

Balcombe Parish Council Response (08-09-25)

Upper Stumble, Robin Shaw & Wayside House - DM/25/1688

Balcombe Parish Council **object** to the proposal to create a 2 new dwellings within land belonging to Robin Shaw and Upper Stumble House, off haywards Heath Road, Balcombe. One new dwelling to be within the curtilage of Upper Stumble House, (recently constructed behind Wayside/Robin Shaw under planning approval DM/17/2223), the other straddling land within Robin Shaw and Upper Stumble House's curtilages. A new garage to Upper Stumble House

This application follows the withdrawn similar applications reference DM/23/2158 for the same site and the refusal of DM/24/1688.

We again have a number of fundamental concerns about the application, which is in all intents the same as those withdrawn/refused, and our view remains that it should not proceed.

We strongly object to the premise of development in the High Weald AONB outside established built-up boundaries. We therefore object strongly to the elements of this application outside the built up area, to housing mix and to the development of unnecessary homes in the AONB.

In addition we feel the design of the new dwellings, although altered from previous applications, remain out of keeping with the surrounding area. Parking and turning for larger vehicles is better resolved but remains impractical for Wayside and inconvenient for Robin Shaw. The loss of yet more mature tree cover is also to be resisted.

The issues for discussion in this application are

- the suitability of the site for housing development
- the type of development which would be acceptable should the site be deemed acceptable
- the details of the development currently being proposed

Site Acceptability:

The proposal includes land within the defined, built up area of Balcombe and land outside the defined built up boundary. The applicant's planning statement recognises this. The property at Robin Shaw and its existing garden lie within the built up boundary whilst the recently constructed property, upper Stumble House, permitted under DM/17/2223, lies outside the built up boundary.

Within the built up boundary

The previous proposal to partly demolish the bungalow at Robin Shaw, or fully demolish and replace with a new property, is no longer included in the current application.

However new parking arrangements for Robin Shaw are included in this application. The house currently has parking to the front and the new arrangement moves this to the rear.

The previous application provided a wider shared access, with some pedestrian provision and required partial demolition of the bungalow.

Likewise parking for Wayside is again moved to the far end of a long garden.

House 1 is inside the built-up boundary being within the garden of Robin Shaw but also partly outside the built-up boundary as it relies on land outside the built-up boundary to provide a garden,

although this is within the new garden of Upper Stumble House it is land outside the built-up boundary which facilitates the new house.

Outside the built up boundary

The proposed new dwelling, House 1, lies partly in the garden of Robin Shaw and partly outside the built up boundary. Part of its proposed garden and its parking like outside the built-up boundary. House 2 lies entirely outside the built-up boundary.

The built-up boundary was remade in 2016 by the adopted Balcombe Neighbourhood Plan (NP) which saw the addition of 3 allocated residential development sites. Development outside the boundary is subject to countryside planning restrictions in DP 15 of the District Plan (DP). This site however is contiguous with the built up boundary and, at less than 10 houses, conforms to the requirement of DP6 for contiguous development. However this policy is altered by the requirements of DP 16 – AONB whereby development must *‘support the economy and social well-being of the AONB’* and that is, *‘compatible with the conservation and enhancement of the natural beauty’*, of the AONB. The designation of the AONB gives further protection in the NPPF to conserving landscapes.

Development outside the boundary should therefore be treated as an ‘exception’ site.

The Balcombe NP determined need in the village as smaller affordable housing. (Housing needs survey 2014 data and housing register). As such the NP has sought as its primary provision to bring forward sufficient development to meet the affordable need in the village as set out in the documentation supporting the NP.

The housing mix policy as set out in the Neighbourhood Development Plan (Policy 3) is that no more than 25% of dwellings on new housing developments in the village should be 4 bedrooms or more.

This site clearly is not in accordance with that policy.

Overall housing need for larger homes has been met by the existing developments in Barn Field and Rectory Gardens. Our priority for any future developments are for 3 bed, 1-2 bed and affordable rental properties to meet the needs of smaller households and older adults looking to downsize from larger household sized homes.

The applicants Planning Statement says that the proposals meet the criteria laid down in the policies of the Neighbourhood Plan (Policy 1). **We strongly state that they do not.** The site is not an allocated site. The site does not conform to the policy on housing mix. The site brings forward no affordable homes or smaller homes. The proposed dwellings do not contribute to the local economy or wellbeing of the AONB in way that addressed the need identified in the Parish.

The 3 sites adopted in the 2016 NP were chosen from a set of 21 sites put forward in the parish. These were measured against a set of sustainability criteria. The land at Wayside/ Robin Shaw was not put forward for that assessment. However, given the poor highway access to the site, the proximity to ancient woodland and its inability to contribute significantly to the provision of affordable housing, it is unlikely that this site would have been chosen over those adopted. If it had it would be subject to a policy allocation in Policy 2 of the NP and to the housing mix in Policy 3 of the NP. Indeed it still is subject to Policy 3 on housing mix.

Being outside the built up area new dwellings would need to demonstrate that they contribute to the economy and social wellbeing in the AONB and that that need **cannot** be provided outside the designated area. We argue that the development of 2 additional larger properties on this site does not provide for an established need and should not be allowed.

The applicants planning statement mentions the nearby site at Glebe farm allocated for commercial need in the NP, several times. This site is allocated for an identified economic need in the parish and

has been subject to consultation and referendum. It cannot be used to justify the building of luxury large homes next to it ! It is odd that the planning statement is silent on the actual housing policies in the NP but very vocal about the site at Glebe Farm. Again the discussion of allocated housing sites in the NP is irrelevant. They are allocated and this site is not.

Precedent

Precedent is an important point. The allowance in DP 6 for development contiguous with the built up boundary is one which should be resisted in the AONB, especially where the need has been met through a Neighbourhood Plan and where the site would not contribute to the defined need. Put simply every owner of land adjacent to the built up boundary in Balcombe could put forward a small site of large executive homes but that would change the character and setting of the village for the enrichment of the landowners not for the benefit of the community. **This is desire not need.** Should such a precedent be set then the cumulative effect of the policy constitutes major development which is prohibited in the NPPF.

An recent application for a new 3 (4) bedroomed house (DM/24/2770) on subdivision of land to the rear of Stumble Ridge on Oldlands Avenue, sitting behind established housing and also adjacent to Upper Stumble woods, has been rejected on grounds that the adverse effects significantly outweigh the benefit. Furthermore the planning inspectorate upheld the rejection on Appeal. The rejection concluded that the application failed on DP26, DP35 and NP Policy 3. DP26 and Policy 3 apply to the application at Upper Stumble.

Acceptability of the current proposal:

To address the acceptability of the proposal regardless of our objection to the proposal.

Housing Mix

This application does not conform to Policy 3 and does not contribute smaller housing in Balcombe. The DP has no policy contrary to Policy 3 in the NP, which accords with DP30, and so Policy 3 of the NP is entirely applicable to this site. A maximum of 25% of houses would be allowed at 4 bedrooms. As this application is for 2 new houses they should be 3 bedrooms or less, the site does not provide sufficient smaller units for the larger unit allowance to kick in.

Furthermore any affordable housing arising must be provided in the Parish (or at least within the AONB) where the need arises, not elsewhere in the district and not outside the AONB. This is to comply with policies on AONB development in the NPPF. Commuted sums for affordable provision is not an acceptable mechanism on this site as it is unlikely that provision could be made within the Parish.

Policy 3:

- i. approximately 75% of the total number of dwellings of the scheme, and especially the affordable homes, are no larger than 3 bedroom dwellings with a proportion suited to occupation by households of retirement age;*
- ii. approximately 25% of the total number of dwellings of the scheme to comprise dwellings of no more than 4 bedrooms;*
- iii. they comply with affordable housing requirements of the Mid Sussex development plan;*

Housing size and design

The proposed dwellings 1 and 2 have a reduced footprint relative to the previous application and are in terms of building size not significantly out of keeping with surrounding buildings. The previous modern style has been changed to what the planning statement describes as 'High Weald farmstead' using the same description as previously of 'courtyard vernacular'. Whilst they are now more traditional in style they do not reflect the existing houses surrounding them. The newly constructed house has brutal architecture and the houses on Haywards Heath Road are extremely uniform, a row of Victorian semi-detached. The new style is an imposition of a pastiche, executive home in the midst of existing styles which differ. They do not form a courtyard or a farmstead. There is no coherent cohesion of spatial or architectural design.

Whilst the NP Design Guide does not discount this form of architecture in this context these homes do not constitute well sited design and are incongruous.

Highway Access and waste collection

WSCC have said that they are content with the access onto the highway although BPC still have concerns about the sightline to the south. There is no waste response from MSDC to this application however the previous application response had been that bins must be brought to the Haywards Heath road for collection. This would mean that on collection day the bins of all 3 houses sit on the verge on HH road alongside those of Wayside and Robin Shaw? But where? There is no provision for them to sit off the footway.

Parking and shared access

The car ports from the previous application have been removed from this application. Parking proposals are much better. Turning and access into parking spaces is much improved, including Wayside and Robin Shaw. As a result turning for both residents cars and larger vehicles is also better.

Parking for Robin Shaw and Wayside remain distant from their entrance doors which face Haywards Heath Road and there is no segregated pedestrian access along the shared driveway, along which residents would have to walk. A segregated path was previously partly provided. The shared access is narrower in this application. No lighting is shown.

Disturbance

The development of land to the rear of houses on Haywards Heath Road will cause significant disruption to neighbouring properties and increase the density in an area of the village where residents value a peaceful, rural environment. These concerns have been reflected in the objections made by residents. Amenity space will be adversely affected in surrounding properties.

Trees and Woodland

The newly constructed house was subject to several restrictions on loss of woodland. It was approved under DM/17/2223 following the withdrawal of an earlier application DM/16/3979.

The site was formerly designated as Ancient Woodland. The applicants bought the property in 2015 and had that designation removed during application DM/17/2223. It was removed from Natural England's inventory. A 15m buffer to the remaining ancient woodland of Upper Stumble Wood was imposed under the permission granted. Several trees on the site were also to be retained, one of those is sought for removal in the current application (T13/T2,) to facilitate a relocated garage, however **in actuality T13/T2 has already been removed, in breach of condition 10 of the former permission.** MSDC should address removal of retained trees under 17/2223 and resist gradual removal of trees, assuring themselves that the cumulative affect of the several applications is

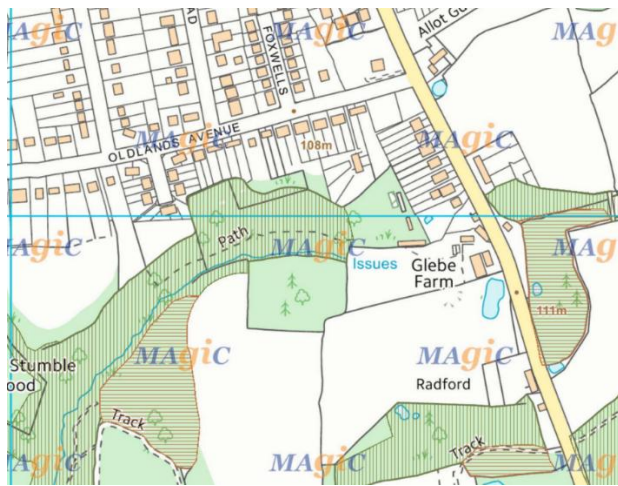
acceptable rather than each individually. Replanting scheme should address biodiversity net gain and replanting of natural woodland where detriment and breach has occurred.

BPC would like to see the tree loss addressed more accurately in the application with reference to the reasons for retention, former condition 10, and some discussion on the impact on the remaining ancient woodland. We also note that the drawing in the submitted Arboricultural Report is **still** that for the withdrawn application DM/23/2158 rather than the currently proposal. This needs amending and resubmitting.

Images for reference follow:

Ancient Woodland (site removed from NE inventory)

2015



2024 (post 2017)



Woodland Cover

2013 (previous owner)



2018 (prior to construction)

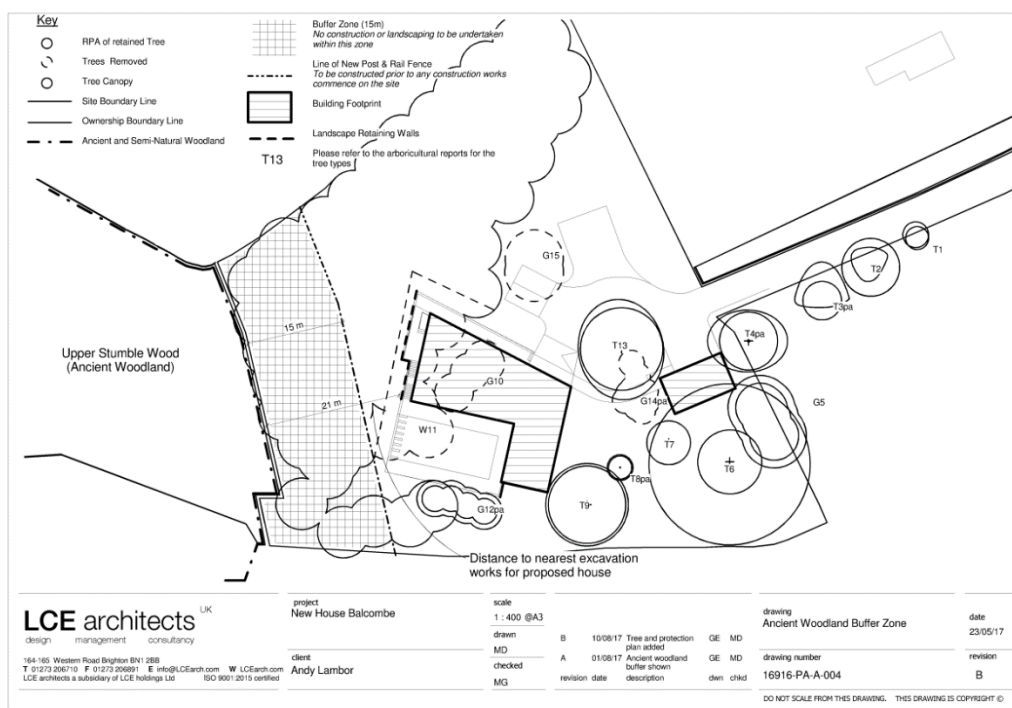




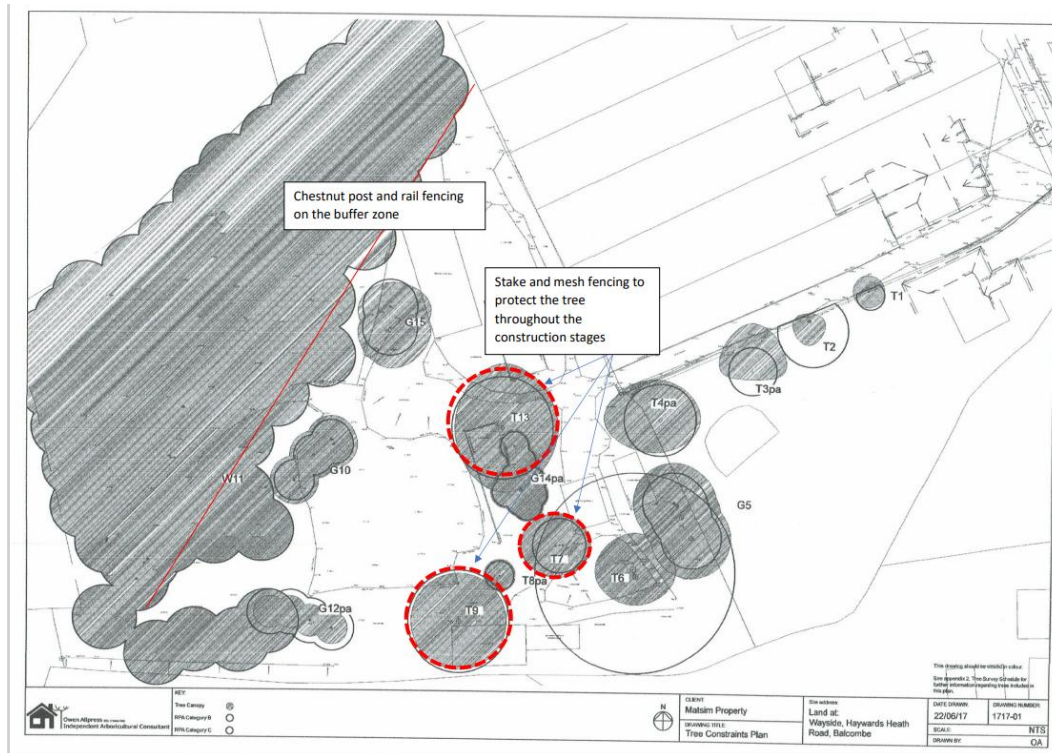
2021 with new house under construction, note retained tree T13 under condition 10.

Tree and woodland protection

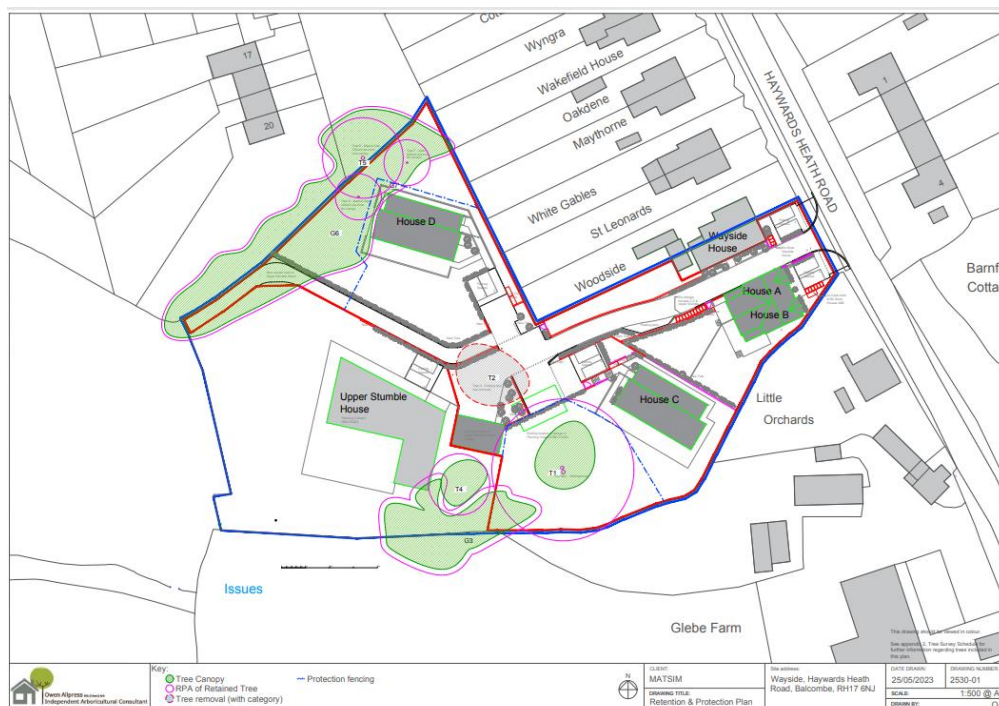
Plan forming part of DM/17/2223



Plan submitted for discharge of condition 10



New proposal with T13 (T2) removed. Note :This plan shows the older layout of DM/23/2152 and is not current.



Site Photograph showing tree T13 (T2) already removed.



Summary

This site does not conform with policies in the NNPF, District Plan nor the Neighbourhood Plan and contributes nothing to the enhancement or need in the AONB.

It does not accord with Policy DP15 or DP25, it is in conflict with DP16 and does not accord with NP Policy 3 nor DP 30.

In the Neighbourhood Plan, we were careful to select development sites that balanced established need whilst maintaining the character of Balcombe as a rural village.

We do not believe that this development contributes to that or is required, the precedent of back building outside the built-up boundary needs to be strongly resisted to maintain the character of the village and the AONB.

End