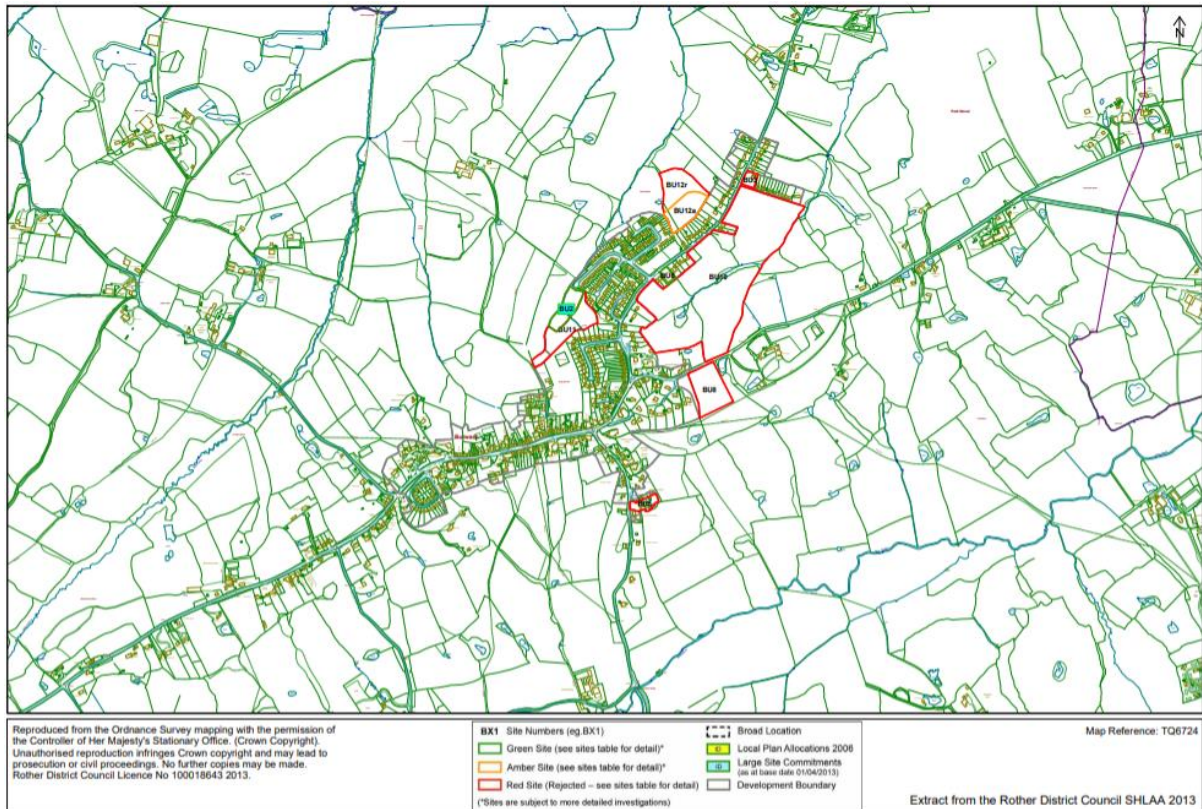


# APPENDIX P: THE ASSESSMENT OF DEVELOPMENT OPPORTUNITIES IN BURWASH VILLAGE

## Strategic Housing Land Availability Assessment (SHLAA)

1. This appendix sets out the work which the Parish Council has undertaken during the preparation of the Plan to identify sites to meet the strategic housing requirement for Burwash village as identified in the Core Strategy. It is provided by way of a context to Section 3 of the Plan itself which identifies the way in which the Parish Council has addressed this important matter in a policy sense.
2. In 2013 Rother District Council (RDC) carried out a review of its 2010 Strategic Housing Land Availability Assessment (SHLAA). SHLAAs are land surveys which are carried out to identify areas of land suitable for potential development. This review informed RDC's Core Strategy which was adopted in September 2014 and provided the information to support the specific housing targets for each area. This map shows the results of the SHLAA land survey. Full details of the SHLAA assessment and a description of each site can be found at Appendix N.



3. The RDC assessment for Burwash Parish concluded that, in the view of the relative inaccessibility to key services, Burwash Weald and Burwash Common were not suitable for additional housing and they were therefore not included within the housing target for Burwash Parish as a whole.
4. Burwash village was identified as having access to key services. The initial housing target for Burwash village was set at 35 homes. However, in September 2014, the adoption of the Core Strategy brought with it an increase in this target to 52 homes.

5. Nine sites were identified by RDC in the Burwash village area as part of the SHLAA. Six were evaluated as 'red' (not suitable for development) and rejected by RDC for a variety of reasons including adverse impact on the AONB, rural character and setting, and impact on biodiversity.
6. One site, ('Shamrock Field' land NW of 40-49 Shrub Lane - SHLAA ref. BU12a later forming part of what is known as the Shrub Lane / Denton Homes site) was evaluated as 'amber' and a possible development site for 30 units although it was acknowledged that there were significant AONB, community, landscape and biodiversity impacts to overcome in order for this site to be considered suitable for development.
7. Two sites were graded as 'green' and therefore suitable for development. These were the former Burwash Laundry site (SHLAA ref. BU6) for 6 units and the Strand Meadow site (SHLAA ref. BU2 later known as 'Watercress Field') for 17 units.
8. Full details of the SHLAA evaluations can be viewed on-line via the RDC website (See link on page 43 or the Burwash extract at Appendix N).

#### Land evaluation

9. At the outset the NDP Steering Group carried out its own evaluation of possible development sites within Burwash Parish. The options were very limited given the constraints of the AONB and the heritage setting, the problem of the steep slopes on either side of the High Street, the fact that over 330 acres is owned by the National Trust and the need for proximity to the village hub. The Steering Group met with RDC to discuss the options identified:

#### Two sites in fields to the south of Greenfield Lane

10. These two possible sites both relate to the frontages of the large field to the south of Greenfield Lane in Shrub Lane (SHLAA ref BU10). Following consideration RDC confirmed that neither site was suitable and stated in their response that: 'The rural setting and character of the village, landscape setting and lack of footpaths all weigh against development in the gaps. This view was supported at the last Local Plan Inquiry when this site came forward with the Inspector's conclusion stating that the green field location in the AONB, landscape intrusion and lack of adequate local employment made these sites unsuitable for development.'

#### Other options

11. During the consultation process residents raised questions about the potential for development of the Bell Inn and Oakley's Garage sites. These have both been considered.
12. The Bell Inn stopped operating as a public house in 2010. It would require a change of use from commercial to residential to permit it to be developed for housing. It is highly unlikely to provide six or more new homes which is the minimum number required by RDC to count towards the housing target so has not been included in this NDP.
13. Oakley's Garage has stood empty for almost three years and is increasingly derelict. It is being marketed for sale but at present has not been sold and no application has been made for change of use to residential. The option for allocating this site was seriously considered as it is felt that this could provide circa 6 new homes. The Parish Council currently takes the view that the site should be protected for commercial development in order to provide additional local employment in the area where such opportunities are limited however, an allocation for a mixed development would be likely to be well received.

### **Analysis of Planning Permissions in Burwash**

14. RDC set the requirement that to count towards the housing target, developments must contain six or more homes. In the context of housing development in the Parish, this is a significant constraint.

- 15.** An analysis of all planning permissions for additional homes granted since 2002 has been undertaken. This shows that 92% of permissions were below six homes (46 of 50 permissions). Of the 4 schemes of six units or more, The Old Orchard (12 units) and Morris Close (10 units) have been completed. Strand Meadow (30 units) only has outline planning permission, with its subsequent application for full approval having been refused by RDC. This was taken to appeal and the decision was upheld. Rectory Court (19 units) has just been completed and replaces 18 units which were demolished.
- 16.** RDC requirement of only six or more new homes counting against the housing target does not work in rural areas particularly Burwash because of its location within the heart of the AONB. As can be seen from our research only four schemes since 2002 have involved developments of six or more new homes and of this one scheme was an Exception Site and RDC have advised us that because of this it does not count towards the housing target. One further scheme, Rectory Close was a redevelopment of an existing scheme with a net gain of one additional home.
- 17.** The 'six or more' rule received the joint second highest level of comments of all responses from the community during the Pre-Submission Consultation. The community are best placed to understand that this rule does not reflect the land availability in Burwash as historically demonstrated by our analysis as set out in para 14 above and in detail in Appendix E.
- 18.** The full table of permissions since 2002 is shown in Appendix E.

## What has happened since the SHLAA?

- 19.** One of the two sites evaluated as 'green' (suitable for development), the former Burwash Laundry site was developed in 2016 but only four houses were provided. This development therefore fails to meet the RDC minimum requirement of six homes for inclusion in the housing target.
- 20.** Two further applications have come forward. One, the 'Shamrock Field, Shrub Lane (known locally as 'Shrub Meadow / Denton Homes site' after the name of the developer) comprises two areas considered in the SHLAA, one graded 'amber' and the other graded 'red' (SHLAA ref. BU12a and BU12r respectively). The other application concerns the site known as 'Strand Meadow' (Watercress Field) which also comprises two areas in the SHLAA graded 'green' and 'red' (SHLAA ref. BU2 and BU11 respectively).
- 21.** The 'Denton Homes' scheme was rejected by RDC in 2018 because of its impact upon the AONB. This scheme had over 300 objections. Initially the developer appealed this decision. The appeal was also opposed by the local community. RDC, Burwash Parish Council, Etchingham Parish Council and a local community group were all given approval by the Planning Inspectorate to be participants in the Inquiry. RDC agreed to provide up to £100,000 towards the cost of defending their decision at the appeal. The developers subsequently withdrew prior to the Inquiry, citing their view that they felt they were unlikely to be successful due to protections afforded to the AONB.
- 22.** The full planning application on the Strand Meadow (Watercress Field) scheme for 30 units (with no affordable housing) was considered by RDC and unanimously refused in 2019 for several reasons including:
  - a. The design of the proposed development being out of character with the historic settlement of Burwash and the High Weald,
  - b. Poor pedestrian access,
  - c. Urban character and appearance of the buildings,
  - d. Does not represent a high-quality response to the local context and landscape, and
  - e. The failure to enter into a Section 106 agreement.

23. This application had over 400 objections. The Strand Meadow (Watercross Field) decision was appealed by the developer but the decision was upheld by the Planning Inspectorate. Despite this recent refusal and rejection on appeal, consultation has recently recommenced by the same developer who, we understand, intends to submit a new scheme for 30 homes, once again with no affordable housing.

## Call for Sites

24. In January 2018, the Burwash NDPSP carried out a local 'Call for Sites' to identify land potentially suitable for new housing development within the Parish boundary of Burwash. Agents, developers, landowners, businesses, relevant local interest groups and others were invited to identify any sites, land or buildings across the Parish that could have potential for additional housing. Owners of land identified in the SHLAA were also contacted inviting them to submit proposals. It was made clear that putting forward a site for consideration did not mean it would necessarily be accepted for inclusion in the final Plan. The Call for Sites consultation was open for six weeks.

25. The following four sites were submitted by landowners. A consultation event was held in April 2018 to enable proposers to make a presentation and give us a better understanding of their proposals.

### **Site 1: Fairview Farm**

26. This is a greenfield site on the A265 in Burwash Common. The site is in an area not included in the SHLAA and is outside the development boundary for Burwash. The landowner was keen to bring this site forward for affordable housing. The site could accommodate approximately six housing units.



### **Site 2: Little Dawes**

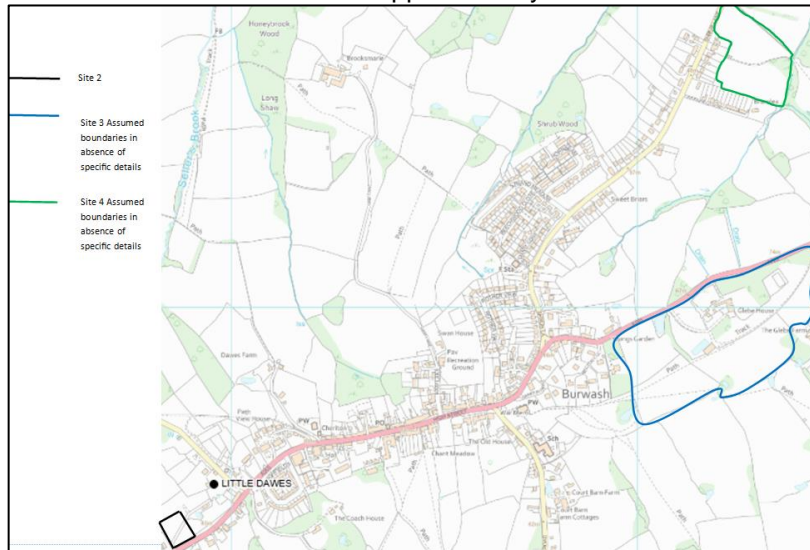
27. This is a greenfield site on the A265 just to the west of Spring Lane. The site is outside the development boundary and is on a steep slope visible across the Rother valley. The site could accommodate approximately six units.

### **Site 3: Glebe House**

28. This is a greenfield site which is currently agricultural land to the east of the village of Burwash fronting the A265. The site is outside the development boundary and could accommodate approximately 15-20 units.

#### **Site 4: Fields to the rear of 102-109 Shrub Lane**

**29.** This is a greenfield site which is currently agricultural land with fields that have a frontage onto Shrub Lane. The site could accommodate approximately 60 units.



### **Evaluation of Sites**

- 30.** Only the landowners for Fairview Farm and Little Dawes took up the invitation to attend the presentation event.
- 31.** Following these presentations, the NDPSG carried out an evaluation of the specific sites. This process was independently facilitated by Moles Consultancy (the consultant advising on the NDP). The report and evaluations are included in Appendices F and G respectively.
- 32.** Residents were consulted about the Call for Sites outcome at two events in July 2018; one held in Burwash Common and the other in Burwash village. Over 50 households attended these events.
- 33.** Residents were asked to consider the merits of the specific proposals and, as all four sites were outside the development boundaries, whether they felt the boundaries should be expanded to facilitate these potential schemes.
- 34.** There was a small majority (52%) in favour of the Fairview Farm scheme but a clear majority (79-95%) against the other three. Of those consulted, 91% were opposed to extending the existing development boundaries.
- 35.** Many comments - by far the single largest subject in the responses - related to the need for any development to provide housing to meet the needs of local people.
- 36.** The NDPSG consulted with BPC and, taking all feedback into consideration including the detailed evaluation, it was agreed that none of the sites was suitable for inclusion in the final Burwash NDP.

## Housing Needs Survey

**37.** The 2011 Census shows that the tenure mix for the Parish is as follows:

- 78.6% Owner occupiers
- 0.3% Shared Owners
- 9.8% Private rented
- 9.5% Social rented
- 1.8% Rent free

**38.** 'Affordable housing' is housing which is deemed to be affordable to those with a median household income or below. This is generally expressed as rents set no higher than 80% of the open market rent. There are several different types of affordable housing:

Social Rented

**39.** Properties let as Social Rented units are usually let on Assured Tenancies, which give the tenants security of tenure at rent levels broadly in line with those of Council tenancies.

Affordable Rented

**40.** These are usually let on Assured Shorthold Tenancies which have a defined end date (maximum of three years). They are let at up to 80% of the local open market rent level.

Shared Ownership

**41.** This enables lower income households to move into home ownership by being able to buy a portion of the property, usually a minimum of 25%. The household pays a reduced rent on the unowned balance. Shared owners can stay at that initial level of ownership or, if their circumstances allow, they can buy further shares and reduce their rent accordingly.

**42.** A Housing Needs Survey was carried out in June 2018 to determine local needs.

**43.** Residents across the Parish were asked about the make-up and age profile of their household, the number of years they have lived in the Parish, whether they intended to move within the next five years and, if so, if they intended to remain in the Parish.

**44.** There were returns from 126 households which is 11.3% of the total households shown in the 2011 Census. Of these, 46 were from households with children. The average time lived in the Parish was 23 years and 8 months.

**45.** There were 18 households who indicated that they intend to move within the next five years with 38 who may move and 70 not intending to move.

**46.** Further analysis was carried out to establish the tenure of potential movers and the types and sizes of properties required.

**47.** This showed 79% of potential movers required one or two bedroom accommodation and the main requirement was for level access homes, principally for the elderly to buy or rent in order to downsize. The second largest requirement was from young families requiring Social Rented houses. There was only very limited demand for Affordable Rent or Shared Ownership. The planning application on the 'Denton Homes' site in Shrub Lane was predominantly for three and four bedroom houses for sale with no provision of social rented units. The Strand Meadow development which was refused in 2019 and the decision upheld on appeal proposed 30 homes which were mainly three bedroom houses with no provision of any affordable housing. We understand that a new application from the same developer is being prepared, and this will once again propose 30 units, predominantly 3 bed houses for sale, with no affordable homes.

**48.** The full analysis of this survey is in Appendix H.



## Community Support for Developments

49. The community has demonstrated its understanding of the competing pressures of protecting the AONB and heritage settings for future generations and the need for additional housing. The community has been supportive of new development proposals where they make a positive impact on their setting and the provision of housing meets local needs. This is evidenced by the following schemes:

### **Morris Close (Exception site)**

50. Exception sites are typically built on land such as agricultural, where normally development would not be permitted.
51. In 2013 BPC became aware of the availability of funding which could be used to develop an exception site to provide affordable housing for local residents. This funding arose because a developer who could not provide affordable homes on their own site had paid an agreed sum to RDC to allow the development for affordable housing elsewhere. BPC moved quickly to identify a possible site and arranged introductions between the landowner and Hastoe (the Housing Association who developed the scheme). BPC worked closely with Hastoe and RDC to ensure the homes were affordable and prioritised local residents.
52. This ten-unit scheme comprises eight social rented units and two shared ownership units. The scheme was widely supported by the community, and when it was completed in 2017 all of the units were taken up by local residents or households with strong local connections.

### **Old Rectory Court**

53. Optivo, who own Old Rectory Court, rehoused the tenants of this 1960's built sheltered housing scheme in 2013. The building was left empty for two years during which the community pressed for it to be redeveloped. Finally, in 2015 Optivo submitted a planning application for a replacement of the older persons' scheme and four houses for shared ownership. However, the main building was further into the site than the existing one which encroached into the AONB, the designs were suburban in style and the materials were not in keeping with the heritage setting. This resulted in a significant level of local objections. Following the refusal of the planning application there was a long period during which Optivo considered its options including sale of the site. The community, through the Parish Council, contacted Optivo to re-establish their relationship and worked in partnership to bring forward a supportable scheme which met design standards for this heritage setting and local housing need.
54. This approach culminated in a new application which resolved the previous issues and was widely supported by the community. This scheme has recently been completed and provides fifteen units of housing for older people and four houses for shared ownership. The sympathetic use of materials has complemented the heritage setting and both the rented and shared ownership units are occupied by local households or those with a strong local connection.

## Housing Conclusion

55. Everyone involved in researching and contributing to this Plan understands the huge tension between our need for additional housing and the need to protect the AONB. The steepness of the land surrounding each of our ridgetop villages, sloping into the Rother and Dudwell valleys provides irreplaceable natural habitats and long-distance views of unparalleled beauty.
56. The difficulty in finding suitable sites for development is not a new problem. In RDC's Local Development Framework – Rural Settlements Study November 2008 it states "Despite the fact that Burwash is a large sustainable rural community with a wide range of services and facilities, limited additional opportunities exist for the alteration of the settlement boundary as it currently exists, due to the elevated position of the village and the outstanding landscape of the surrounding countryside. Like many of the ridgetop settlements that are so characteristic of this

part of the High Weald ANOB, there are distant views to the north and south, which precludes in depth development to the rear of the existing linear form”.

- 57.** The Burwash NDPSG has reviewed all the various sites set out in the SHLAA and those that came forward through the Call for Sites.
- 58.** The Call for Sites identified four sites. Two of these submissions did not provide any real detail about their proposals and neither of the owners attended the event organised to allow them to outline their schemes in more detail. One of these sites (The Glebe) had already been considered by RDC within the SHLAA and was graded 'red', not suitable for development. All four sites were evaluated and subject to public consultation and not one of them was supported, as they all sat outside the development boundaries and each would impact adversely on the AONB.
- 59.** Although a majority (52%) of those consulted were in favour of Fairview Farm (a scheme of circa six homes) there was a clear majority (91%) against expanding the current development boundaries which would be required in order to facilitate this development. It is located outside of Burwash village so would not contribute to meeting our housing target.
- 60.** The SHLAA review concluded that the reasons given by RDC not to support six of the nine SHLAA sites were well founded and there were no grounds to seek to challenge RDC's views.
- 61.** One of the two 'green' sites within the SHLAA, the former Burwash Laundry site (SHLAA ref BU6) was developed but with only four houses, so does not meet RDC's rule of a minimum of six properties to count towards our housing target.
- 62.** The other 'green' site, (SHLAA ref: BU2) Strand Meadow has recently had full planning permission for 30 properties refused by RDC and the decision upheld on appeal. Over 400 people objected to this development. As stated previously, we understand a further application is being prepared.
- 63.** The 'amber' site (SHLAA ref BU12a Denton Homes/Shrub Wood) was the subject of a planning application in 2017. This scheme included the adjoining 'red' - not suitable for development - site (SHLAA ref BU12r) and was originally for 45 homes (later amended to 42 homes at the request of RDC). This application was refused by RDC. Over 300 people objected to this development. Within the SHLAA, the assessment of the 'amber' site suggested a possible scheme of up to 30 homes. Given that the more recent application was moderated by RDC to 42 homes and this was across this site and an adjoining larger site, it is difficult to see how the 'amber' site alone could accommodate anywhere near 30 homes.
- 64.** In addition to the need to protect the AONB, land available for development is severely restricted within Burwash village area not least because 330 acres are held for the nation by the National Trust.
- 65.** The Burwash NDPSG has worked tirelessly to identify options. However, it is our considered opinion that there are no development sites, which meet RDCs requirement of six or more homes within the existing development boundary, which will be supported by RDC and the community. For this reason, we are not allocating any sites for development within this Plan
- 66.** BPC remains committed to exploring other small schemes as exception sites similar to the highly successful Morris Close development in order to provide affordable housing for the community. It will also be looking into the merits of setting up a vehicle such as a Community Land Trust to assist in the delivery of new homes.