

To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum does this representation relate?

7.1 Land north of Birchfield Grove Hawkhurst

Which part of the plan does your comment relate?

Policy

What is the reference number?

AL/HA 5

Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it:

Yes No

Legally Compliant Not Selected Selected

Sound Not Selected Selected

Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038)(as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.

In my opinion, one of the main reasons that makes the New Local Plan and the revised Birchfield Grove allocation **NOT** legally compliant is their statement that one of the ‘exceptional circumstances’ is that there will be ‘significant Biodiversity Net Gain (BNG).’ **There will categorically be not.** Natural England (statutory advisor for nature) has confirmed that the Birchfield Grove site comprises ‘wood pasture and parkland’ which is a priority habitat in the UK due to its threatened status. Does the Council’s Landscape & Biodiversity Officer have Natural England’s written confirmation that the pasture is not irreplaceable habitat?

It is also a material consideration in planning. The 22/02664 application has failed to identify this habitat, and as such significantly underestimated the baseline biodiversity value of the site. They have therefore failed to mitigate/compensate the loss of ‘wood pasture and parkland’ because of the proposed development. The current proposals on site will lead to a significant deficit of biodiversity and no chance of delivering BNG, let alone the 10% gain in line with TWBC’s emerging policy EN 9.

Birchfield Grove is totally inappropriate to provide access to 70 houses, a medical centre & a 560-bay car park. It is too narrow, winding and restrictive for emergency vehicles. Top turn right out of Birchfield Grove into Rye Road (the direction that most will require) is a nightmare whether traffic is flowing or gridlocked - a serious accident waiting to happen. All the time there ARE alternative sites for a medical centre, in spite of the Doctors' attempts to block them.

Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or

soundness. You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) legally compliant or 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.

DELETE all changes to policy AL/HA 5 and allow whole site to remain as unspoilt pasture within the AONB

Please use this box for any other comments you wish to make.

Rydon's plan to build 70 houses, a 2-storey medical centre and a 50-vehicle car park, in an Area of TRUE Natural Beauty has met overwhelming objection by the locals who know this area better than anyone. And yet Planning Department, Councillors, Developer & Doctors see this Application as a "done deal." **How can this possibly be?**

The Developer, by submitting this Application shortly before revisions to the Local Plan came before Council, is manipulating the system. The Government, Mayor of London, and Camden Council (amongst others) previously banned this Developer from contract bids. The electorate remains unaware as to the due diligence carried out by TWBC on this Developer?

69% of TWBC coverage is categorised as AONB – leaving 31% for developers to choose from, to make up the marginal short-fall to the Borough's new housing quota.

The 70 houses (and possibly more) should be restricted to that 31% **outside the AONB**, whilst the medical facilities are allocated to **brown-field** site(s) within Hawkhurst.

Hawkhurst **village** has previously fulfilled **its** quota. It should **not** be on the list for any **major** new developments, only minor fill-ins on brown-field sites. Here is why:

1. Hawkhurst is 100% within the AONB
2. It has poor transport links (no train station and clogged roads)
3. Flimwell X-roads is already over capacity.
4. In 2022, Hawkhurst sewage works made 49 illegal discharges over a combined period of 735 hours. That is sewage leaking into the community for 30 days and nights. The infrastructure is already overwhelmed - without another 70 households!

National Planning Policy Framework states that major development should only be permitted in an AONB "in exceptional circumstances." The Developer is cynically using the inclusion of a medical centre as his "exceptional circumstance" trump card.

The Doctors' investigation of 12 potential Hawkhurst sites for its new medical centre **is neither independent not credible – they just do not come with the same sweet pill as the deal offered to them by Rydon!**

Hawkhurst Cottage Hospital, for example, has land available with opportunities for colocation of services. It is 800 metres further from the traffic pinch point of the Hawkhurst cross roads. The Doctors should NOT be the arbiters for siting a new medical centre, which should be decided by patients/voters.

Guess who wrote: "*The land is in an area of outstanding natural beauty, is outside the limits to build and is agricultural land that has been used for grazing sheep*"?

None other than REDACTED [TWBC]! However, that was 21.12.2021 in his letter of objection to just 3 houses being built off Stream Lane, Hawkhurst. He then arranged for professional colleagues and family members to copy and paste in support, from as far away as Nottingham in one instance!

The same REDACTED leads the Doctors' syndicate for building 70 houses, medical centre & 50-bay car park on land to the north of Birchfield Grove. **Is that also not an area of outstanding natural beauty and agricultural land that has been used for grazing sheep?**

Is this just cynical Nimbyism, or is there more to this? **Why is the Agreement between Rydon Homes, TWBC & the Doctors not in the public arena?**

A retired Doctor should not be able to obstruct the construction of a new medical centre at Hawkhurst Community Hospital from his current position as Chairman of the League of Friends!

Finally – let us consider the view of the local community: more than 200 objections led by Hawkhurst Parish Council on the Application website, the number growing all the time, versus only seven letters of support, including one from the Doctors (**that sweet pill again!**)!

Hawkhurst residents do **not** believe 70 extra houses on the high ridge an acceptable price, **particularly when viable alternative locations are available!**

In 2014 the **Inspector refused a similar Application** due to its detrimental impact on the character, appearance, and scenic beauty of the AONB. **NOTHING HAS CHANGED.**

Instead of further public consultation, you would have thought that the objections from the Parish Council and 97% of the Neighbours Comments would already be crystal clear to the Borough Council, but it seems not!

Birchfield Grove itself is totally unsuitable as an access road for this development of 70 houses, a medical centre and a 50-bay car park. It is a narrow winding cul-de-sac with an horrendous junction with Rye Road. To date only "near-misses," but the inevitable serious accidents with the increased usage **must** not be ignored. **Councillors should themselves try to exit from Birchfield Grove turning right to appreciate my comment!**

Several queries arise in my mind re that Planning Committee meeting in November 2023, such as:

1. Why did Councillors have to sign Non-Disclosure Agreements prior, so that it could not be discussed with voters?
2. Why should Councillor Ellen Neville be barred from voting on a technicality because she had previously objected?
3. Why should the query as to due diligence carried out on Rydon by the Planning Department be ignored?
4. Why should a Councillor be silenced by the Chairman when he said: "Of course, if we vote against this Application, it would cost the Council £1m to defend our decision"? This statement does not appear in the Minutes!
5. Would that in effect bankrupt TWBC?
6. Why should the Committee Chairman, a Hawkhurst & Sandhurst Ward Councillor vote FOR the Application?

7. Had the decision to approve the Application already been taken **before** the Planning Committee met?

If TWBC do not amend this part of the Local Plan, I would ask the Secretary of State to consider calling-in Planning Application 22/02664/HYBRID, which has a somewhat odious smell about it.

If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?

Yes, I wish to participate at the examination

If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:

To ensure my representation does not fall by default and that ALL my queries receive comprehensive coverage. None of the related matters should be swept under the carpet.

This is a true area of outstanding natural beauty and should remain so