

10 RR/2022/840/P BEECH FARM, SEDLESCOMBE

In 2022, a number of parishes (mainly in Northern Rother) and interest groups, got together to oppose an application for the construction of a 'carbon negative live work unit', outside the Sedlescombe development framework. They were opposed to the applicants' use of 84(e) of the National Policy Planning Framework (NPPF) to seek to secure planning consent from Rother District Council (RDC). It was argued that, if constructed, it would harm the High Weald National Landscape – and set an undesirable precedent.

Ticehurst Parish Council (TPC) took the lead and parish councils made pledges/commitments to contribute towards legal costs.

RDC approved RR/2022/840/P on 26.5.23; however, TPC sought a Judicial Review of RDC's decision. This was successful and the planning consent was quashed. (RDC gave consent for a second time, on 28.3.24, this time citing paragraph 11(d) of the NPPF.)

Members attending an EPC meeting on either 19.10.22 or 16.11.22 agreed that EPC should pledge £3,000 towards legal costs. However, for a number of reasons - including the decision not being Minuted – the decision was unlawful. The Chairman has confirmed that the intention was to pledge £3,000 and the previous Clerk has advised that it was intended to formally consider contributing £3,000 at the point at which it was required.

TPC has advised that its net costs were £19,590.83 and has asked parishes to release 50% of their pledges/commitments. A brief breakdown of the £19,590.83 has been requested.

The Council is requested to consider making a contribution of £1,500 towards TPC's legal costs. If this is agreed, it is suggested that this should be subject to a brief breakdown of TPC's costs being provided.

Given that there is no provision for the £3,000 intended pledge within EPC's accounts, Members will need to agree also the funding source/s. There is no relevant earmarked reserve; however, the 2024-25 revenue budget provides £1,000 for 'legal fees'.