwell

Drawing Title: Existing Topographical Survey

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