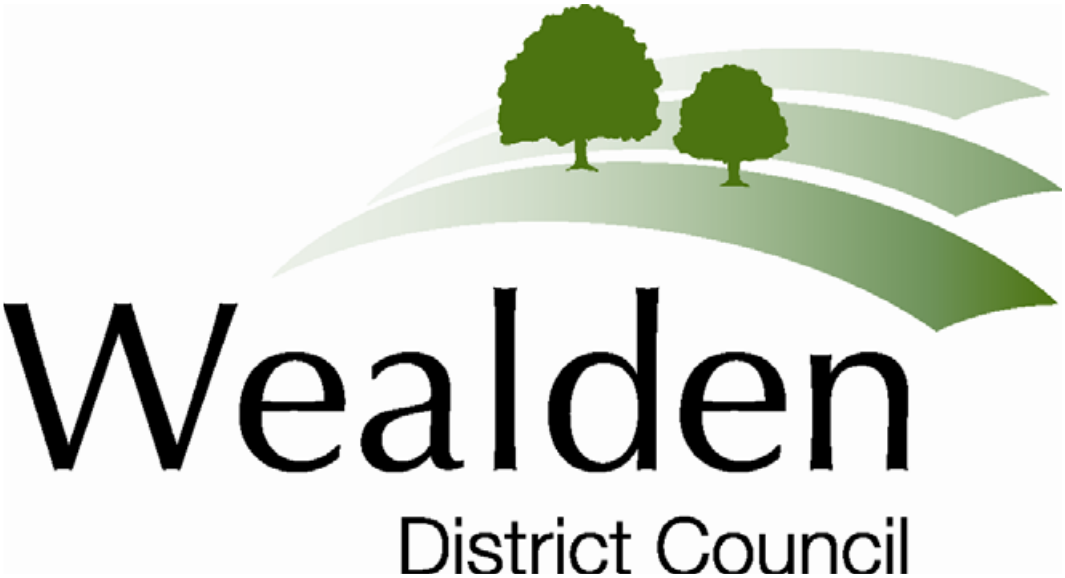



**Town and Country Planning Act 1990**

Appeal by Gleeson Land and John Alison Land & Research Ltd

Land at Downlands Farm, Uckfield, East Sussex, TN22 3PU

| Wealden District Council Ref: | Planning Inspectorate Ref: |
|---|---|
| WD/2022/1637/MEA | APP/C1435/W/23/3321978 |

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# PROOF OF EVIDENCE

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**FIGURES**


**Figure 1** Extract of 1841 Uckfield Tithe (Appendix 3), annotated. Coloured lands part of the Rocks Estate: demense lands shown in yellow, Downlands Farm in blue (Downlands House in separate ownership, darker blue), Coombe Bank in green, Bridge Farm in orange and other tenantedlands in red.

**Figure 2** Extract of Second Edition 1:25,000 (25-inch) OS map, revised 1898, published in 1899 (Appendix 7), annotated with new footpath shown in green.

**Figure 3** Extracts of First Edition (top) and Second Edition (bottom) 25-inch OS Maps (Appendix 7), annotated, showing the changes to Downlands Farm between 1873 and 1898.

**Figure 4** Google Streetview from March 2011.

## 1 EXECUTIVE SUMMARY

1.1 I have identified six heritage assets, including three grade II listed buildings and two non-designated heritage assets. The listed buildings include Buckswood Grange, a 19th century country house; Oast Cottage, a former farmhouse at Downlands Farm; and Swallow Barn which is a 16th century barn at Downlands Farm. The non-designated heritage assets comprise a converted oast and barn known as Partridges, also at Downlands Farm; the former butler's cottage known as Chicory Cottage; and a designed picturesque landscape associated with Buckswood Grange.

1.2 In respect of the designated heritage assets, I have found all three to exhibit architectural and historic interests commensurate with their grade II listed status. I have also identified associational and group values with other nearby listed and un-listed buildings which formed part of the former Rocks Estate, centered on Buckswood Grange.

1.3 In respect of the non-designated heritage assets, I have identified their individual significances, including any contributions made by their settings. The designed landscape at Lake Wood exhibits historic, evidential, artistic/aesthetic and communal values which equate to its heritage interest and justify consideration of it as a non-designated heritage asset. It has a moderate to high degree of significance, albeit non-designated. The converted oast house and barn at Partridges exhibit architectural and historic values, and share a relationship with the other elements of Downlands Farm, which equates to a low level of significance as a non-designated heritage asset. Chicory Cottage has historical and social values which equate to a low level of significance as a non-designated heritage asset.

1.4 Following the methodology set out in Historic England's Good Practice Advice 3 on The Setting of Heritage Assets, I have shown that all of the assets derive some significance from their surroundings, via their settings, including from the land within the Appeal Site.

1.5 I have found that there would be harm to the significance of each of the six heritage assets through a combination of physical and experiential impacts associated with the proposed development within the Appeal Site. In the case of Chicory Cottage, the harm would be direct and result in total loss of significance of the non-designated heritage asset.

1.6 For the other assets, the harm to significance would arise from development within portions of their settings which afford appreciation of and contribute to their significance. This would arise from both direct visual impacts and experiential impacts associated with the loss of tranquility and rural qualities of their settings. For these, the harm would equate to:

- **Buckswood Grange** – a moderate level of less than substantial harm to the significance of the grade II listed building
- **Lake Wood** – a moderate level of harm to a non-designated heritage asset of moderate to high significance
- **Oast Cottage** – a low level of less than substantial harm to the significance of a grade II listed building
- **Partridges** – a low level of harm to the significance of the non-designated heritage asset of low to moderate significance
- **Swallow Barn** – a moderate level of less than substantial harm to the significance of a grade II listed building

1.7 Throughout, I have demonstrated how a more thorough understanding of the setting and significance of the identified heritage assets could have led to a more favourable scheme which avoids or minimises harm to their special interest and heritage values, and takes available opportunities to enhance or better reveal significance.

## 2 Introduction

2.1 My name is Heather Hall. I hold a Bachelor's Degree in Architecture (BArch) and a MSc in Historic Building Conservation (with distinction) from Portsmouth University.

2.2 I have been employed by Wealden District Council as the Heritage Officer in the Planning and Environmental Services team since March 2022. I have over 10 years of experience in both the public and private heritage sectors.

2.3 I have been a member of the Institute of Historic Building Conservation (IHBC) since 2011 and achieved full member status in 2022.

2.4 The evidence which I have prepared and provided within this proof is true and accurate. I can confirm that the opinions expressed are my true and professional opinions.

2.5 My evidence relates to an appeal by Gleeson Land and John Alison Land & Research Ltd against Wealden District Council for refusal of the hybrid planning application on Land at Land at Downlands Farm, Uckfield, TN22 3PU comprising:

> **Outline application** (with all matters reserved except for access) for the erection of up to 424 no. residential dwellings including affordable housing, the provision of vehicular, pedestrian and cycle access and separate emergency access from the Uckfield bypass (A22), pedestrian and cycle access from Snatts Road, open spaces including children's play space, sustainable urban drainage systems, associated landscaping, infrastructure and earthworks; and
>
> **Full application** for the creation of a strategic SANG, associated landscaping and car parking, and demolition of existing residential property and other buildings and provision of pedestrian and cycle access from Rocks Road, associated landscaping, infrastructure and earthworks.

2.6 In assessing the application for planning application WD/2022/1637/MEA in respect of heritage considerations, I undertook a site visit on the 1 September 2022 and provided a formal consultation response on the 13 September 2022. This was followed up by an email sent to the case officer on 2 December 2022, responding to queries from the heritage consultant, which was then provided to the applicant on the 5 December 2022. Following the submission of additional information, I provided a final comment by email to the case officer on 13 February 2023. These responses are included at **CD11/10, CD11/11 and CD11/12** and record the detailed reasoning supporting the

council's position as the proposals developed. I made a further site visit to Lake Wood in June 2023 and the development site and its surroundings in August 2023.

2.7 The application was refused (**CD5/1**) on 21 April 2023 with reason for refusal number 3 (RfR3) relating to heritage impact.

2.8 My evidence deals with heritage considerations and RfR3. In summary:

- I set out the significance of the heritage assets;
- I explain the impacts on the significance of heritage assets – designated and non-designated, alone and in combination; and
- I reiterate that the proposals fall foul of a number of Policies, both national and local and explain why this is so.

## 3 Structure of the Evidence

3.1 The Council has provided Reasons for Refusal as part of the decision notice dated 21 April 2023 (**CD5/1**). Reason 3 relates to heritage matters and are addressed by me.

3.2 Reason 3 states:

*The Council has a duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990) (hereafter referred to as The Act). There are three listed buildings immediately surrounding the site, including Oast Cottage (NHLE 1028090) and Swallows Barn (NHLE 1262256) at Downlands Farm and the grade II* listed Buckwood Grange (NHLE 1194277).*

*It is commonly agreed that Spring Cottage and Patridges Oast are considered to be nondesignated heritage assets. The application also identifies an unlisted historic building - Chicory Cottage - which has the potential to be considered a non-designated heritage asset (if not curtilage listed) by virtue of its historic association to Buckwood Grange. There are further unlisted historic buildings at Downlands Farm Cottages (historically known as Bridge Farm) which also have the potential to be considered non-designated heritage assets.*

*Section 72(1) of The Act relates to planning and conservation areas and requires that Local Planning Authorities pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this instance, the proposed access for the application site lies in the vicinity of the designated Maresfield Conservation Area. The Draft Conservation Area Appraisal for Maresfield has been published on the Council's website, and provides the most up to-date considerations of the character of the conservation area as designated in March 2017.*

*It should be noted that the Courts have held that 'preserve' means an absence of harm. The NPPF points out that harm can be either 'substantial' or 'less than substantial' and where harm occurs, it should be given considerable weight as a material consideration in the assessment of planning applications and as part of the balance exercise and in ascertaining if any public benefits would outweigh that harm. This national policy intent is addressed by 'saved' Local Plan Policies EN1 and EN27; Core Strategy Policy SP02; as well as Chapter 12 of the Wealden Design Guide.*

*The scheme in its totality would cause less than substantial harm to the significance of heritage assets through the proposed development within their setting. At present, in the absence of any mitigation evidenced in the indicative proposals, this is regarded to be the higher end of less than substantial harm. Though it was set out that this harm might be reduced through more thorough and considered understanding of significance and amendments to the design, none has been forthcoming.*

*In summary, the National Planning Policy Framework recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Great weight should be given to the conservation of designated heritage assets, including any harm or loss of significance through development within their setting. The National Planning Policy Framework also places great importance on development being of good design and responding to local character to ensure the integration of new development into the existing environment. Where harm is considered to be less than substantial, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It is not considered that any heritage benefits would arise from the present scheme, nor that planning conditions could be capable of sufficiently mitigating that harm.*

*The wider public benefits matters could include the delivery of housing on a site that is ready and available. However, the delivery of that housing presents other challenges in regard to Ancient Woodland, access and connectivity. If the only benefits of the scheme are laced and intertwined with those harms, then the less than substantial harm is not outweighed. Therefore, the scheme would not satisfy the aims of the National Planning Policy Framework as regards the conservation of heritage assets, nor would it 'preserve' the significance of the listed buildings, including one grade II* listed building and two grade II listed buildings.*

3.3 Following this section 2, my proof of evidence is structured as follows:

3 Planning Policy and Guidance

4 Identification of Heritage Assets and Significance

5 Appellant's Application Documents and response

6 Impacts on Heritage

7 Summary and Conclusions

## 4 Planning Policy and Guidance

### The Planning (Listed Buildings and Conservation Areas) Act 1990

4.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 (hereafter referred to as The Act; **CD6/18**) contains the primary legislation relating to the determination of planning applications relating to the historic environment. Section 66(1) sets out the Council's duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

### National Planning Policy Framework 2023

4.2 The requirements of The Act are reinforced by the National Planning Policy Framework 2023 (hereafter NPPF; CD6/16). At Chapter 16, the NPPF sets the national agenda for 'Conserving and enhancing the historic environment'. This, in particular, requires the significance of any heritage asset that may be affected by a proposal to be described, including any contribution made by its setting (Paragraph 194), and for this to inform future change in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (Paragraph 195).

4.3 Paragraph 189 of the NPPF states that planning should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 197 sets out the Council's duty in determining applications to take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

4.4 Paragraph 199 affords 'great weight' to the conservation of designated heritage assets through an understanding of the impact of a proposed development on their significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. At Paragraph 206, the NPPF sets out that proposals that preserve those elements of setting which make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

4.5 Paragraph 200 of the NPPF states that significance of a designated heritage asset can be harmed or lost through alteration or destruction of the heritage asset or through development within its setting; and requires any harm to, or loss of, the significance of a designated heritage asset to have 'clear and convincing' justification. Where a development proposal will lead to less than substantial harm to the significance of a

designated heritage asset, the decision maker should weigh the harm against the public benefits of the proposal (Paragraph 202).

4.6 In terms of non-designated heritage assets, the effect of an application on significance should be taken into account, with a balanced judgement required having regard to the scale of any harm or loss and the significance of the asset (Paragraph 203).

4.7 The NPPF also requires Local Planning Authorities at Paragraph 204 to ensure that new development will proceed following any loss of whole or part of a heritage asset. At Paragraph 206, Local Planning Authorities should to look for opportunities for new development within the setting of heritage assets to enhance and better reveal their significance.

4.8 Chapter 12 of the NPPF sets the national agenda for 'Achieving well-designed places'. At Paragraph 130, it recognises that well-designed places result from developments that are sympathetic to local character and history, including the surrounding built environment and landscape setting; and establish or maintain a strong sense of place.

4.9 The Glossary to the NPPF (Annexe 2) provides the following definitions:

> ***Heritage asset****: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*
>
> ***Historic environment:*** *All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.*
>
> ***Setting of a heritage asset:*** *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*
>
> ***Significance (for heritage policy):*** *The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

**Local Planning Policy**

4.10 The Wealden District Core Strategy Local Plan (**CD6/4**) comprises a long-term spatial vision and strategic objectives for the Wealden District area for the period 2013 to 2027. Policy SPO2 sets out that the Council will ensure the protection of the intrinsic quality of the historic environment. SPO13 commits to promote local distinctiveness through good design in all new development.

4.11 Saved policies EN1 and EN27 of the Wealden Local Plan (**CD6/2**) address the intention of national policy to achieve sustainable development. EN1 sets out that the Council will pursue sustainable development in considering the location, layout and design of development; while EN27 sets out that proposals for development will be treated favourably where they are of a high standard, respect existing character and promote local distinctiveness.

**National Level Guidance**

4.12 The July 2019 revisions to the Planning Practice Guidance (**CD11/3**) provides advice on enhancing and conserving the historic environment in line with national policy in the NPPF. It sets out that part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past, and how the NPPF provides a clear framework to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development (Paragraph: 002 Reference ID: 18a-002-20190723).

4.13 Supporting Paragraphs 194 and 195 of the NPPF, the PPG sets out that being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals (Paragraph: 007 Reference ID: 18a-007-20190723). Analysis of relevant information to generate a clear understanding of the affected asset, and understanding its significance and setting can help to inform the development of proposals which avoid or minimise harm (Paragraph: 008 Reference ID: 18a-008-20190723). Applicants are expected to include analysis of the significance of any heritage asset and its setting and set out, proportionately, how this has informed the development of proposals (Paragraph: 009 Reference ID: 18a-009-20190723). Further advice is given in Historic England's Advice Note 12 on Analysing Significance in Heritage Assets (**CD11/14**).

4.14 When taking account of setting in decision making, local planning authorities may need to consider the implications of cumulative change and consider the fact that developments which materially detract from an asset's significance may threaten its ongoing conservation (Paragraph: 013 Reference ID: 18a-013-20190723). Advice on assessing the Setting of Heritage Assets given in Historic England's Good Practice Advice in Planning: 3 (**CD11/2**).

4.15 The PPG makes clear that what matters in assessing whether the proposal might cause harm is the impact on the significance of the heritage asset, derived not only from its physical presence but also from its setting. Change need not be harmful, it may have no impact or may enhance significance. The category and extent of harm may vary and should be clearly articulated (Paragraph: 018 Reference ID: 18a-018-20190723).

4.16 In terms of non-designated heritage assets, only a minority of buildings will have enough heritage significance to merit identification as such (Paragraph: 039 Reference ID: 18a-039-20190723). There are a number of processes through which non-designated heritage assets may be identified, including as part of the decision-making process on planning applications, and it is important that the decisions to identify them are based on sound evidence (Paragraph: 040 Reference ID: 18a-040-20190723).

**HE Guidance**

4.17 Historic England Advice Note 12 (HEAN12) on Statements of Heritage Significance covers the requirement for applicants to describe heritage significance, and sets out a staged approach to decision-making in which assessing significance preceded designing the proposals. At Paragraph 5 it sets out how the understanding of significance must stem from the interest(s) of the heritage asset, whether archaeological, architectural, artistic or historic, or a combination of these; and that this understanding must describe significance following appropriate analysis, no matter what the level of significance or the scope of the proposal.

4.18 Historic England's 'Good Practice Advice In Planning: 3 – The setting of heritage assets' (**CD11/2**) provides guidance on managing change within the settings of heritage assets. It suggests a staged approach to taking decisions on setting:

- Step 1: identify which heritage assets and their settings are affected
- Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s)

- Step 3: assess the effects of the proposed development, whether beneficial or harmful, on that significance
- Step 4: explore the way to maximise enhancement and avoid or minimise harm
- Step 5: make and document the decision and monitor outcomes

4.19 GPA3 sets out that the importance of setting lies in what it contributes to the significance of a heritage asset, or the ability to appreciate that significance. It makes clear that whilst visual considerations often express the extent and importance of setting, the way in which we understand an asset in its setting - be that from the public or private domain - is also influenced by experiential and environmental factors such as noise and activity from other land uses in the vicinity, and by our understanding of the historic relationship between places. General considerations relating to setting and significance can include change over time, the impact of cumulative change, changes to access and designed and wider settings, as well as others.

4.20 Under 'Change over time' the guidance notes:

*'Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance but settings which have changed may also themselves enhance significance.'*

4.21 Under 'Designed settings' the guidance notes:

*'Many heritage assets have settings that have been designed to enhance their presence and visual interest or to create experiences of drama or surprise. In these special circumstances, these designed settings may be regarded as heritage assets in their own right, for instance the designed landscape around a country house. Furthermore they may, themselves, have a wider setting: a park may form the immediate surroundings of a great house, while having its own setting that includes lines-of-sight to more distant heritage assets or natural features beyond the park boundary. Given that the designated area is often restricted to the 'core' elements, such as a formal park, it is important that the extended and remote elements of the design are included in the evaluation of the setting of a designed landscape…. The setting of a historic park or garden, for instance, may include land beyond its boundary which adds to its significance but which need not be confined to land visible from the site, nor necessarily the same as the site's visual boundary.'*

4.22 As part of Step 1, where the experience of an asset is capable of being affected by a proposed development**,** in any way**,** then the proposed development can be said to affect the setting of that asset.

4.23 Under Step 2, Paragraph 26 states: '*We recommend that this assessment should first address the key attributes of the heritage asset itself and then consider:*

- *the physical surroundings of the asset, including its relationship with other heritage assets*
- *the asset's intangible associations with its surroundings, and patterns of use*
- *the contribution made by noises, smells, etc to significance, and*
- *the way views allow the significance of the asset to be appreciated*'

4.24 It goes on in Paragraph 27 to state '*it will generally be useful to consider, insofar as is possible, the way these attributes have contributed to the significance of the asset in the past (particularly when it was first built, constructed or laid out), the implications of change over time, and their contribution in the present*'. And in Paragraph 29 to state '*This assessment of the contribution to significance made by setting will provide the baseline for establishing the effects of a proposed development on significance, as set out in 'Step 3' below. It will, therefore, be focused on the need to support decision-taking in respect of the proposed development.*'

4.25 A checklist is provided for Assessment Steps 3 to assist in considering the aspects of the location and siting, from and appearance, wider effects and permanence of proposed development which may impact on an assets significance, including both its physical surroundings and the qualitative aspects of environment and experience.

4.26 Step 4 is to use the above steps to explore ways to maximise enhancement and avoid or minimise harm. At Paragraph 40, it warns against over-reliance on screening. Whilst it may have a part to play in reducing harm, as it can only ever mitigate negative impacts, it ought never to be regarded as a substitute for well-designed developments within the setting of heritage assets. Screening may have as intrusive an effect on the setting as the development it seeks to mitigate; and woodland and hedgerows are considered ephemeral features unless they enjoy statutory protection.

**Other Guidance**

4.27 Locally, the Wealden Design Guide (**CD6/5**) encourages high-quality, contextually-informed design as part of 'Chapters 5: Character Appraisal of sites and their settings' and 'Chapter 7: New Residential Development'. Chapter 5 sets out what is meant by

‘appropriately detailed’ assessment and analysis of a site and/or building and how this should inform the design process to achieve local distinctiveness as addressed in Chapter 7. Paragraph 4.1 of Chapter 7 states that ‘Places that grow in response to their locality are likely to be more successful, sustainable, robust, and enjoyable.’

**Case Law relating to setting**

4.28 The Court of Appeal decision in the case of *Barnwell vs East Northamptonshire DC 2014* (**CD4/14**) made it clear that in enacting section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Parliament’s intention was that ‘decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise'. In addition to this, the Court held that ‘preserve’ in the terms of the Act means an absence of harm, or ‘no harm’.

4.29 Decision-makers considering harm to heritage assets cannot simply treat the desirability of preserving the setting of a listed building as a mere material consideration to which they can simply attach the weight they see fit in their judgment. The statutory duty treats the preservation of the setting of a listed building as presumptively desirable. Implicit in section 66 of the Listed Buildings Act is that the setting of a listed building is capable of being affected in some discernible way by development, whether within the setting or outside it.

4.30 The Court of Appeal’s judgement in *Bramshill* (**CD4/13**) addresses the interpretation and application of NPPF policies on the assessment of harm and benefit to heritage assets, giving clear and detailed methodology on approaching harm to heritage assets. The weight to be given to the conservation of heritage assets is a matter of planning judgement, bearing in mind the ‘considerable importance and weight’ required. However, the imperative of giving considerable weight to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is uniform. Rather, that will depend on the extent of the assessed harm and the heritage value of the asset in question.

4.31 The *Catesby Estates* (**CD4/11**) Court of Appeal judgement confirms previous findings that the effect of development on the setting of heritage assets is not necessarily confined to visual or physical impact, but that other considerations - such as the historical, social and economic connections of the asset - should also be taken into account. *Catesby* found that Section 66(1) of the Act requires the decision maker to understand what the setting of the asset is, and whether the proposed development

will be within it or in some way related to it. The decision maker must apply judgment in identifying the extent of an assets setting, in the context that surroundings may change over time, and the way in which a heritage asset can be experienced is not limited to visual considerations. It sets out that '*The effect of a particular development on the setting of a heritage asset – where, when and how that effect is likely to be perceived, whether or not it will preserve the setting of the listed building, whether, under government policy in the NPPF, it will harm the "significance" of the listed building as a heritage asset, and how it bears on the planning balance – are all matters for the planning decision-maker*' (paragraph 30).

## 5 Identification of heritage assets and significance

5.1 As set out in the Statement of Common Ground impacts to Maresfield Conservation Area (**CD11/1**) will not be discussed as the parties are in agreement with the level of harm caused to its significance by the proposed development.

5.2 It is the Council's position that six additional heritage assets would be impacted by the proposals. For clarity, these are identified on the map at **Appendix 1** and include:

- Buckswood Grange, a grade II listed building;
- Lake Wood, a non-designated heritage asset;
- Chicory Cottage, a non-designated heritage asset;
- Oast Cottage, Grade II listed building;
- Swallow Barn (listed as Barn at Downlands Farm), a grade II listed building; and
- Partridges Oast, a non-designated heritage asset.

5.3 All of the assets share a historic association as part of the former Rocks estate, and form two distinct groups – the **Buckswood Grange group** and the **Downlands Farm group**. The Downlands Farm group is comprised of Oast Cottage, Swallow Barn and Partridges Oast. The Buckswood Grange group is formed of Buckswood Grange, Lake Wood and Chicory Cottage. It is the Council's position that these assets have both individual and group interests.

5.4 Owing to the gaps in the Appellant's submissions, a brief history is presented for each grouping before the significance is identified.

**Buckswood Grange Group**

*Brief History*

5.5 The Streatfeild family were owners of the combined Copwood and Rocks estates from the late 18th century. Shortly after having acquired it, Richard Thomas Streatfeild (RTS) set about enhancing it. In 1790, an application was made to divert the highway, which had until then crossed the Streatfeild's estate, passing close to the Georgian house known as The Rocks. The diversion was approved and Rocks Road was moved northwards, skirting the south side of Uckfield Pond, connecting through to the Streatfeild's wharf at Shortbridge (**Appendix 2**).

5.6 Reputedly around the same time, the carriage drives were planned; the first extending almost 2 miles from a lodge at Shortbridge, through Butchers Wood, passing close to

the dammed pond, to Shermanreed Wood and on to Budletts Lodge. Both lodges still survive. At a point west of the newly formed lake, a spur would branch off southwards, passing under Rocks Road and meandering through parkland towards the Rocks. It is not known when the planned route was completed, but it appears to have been at least partly implemented by c.1840. Whilst the carriage drive is not shown north of Rocks Road on the 1841 Uckfield Tithe Map (**Appendix 3**), it does appear in the parkland to the south of the highway, and the northern portion of the route through Budletts Common is shown on the Maresfield Tithe Map from 1840 (**Appendix 4**). The Maresfield map has a number of missing sections, including where the lodge would be, but at Shortbridge, the lodge had been completed by 1841 (**Appendix 4** - plot 97, House and garden, Shortbridge Lodge) together with damming of the pond within Lake Wood.

5.7 Figg's depictions of 1829 (**Appendix 5**) might suggest the carriage drive was completed by this time, or perhaps shows the planned route spread across four of the 22 maps – the section showing the mansion and parkland south of Rocks Road on 'The Rocks Mansion and Certain Lands', the section from Shortbridge through Lakewood on 'Part of Copwood and other Lands', the section from Lake Wood through the Appeal site to the edge of the common on 'Downland Farm, Shermanreed and other Lands', all at Appendix 5. A further section shows the north-east end to Budletts Lodge, but is not reproduced. EDP incorrectly suggest that Figg's maps do not present accurate detail (**CD2/83,** paragraph 4.91 of the AHA), when in fact Figg was a noted cartographer from Lewes and based his maps on 'actual surveys'.

5.8 RTS is said to have started to develop and plant Lake Wood with exotic and native trees, and enclose the gardens from the public highway by a stone boundary wall. In 1818, Richard Shuttleworth Streatfeild (RSS) inherited the estate on the death of his father, and was responsible for the main changes; not least the replacement of The Rocks with a new mansion designed by Sydney Smirke in 1838. The logistical challenge of where to live whilst the old house was pulled down and the new house was constructed, was apparently solved by the purchase of a house from Richard Hart (**Appendix 2**).[1]

[1] Wright suggests this is Downland House, but we know that the Farncombe family acquired Downland House in c.1836 and were resident in 1841. It is perhaps more likely that the Streatfeilds were resident at the very near homestead, east of where the new house was built. Named as 'White Cottage' on OS maps, the property is now known as Hunters Pit, which is a polite brick farmhouse accessed from Hunters Way. The outbuildings have been converted as The Granary.

5.9 Figg's maps from 1829 (**Appendix 5**) show the extensive lawns surrounding the mansion, with rockscape and planting on the western edge of the site, and extended areas of parkland to the north. Lake Wood is heavily planted and there appears to be a perambulatory walk around the north side of The Lake. The Appeal Site is shown as arable lands set amongst woodland. Fir Tree Grove (then 'Fir Grove') is shown with a 'Cottage and Garden'. Later OS maps (**Appendix 7**) suggest this may have been a walled garden, until an orchard to the east of the house was replanted as the walled garden. At the time, the Georgian mansion was accessed directly from Rocks Road.

5.10 The Uckfield tithe map from 1841 and accompanying apportionment give a good picture of the nature and extent of the estate around the time that the landscape was being developed **(Figure 1; Appendix 3)**. There is access from Rocks Road to the new mansion, at approximately the location of the current entrance, but sweeping around to the west of the mansion. A second access directly approaching the yards to the east of the mansion was in existence by 1897, and is shown on the Second Edition OS map (**Appendix 7**). This closely corresponds with the existing access.

5.11 The Apportionment evidences the estate's relationships with Chicory Cottage, Coombe Bank, Bridge Farm (later two sites – White Cottage/Hunters Pit and Downlands Farm Cottages), Downlands House and Downlands Farm. Many of these relationships are substantiated in contemporary records held at The Keep.

5.12 RSS died at an unexpectedly young age in 1851 and was succeeded by his minor son Richard James Shuttleworth (RJS; d.1931), with the estate overseen by his mother Anne Streatfeild until he was of age. RJS and his granddaughter, Annette, were custodians of the estate until the latter's death in 1937. The later 19th and early 20th century OS maps (Appendix 7) record further enhancements by RSS and RJS, including various walks through Lake Wood, one opening directly onto the field in the south-east corner of the Appeal Site, the pedestrian tunnel under Rocks Road and the footbridge over Rocks Road into Fir Tree Grove, where the paths continued up and through into Long Ghyll Wood.

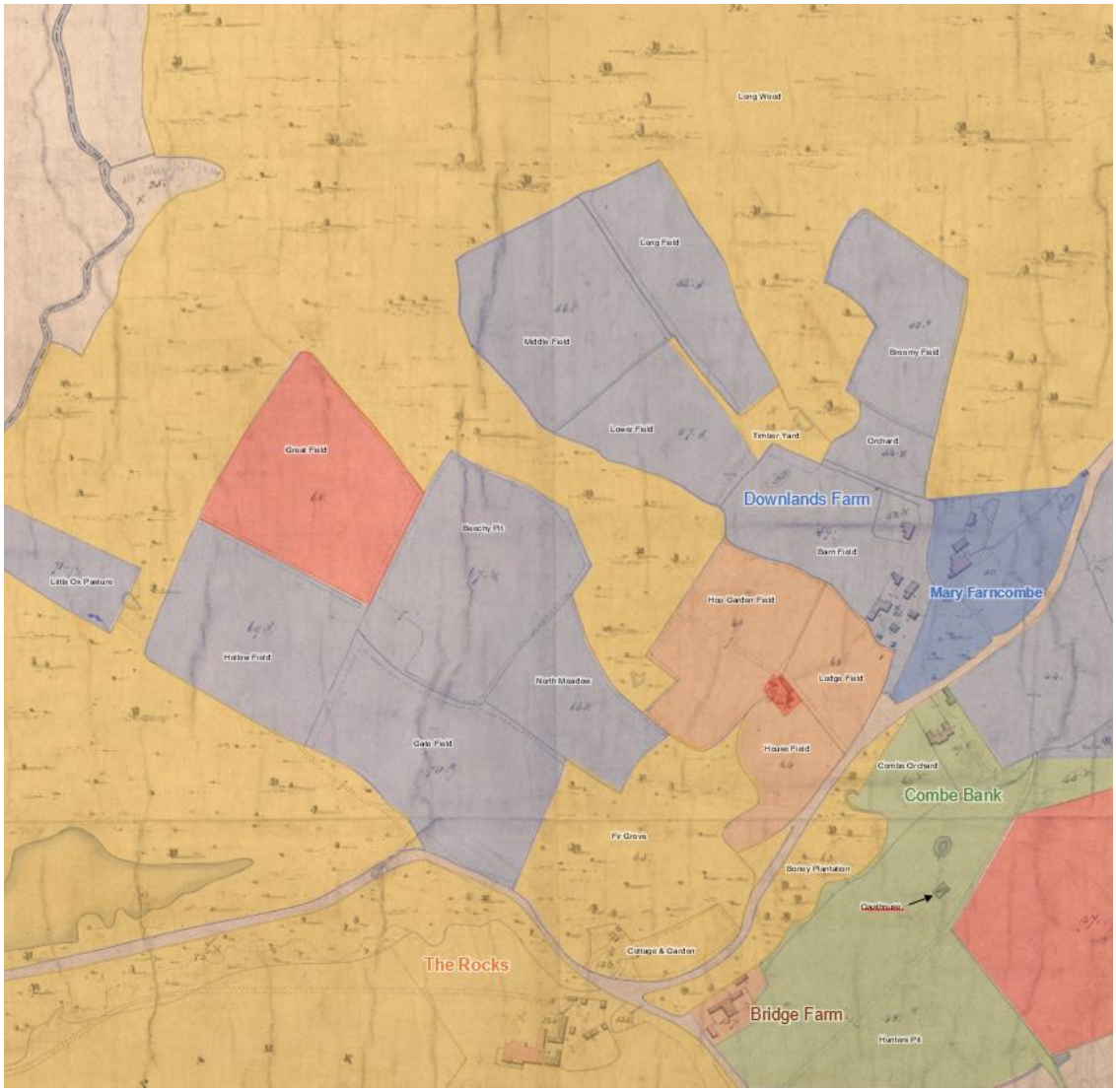



**Figure 1** Extract of 1841 Uckfield Tithe (Appendix 3), annotated. Coloured lands part of the Rocks Estate: demense lands shown in yellow, Downlands Farm in blue (Downlands House in separate ownership, darker blue), Coombe Bank in green, Bridge Farm in orange and other tenanted lands in red.

5.13 The estate was offered for auction in 1938 and purchased by a familial cousin, James Rowland Scarlett, who assumed the Scarlett-Streatfeild name (JRSS). The house was requisitioned by the army in 1940, shortly after JRSS' acquisition, and given over to the Buckswood School in 1942. On his untimely death in 1945, the estate would pass to his brother, Commander Norman Scarlett-Streatdfeild. With the house in use as a school, Commander Streatfeild would reside at Coombe Bank and Chicory Cottage (**Appendices 2, 8 and 9**). He would ultimately oversee fragmentation of the estate and many of the 20th century changes, perhaps most notably including the preservation of Lake Wood which was endowed and given to the Woodland Trust after the Hurricane in 1987 in memory of Pamela Scarlett Streatfield (**Appendix 2**).

*Significance of Buckswood Grange*

5.14 Buckswood Grange, formerly The Rocks, is a grade II listed building. It was added to the National Heritage List for England (NHLE; or 'the list') in 1978 (**CD11/6**), at which time it was in use as the Buckswood School which would give it its modern name. The mansion was converted to apartments in c.2003. Its inclusion on the list recognises its special architectural and historic interest.

5.15 The house has architectural significance as a Victorian mansion of 1838 and associations with the noted architect Sydney Smirke (1797-1877). It was completed early on in Sydney's career, around the same time as his first major commission for reconstruction of the Pantheon in Oxford Street, London in c.1937 (**Appendix 10**). Although he would never achieve the same fame as his brother, Sydney would go on to design the domed Reading Room at the British Museum and the Bethlehem Royal Hospital (now the Imperial War Museum).

5.16 The Tudor style mansion is typical of the Victorian revivalist fashion. The adoption of the Tudor style to replace the earlier Georgian mansion meant to convey a sense of history through the new house. It was embellished with Tudor style chimneys, stone quoins and window/door surrounds, decorative diapering to the brickwork and oriel windows. The scale of the house and the intricate level of detail are reflective of the conscious display of status and power of its historic owners. Despite its later use and conversion, it retains features and a strong legible character contributing to its aesthetic and evidential values. Its position on the outer edge of Uckfield, albeit on a main route between the town and the wharf to the west, reinforce the sense of it as a gentleman's private country estate.

5.17 Buckswood Grange has historic value and interest as a large country house and former estate, association with the Streatfeild family as local benefactors in Uckfield. Notable contributions included donation of land on the west side of High Street for the construction of the Public Hall, Uckfield Institute, the town's cottage hospital, the Victoria Pleasure Grounds and Commander Norman Scarlett-Streatfeild's gift of Lake Wood to the Woodland Trust in 1993 (**Appendix 2**). Due to its wartime connections, some tangible in carvings in the rocky outcrops (**Appendix 11**), later school use and degree of public access to its associated grounds, it also exhibits communal values. These are clearly acknowledged by the large number of public representations on the application, a number of which refer specifically to the history of the site and associations with the Streatfeilds as part of the local distinctiveness and sense of place. As demonstrated by enrichments to the listing, there is also a degree of local

social interest in Anne Streatfeild, as custodian of the estate for her son during some of its formative years, from c.1818-1826 (see the 'Missing Pieces' section of the list description from 26 July 2022 at **CD11/7**).

5.18 The significance of Buckswood Grange is also derived from portions of its setting representing survival of the designed landscape which was contemporary with the house, and through wider estate associations. South of Rocks Road, the garden setting has seen fairly considerable change between c.1960-1990, with construction of the Rocks Park and Rocks Park West housing estates and construction of the Rocks Park Primary School which greatly reduced the curtilage. Both the primary school and Rocks Park estate were completed prior to listing of Buckswood Grange in 1987.

5.19 The portion of the garden which is retained as part of Buckswood Grange has also seen other 20th century changes including a tennis court and parking, but otherwise reflects much of the character of the grounds and a number of features seen on the 1829 Figg map (**Appendix 5**) and subsequent Uckfield Tithe Map (**Appendix 3**). The planting which shelters the lawns from Rocks Road survives and is interlaced with meandering routes through the natural rocky outcrops, past the ice house and leading to the tunnel to Lake Wood. The ice house was constructed in the 19th century to store ice harvested from the lake, and lies on the south side of Rocks Road, close to the location of the former pedestrian footbridge (**Appendix 2**). Where this structure historically crossed over Rocks Road into Fir Tree Grove, the supports are still discernible from the highway. To the north, the historic access to the house from Rocks Road at the junction with Snatts Road retains its rural character. Other portions of the grounds survive to some degree as the West Park Nature Reserve and as the Uckfield Scout HQ.

5.20 In contrast to the changes within its immediate setting, the picturesque landscape of Lake Wood to the north survives in an easily identifiable way, enhanced by the public access (discussed further below). Although there is no direct visual relationship between Buckswood Grange and the designed landscape to the north, the historic connection between the two assets amplifies the experience of the significance of each; that is to say that Lake Wood reinforces the status of the estate and its former occupants as people of significant ambition and wealth and an interest in naturalism.

5.21 Buckswood Grange draws significance from the relationship with parts of its setting which include Lake Wood, Fir Tree Grove and Chicory Cottage by virtue of their legible character and tangible historic connections through similar designed landscape

features and through the living memory of the Streatfeild family. The siting of the house reflects a direct link between the natural resources of the landscape and development of the estate in the 19th century. Vivienne Blandford's public representation (hereafter 'VB'; **Appendix 11**) sets out how the surrounding woodlands were used for economic benefit of the estate, with Downland Farm having its own saw mill, north-west of the farm group (as seen on Figg's map at **Appendix 5** and identified on the Uckfield Tithe at **Appendix 3**).

5.22 Regardless of whether there were historically any designed views or vistas encompassing these other portions of land within the estate, its setting, in my view, extends well beyond the immediate grouping. This includes Lake Wood and the open pastoral Downlands farmland which were clearly part of an articulated arrival sequence, and have continuity with other features such as the surviving sections of the carriage drive and the lodge houses. VB sets out that the Appeal Site is located between two unique historic landscapes comprising Lake Wood (and including Fir Tree Grove) to the south and remnants of a dispersed medieval landscape and medieval common land to the north (**Appendix 11**). Whilst the southern part of the Streatfeild estate has been built over, the northerly part survives and '*should be considered a remarkable survivor of an unusual landscape*' (VB, **Appendix 11**).

*Significance of Lake Wood*

5.23 Lake Wood is a designed historic landscape managed as a public open space by the Lake Wood Woodland Trust. By virtue of being a late 18th early 19th century designed landscape created as part of a picturesque woodland garden with sandstone outcrops and exotic planting, contemporary with the house it was designed around, it is considered to be a non-designated heritage asset.

5.24 The gardens at Buckswood Grange, including Lake Wood, were previously identified by the Sussex Gardens Trust as a 'Notable Sussex Park and Garden', until c.2022 when these locally identified sites were transferred to the Parks and Gardens UK website (**Appendix 12**). In the Lake Wood Management Plan 2021-2026 (**CD11/5**), the significance of the historic landscape is described as:

> '*The site is an interesting small-scale example of a designed historic landscape which has been allowed to develop naturally over 100+ years. In the last 20 years it has been sympathetically restored to remove the threat from invasive rhododendron and to preserve its historic features. In addition to its aesthetic and historic value the site contains important habitats such as veteran trees, sandstone outcrops, standing*

*open water and ancient woodland. The site has been extensively studied by local ecologists over a long time and has an impressive list of species including various rare and protected plants and animals.*'

5.25 Although Lake Wood is not designated, Historic England's Register of Parks and Gardens (RPG) Selection Guides (**CD11/4**) provide a sound basis for identifying significance. At Lake Wood, this is based on:

- The presence of a contemporary house around which the landscaping took place;
- Influence of the natural topography and deliberate appropriation of the natural landscape;
- Authenticity as a result of ongoing routine management and enhancement;
- Survival (at least in part) of plant collections, notably exotic trees; and
- Archaeological interest in terms of the Mesolithic rock features.

5.26 In broader terms, the significance of Lake Wood lies in the fact that it is a rare and unique example of a natural landscape deliberately appropriated as a design feature with a dual purpose of managed woodland, virtually unchanged in its design and still in active woodland management, with surviving specimen trees. Compared with the other areas of ancient woodland, Lake Wood has a much more recognisable designed quality with woodland walks, lake and rockwork features. It retains a strong sense of the tranquil and picturesque environment the Streatfeilds wanted to enhance on their estate.

5.27 Whilst the landscape cannot be attributed to a designer, the Woodland Trust suggest it is 'in the style of Capability Brown' (c.1715-1783; **CD11/5**) and the VB representation (**Appendix 11**) provides a plausible connection to at least the ideas of William Gilpin (1762-1843) via the Earl of Sheffield at Sheffield Park, two of the foremost designers of their respective periods. Whilst landscaped parks are generally associated with great country houses and influential designers, landowners of more modest country parks often took the lead themselves, to create '*an informal few acres of grass and specimen trees defined by an imposing wall and with some form of summerhouse to provide shelter*', as is more likely here at Buckswood Grange (**CD11/4**, page 11).

5.28 The sensory and intellectual stimulation we derive from a heritage asset dictates its aesthetic value. Contemporary depictions and descriptions of or inspired by Lake Wood, such as by Gideon Mantell (c.1820) and the postman poet Thomas Pentecost (**Appendices 9 and 11**), demonstrate that Lake Wood is valued for its artistic interest

and aesthetic value, which may also be illustrative of broader trends, and so hold historic interest. The entry for The Rocks in the 1888 Brooker's Guide Directory (**Appendix 13**) also praises the landscape as: '…*One of the lions of Uckfield is the very picturesque lake on the Rocks estate, surrounded with varied and luxurious foliage, and having on its margin caverns, natural and artificial, in the sand rocks which 'form so remarkable a feature of the locality*'.' That this appreciation of Lake Wood's artistic interest and aesthetic qualities continues today certainly informs its significance. These more social dimensions of communal value often relate strongly to the experience of the place, and are therefore sensitive to change.

5.29 Where the ashlar stone boundary wall survives in situ on Rocks Road, it contributes to the sense that the landscape was a designed pleasure ground, separated from the public highway for private use of the wealthy owner. The private pedestrian footbridge which historically connected the immediate gardens of the house to Fir Tree Grove also serves to underline this. Historic England (**CD11/4**, page 10) notes that '*Most landscape parks were kept private by a boundary wall or railings, with entrances overseen from gatekeepers' lodges.*' At Buckswood Grange, the topography and woodland provided effective natural barriers, with only portions of the more public boundaries enhanced by stone walls. On Snatts Road, another section of wall enclosed the former quarry where The Quarry House now sits.

5.30 Of landscape parks of the mid-18th to early 19th century, Historic England notes that they were meant to be experienced in motion (**CD11/4**, page 10). At Buckswood Grange, the Lake and surrounding environment were a key part of the arrival sequence. From the north, this would have been across open commons, past pastoral fieldscapes and mosaic ancient woodland, over the dam with views across the lake to the rocky outcrops, and through the carriage tunnel to be presented with panoramic views southwards across the parkland before turning eastwards to approach the house across the lawns.

5.31 Lake Wood retains at least one direct physical link with Buckswood Grange via the underground tunnel, and other tangible links are found in the blocked carriage tunnel, surviving sections of the carriage drive, and the structure of the former footbridge, albeit ruined and overgrown.

5.32 In terms of 'designed settings', GPA3 (**CD11/2**) highlights that it is *'important that the extended and remote elements of the design are included in the evaluation of the setting of a designed landscape.'* As noted above, Lake Wood forms an essential part

of the ensemble of historic features at Buckswood Grange and contributes to the setting of the house in terms of aesthetic value and in assisting with its historic understanding of the estate. To the east, the rocky outcrops continue through Fir Tree Grove and north along Snatts Road to a point north of the former quarry. These parts of its setting provide additional shelter to Lake Wood, contribute to the sense of tranquillity and extend the managed woodland. The open farmland setting to the north afforded drama on the approach, serving to highlight the contrasting character of Lake Wood, whilst also being a productive part of the estate.

5.33 The only major change to Lake Wood's setting was the creation of the A22 Uckfield Bypass in 1986. This passes close to the western end of Lake Wood, interrupts part of the longer carriage route to Shortbridge and fragments the western portions of the wider parkscape from Buckswood Grange. The intrusion of road noise and loss of buffer planting which contributed to further damage within Lake Wood from the 1987 storm have adversely impacted its setting here.

5.34 Public access has been afforded to Lake Wood since c.1993, at the gift of Commander Norman Scarlett-Streatfeild, and it is clear from the number of well-used desire lines between Lake Wood and the fieldscapes to the north, that there is a level of public accessibility within the Appeal Site. Judging by the large number of public representations, it exhibits strong communal values.

*Significance of Chicory Cottage*

5.35 Chicory Cottage, formerly known as 'Rocks Cottage', has been identified (**CD11/11)** as having a degree of significance that merits consideration in a planning decision, arising from its history that dates back to the late-18th or early-19$^{th}$ century, potentially pre-dating the 1838 mansion; its historic associations with the Rocks estate as the former butler's accommodation (**Appendix 14**), within a landscape setting that closely relates to the other designed features of the estate. It is accepted that it has been altered and extended over time and therefore has limited architectural interest, however, the Appellant has not demonstrated that this undermines or invalidates its historical interest, including connections with Commander Norman Scarlett-Streatfeild (**Appendix 19**, DMS22). The determination of it as a non-designated heritage asset, is consistent with the recent treatment of Charlwood Manor, identified as having a degree of 'local historical and social interest' (**Appendix 15**).

5.36 The main interest of Chicory Cottage is historical, and lies in its relationship with the former Rocks estate. It is part of, and represents a link with, the history of the former

Rocks estate and its surroundings, including the Appeal Site, and a connection with the Streatfeild family. Its significance lies primarily in these historic associations.

**Downlands Farm Group**

*Brief history*

5.37 Downlands Farm is recorded on the Historic Environment Record (**Appendix 16**; MES32152) as a medieval farmstead group, retaining a 16th century barn (MES38141) and 19th century or earlier oasthouse (MES38142). Yeakell and Garder's 1778-83 'Topographical Map of the County of Sussex Divided into Rapes, Deaneries and Hundreds, Planned from an Actual Survey' depicts '*Townlands*' within a distinctive irregular enclosure situated on the northwest side of the road, surrounded by fields on all sides, interspersed with large tracts of woodland (**Appendix 17**). By 1789, '*Townlands*' has become Downlands, as depicted on Thomas Budgen's OS Surveyor's Drawing (**Appendix 18**). Mudge's map of 1813 (**Appendix 19**) goes on to record construction of Downlands House (now Charlwood Manor) with some more detail, showing an irregular enclosure comprising a series of buildings, distinct from a road/track or forestall against its southwest and northwest boundaries. Several structures are shown outside the enclosure, the group commensurate with the separate zones of activity extant at Downlands, comprising the farmland and farm buildings to the west and the domestic building, gardens and grounds within the irregular enclosure to the east.

5.38 Downlands had been inherited by the first Uckfield Streatfeild, Richard Beard (RBS), in 1750, and became part of RTS' combined estates in 1789. In 1813, the *'desirable and compact Estate called Downland, delightfully situate in the parish of Uckfield'* was put up for auction and purchased by John Farncombe (**Appendix 20**). The sale included 'a detached brewhouse, coach house, wood house, stables, cow-house, piggery, farm yard, and convenient offices, together with upwards of 15 acres of good meadow land adjoining, including lawn, orchards, gardens, shrubbery and fish ponds'. As it was depicted on the Figg's survey of the Rocks estate from 1829 (**Appendix 5**), it is possible that John Farncombe purchased only the copyhold, as it was later re-sold in 1873 (see below). Farncombe is later described as 'a local land agent' (**Appendix 21**) and of some age by this time; he also appears to have married one Maria Beard (perhaps a relation of Richard Beard Streatfeild?).

5.39 Figg's map (**Appendix 5**) shows Downlands House amidst its gardens and grounds, situated in a well-defined enclosure distinct from the neighbouring farm, together with

the surrounding fieldscapes. The plot is labelled *50,* described as *House, Gardens, Lawn &c.* To the south-west was *Downland Buildings &*c (labelled as *1*), bordered to the rear by *Barn Field*. Oast Cottage is clearly visible carved out of the corner of Barn Field, to form a small domestic enclosure separated from the farmland, and circumnavigated to the north by the farm track. Figg's map shows only a small building in the north-west corner of the *Plot* labelled *24* representing perhaps the origins of Bridge Farm (where Downlands Farm Cottages now lie, north of Gormanston).

5.40 By 1833, Downlands had been left to the Misses Farncombe (Mary, Charlotte and Emily) by Maria Farncombe at her death. Mary Farncombe is listed in the 1841 tithe apportionment as the owner and occupant of the Downlands House, though Downlands Farm itself remained part of Richard Shuttleworth Streatfeild's tenanted lands (**Figure 1 above; Appendix 3**). The farmer was resident at Oast Cottage, and the farm has the same general layout to that seen on Figg's 1829 survey (**Appendices 3 and 5**), though the pond was infilled and a boundary or enclosure was created between the barn and the structure to the east. Downlands Timber Yard lay to the north-west of the farm group. The timber yard is still discernible on the First Edition OS map, surveyed in c.1873, but by the Second Edition (revised in 1897), it had been amalgamated with Barn Field to the south (**Appendix 7**).

5.41 The youngest Farncombe sister, Emily, passed away in 1873 and the copyhold, comprising Downland House with gardens and 15 acres, was again put up for auction (**Appendix 22**). The small estate was acquired by James William Scarlett, father-in-law to RJS. The Scarlett family were in residence until at least 1881, and retained ownership which transferred to RJS on his death (**Appendix 23**).

5.42 Ordnance Survey (OS) maps from the late 19th and early 20th century show the creation of new footpaths linking Fir Tree Grove (then Fir Grove) directly with Downlands Farm, crossing the track to Bridge Farm (**Figure 2; Appendix 7**). The HER records Bridge Farm as a partially extant 19th century farmstead, suffering significant loss, or greater than 50% of traditional buildings (**Appendix 16**, MES32153).




**Figure 2** Second Edition 1:25,000 (25-inch) OS map, revised 1898, published in 1899 (Appendix 7), annotated with new footpath shown in green.

5.43 Comparisons between the First and Second Edition OS maps show westward expansion of the farmstead (**Figure 3; Appendix 7**). The earlier map indicates three yards and a wide track to the east and north. By 1897 when the Second Edition map was surveyed, a further range of open-fronted shelters had been created to the west with a new yard. This is perhaps the first indication of the farms shifting focus southwards.

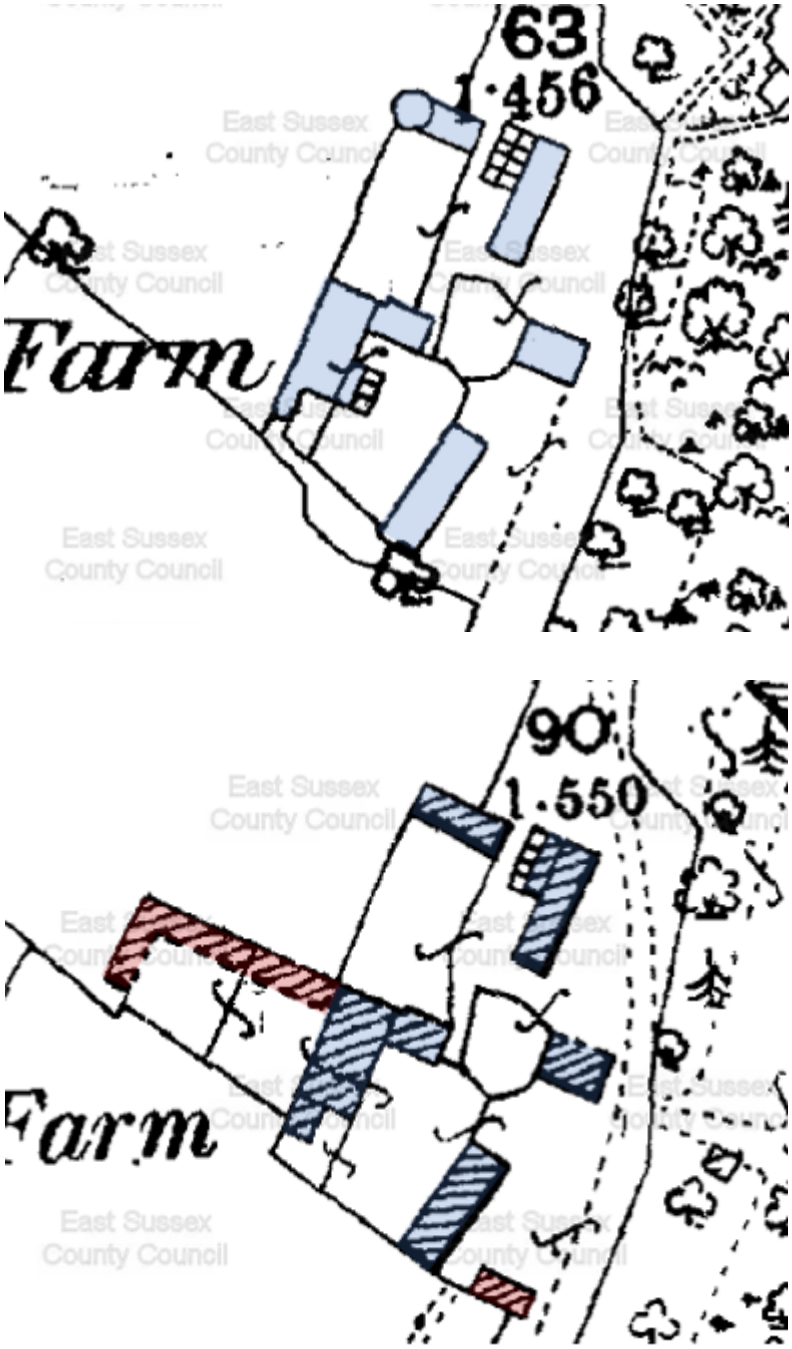



**Figure 3** Extracts of First Edition (top) and Second Edition (bottom) 25-inch OS Maps (Appendix 7), annotated, showing the changes to Downlands Farm between 1873 and 1898.

5.44 Lot 32 of the 1938 estate auction saw separation of Downland House and grounds from the estate, but the farm appears to have been retained until the auction in 1951, when it was purchased by Mr Clarence Preston. The 1951 sales particulars (**Appendix 24**) show that Oast Cottage, the former orchard to the north-west and part of what is today Partridges garden to the west and south were separate.

5.45 The 1950s and subsequent decades of the 20th century brought about more substantial changes for Downlands Farm. Planning history (**Appendix 25**) shows that in 1953 the former oast house and a barn were linked and converted to a house (now Partridges). With both Oast Cottage and the oast house separated from the farm, the focus of agricultural activities shifted southwards. A new farmhouse (Gormanston or Gormanstone) was built in c.1953-7, and the farm holding subsumed the earlier Bridge Farm to the south. Nos. 2 and 3 Downlands Farm Cottages were built in the mid- to late-20th century as farm workers dwellings associated with the Downlands Farm holding which was by then focused on poultry. No. 1 Downlands Farm Cottages represents the original cottage at Bridge Farm, which was enlarged with a new range to the front (south-east) in the late-19th century (**Appendix 7**). At least five broiler chicken houses were built at Downlands Farm between 1956 and 1965 together with other sheds on the south side of the farm. A farm track appears to have been created through the re-focused farmstead, following the boundary of Partridges and Shermanreed Wood, and onwards to connect with the historic carriage route in Thirty Acre Wood (**Appendix 7**).

5.46 Downlands House would be converted to a care home in 1975, adopting the name 'Charlwood Manor'.

5.47 Planning records (**Appendix 25**) suggest that the Downlands Farm estate was further fragmented following the death of the owner Mr. Clarence Preston in c.1996. This saw sale of Gormanston and Nos. 1-3 Downlands Farm Cottages to new private owners unconnected with the poultry operation which was at that time being run by a farm from North Chailey near Lewes. A modern shed attached to the west of the traditional barn and a freestanding shed in the yard to the south were demolished and the traditional barn converted.

5.48 Aerial photographs (Appendix 26) show that as recently as 2005, the farmstead had a more open character owing to removal of the modern agricultural buildings sometime in the late-20th or early 21st century. Google Streetview images from March 2011 also indicate a more open setting, with intervisibility to the Downlands Farm Cottages group (**Figure 4**; https://goo.gl/maps/fvJL5qtdxFHHGMrv5). The woodland at the western end of Barn Field, within the modern curtilage of Partridges, is not present on aerial images from 1947, but had been well-established by c.2005.



**Figure 4** Google Streetview from March 2011.

*Significance of Oast Cottage*

5.49 Oast Cottage is a grade II listed building and described in the listing as 17th in origin and formerly two cottages (**CD11/9**). It was built in the early-17th century as farmhouse, later subdivided as farm labourer's accommodation to Downlands Farm, and separated from the estate in c.1951 (**Appendix 24**). It exhibits both architectural and historic interests as a designated heritage asset.

5.50 The cottage is situated at the northern end of the former farm track, approached past the former farm buildings on the west side. Beyond the gate access, the drive passes close by Partidges Oast, still resembling the historic farm track. It remains in its own well-defined garden enclosure with vegetated boundaries and an early-19th century stone boundary wall to what was Downland House to the east. The route of the historic track continues informally through the gardens, with the historic boundaries identifiable as hedging to the north of the cottage. The former orchard area, immediately adjoining the Appeal Site, is retained as part of the gardens of the house. In this way, the cottage and its associated well-defined garden enclosure seen on maps form the 19th century survive largely intact, with a garage/store and pool as expected for a residential property. Owing to its set back position and the topography, it is not readily experienced in the public realm from the south, until on the private drive, past Partridges.

5.51 The cottage is of 2-storeys and 4-bays with outshots and a later wing to the rear. It has a ridge stack in the second bay from the south and a gabled porch in the second bay from the north, with external brick stacks at each end. Externally, it is painted brick with a modillion string course below tile-hanging to the upper floor, party interrupted by the heads of the ground floor windows. At the rear, a pair of brick wings were added to the

two north bays in c.1800, with a 20th century catslide outshot to the south. Internally, there is a surviving timber frame.

5.52 The significance of Oast Cottage lies in the fact that it is a farmhouse, retaining a good amount of timber framing which can be stylistically dated to the early 17th century, refronted probably in the 18th century, employing nice detailing, with later additions to the rear of several dates, and which has survived significantly intact. It has historical value as a relatively late Yeoman farmhouse, and part of the Rocks Estate and their Downland Farm; as well as aesthetic value as an attractive vernacular building built of traditional vernacular materials.

5.53 Oast Cottage was listed in 1982, by which time it had been separated from the farm buildings and the oast had already been converted, and Downland House had been converted to a care home. Notably, the conversion of the farm buildings changed the character of the immediate surroundings (west and south) from one of farming activities and open fields associated with the isolated farmhouse within its self-contained domestic gardens, to domestic gardens and grounds associated with residential use. Since the listing, the main change has been intensification of the residential uses through conversion of Swallow Barn. Despite these changes, it is still experienced closely with the former agricultural buildings along the historic farm track, and with a limited visual link to the former oast from the gardens. Apart from the boundary wall, there is limited awareness of Charlwood Manor to the east, but this essentially maintains the historic relationships whereby the polite house was separate. To the north, the setting of the farmhouse remains virtually undisturbed, as open fieldscapes within a mosaic of woodland, closely associated with the medieval origins of the farm.

5.54 Given that the majority of the changes within the setting of the listed building pre-date the listing, the current experience of the building is much the same as at the date of listing, and resembles the historic setting in an identifiable way despite domestication of the farm buildings.

*Significance of Swallow Barn*

5.55 Swallow Barn is a grade II listed building, listed in 1984 (**CD11/8**). It is a traditional Sussex barn, 16th century in origin with a 17th century extension to the south, of 5 bays with a central wagon entrance and full height cart door, and an aisle to the west. It is two-storey, timber-framed structure clad with weatherboarding and supported over a brick plinth. The steeply pitched, clay-tiled roof is half-hipped with a gablet to the

south and fully hipped to the north, and extending down in a catslide over the aisle to the west. The conversion to residential use in 1996 (amended in 2002) was subject to listed building consent and correspondence in the planning file shows that considerable attention was paid to protecting the agricultural character, whilst also supporting the new use which would sustain the building into the future (**Appendix 27**).

5.56 The significance of Swallow Barn is related to its early origin and traditional timber framing. The conversion has altered its outward appearance with the addition of some domestic detail to the former wagon entrance and the number of windows, but the agricultural character is nonetheless readily discernible in the building typology and retained traditional elements (e.g. weatherboard cladding, asymmetrical tiled roof). It has historical value as a 16th century Sussex barn, part of a medieval and post-medieval farmstead closely related to the landscape, and part of the Rocks Estate and their Downland Farm; as well as aesthetic value as an attractive vernacular building built of traditional vernacular materials.

5.57 The barn is the first of the group of buildings encountered on the historic farm track, and accessed from the track via an informal compacted earth drive through a pair of timber jowled posts acting as gate posts. The modern outbuilding has a traditional appearance and occupies the position of a modern shed which was removed at the time of the conversion of the barn. The main detractor is the domestic planting on the boundaries and within the grounds.

5.58 Aside from its conversion and establishment of the domestic curtilage, the main changes to its historic setting have been the conversion of Partridges and establishment of the modern poultry farming enterprise to the south in the mid-20th century. The landscaped gardens and grounds associated with the residential uses have caused a degree of fragmentation to the farmstead, with the buildings now largely read as a group by virtue of their agricultural typologies and relatively isolated edge location, typical of historic farmsteads within the scattered Wealden settlement pattern.

5.59 The changes within its setting associated with poultry farming, administered from the new farmhouse and workers cottages to the south, have largely been reversed through removal of the modern sheds. Although their hardcore bases are still discernible, nature has largely reclaimed them. One of the few remaining vestiges of the later yards is the remains of a metalled farm track on the southern boundary, which

extends out into the Downlands farmland within the Appeal Site. Since c.2011, the historically open fields to the south (tithe parcels 60 – Hop Garden Field and so-named on the 1829 estate map; and parcel 61, a meadow called Lodge Field; **Appendices 3 and 5**) have been left to grow up as plantation, restricting intervisibility with the Downlands Farm Cottages and re-focusing the more compact grouping to the north.

5.60 At the time of its conversion, the Council's Conservation Officer noted '*The building is surrounded with modern farm buildings and its setting will be enhanced by their removal. It will then form quite an important landscape feature on the edge of the built-up part of Uckfield*' (**Appendix 27**). In my view, this sentiment remains true.

*Partridges Oast*

5.61 Partridges comprises two historic agricultural buildings, converted and linked by an extension, and more recently extended to the north. Prior to the conversion it comprised an oast roundel and attached two-bay stowage barn on an east-west axis, and to the east, a detached three-bay storage barn with a three-bay fowl house and piggeries on a north-south axis. There is a separate two-bay weatherboarded cartshed, with a tiled roof and unusual timber framing, providing garaging/storage to the south-east. All three of the structures are on Figg's 1829 survey (**Appendix 5**) and the tithe map (**Appendix 3**), with the roundel added by c.1873 (**Appendix 7**).

5.62 The dissolution of the farmstead and subsequent conversion of the buildings to domestic use had started in the 1950s with conversion of the oast within a newly defined domestic curtilage extending to the north-west, wrapping around Oast Cottage and leaving a triangular plot for the barn (**Appendix 25**). The early date of its conversion may be a product of the defunct hop industry, specialist building typology which made the buildings more difficult to re-purpose to other modern agricultural uses, and proximity to Oast Cottage. Whilst we may approach detail of the conversion with a different level of care today, the conversion has not wholly compromised its legibility or heritage values.

5.63 The oast and stowage house are in red brick with clay tiled roofs, retaining the distinctive cowl. The two-storey link is integrated with the stowage house, but makes use of hanging clay tiles to the elevations. The agricultural character of the buildings has been eroded by the domestic fenestration, especially to the oast roundel. The single-storey barn to the east is partly in brick and partly clad in painted weatherboarding under a clay tiled roof, with more limited domestic style fenestration. There is a gabled porch at the north end and the former fowl house to the south has

an underpass giving access to the inner (west) yard, which is now domesticated with a patio and pool. Internally, photos from recent sales particulars show exposed timber roof framing in the single-storey range and timber joists in the former stowage house (**Appendix 28**). Features such as the chimney on the north side of the former stowage house are consistent with the specialist building type, distinct from a barn.

5.64 As 19th century or earlier agricultural buildings of a specialist type closely related to the Wealden hop industry, with legible building typologies and historic character, and with historic associations to Downlands Farm, Partridges is considered to have a degree of heritage significance meriting consideration in the planning process as a non-designated heritage asset. Despite its converted state and the domestic alterations, it retains authenticity as a historic oasthouse and can be recognised as having been part of the larger complex of farm buildings. It has a low/moderate degree of significance, enhanced by the relationships to the listed structures and legibility of the farmstead, as well as wider local connections to the former Rocks estate.

5.65 The extensive landscaped grounds and other domestic features to the west have also altered the immediate setting. On the east side, the farm track remains legible and has direct relationships with the cartshed and single-storey barn, both of which retain more of their agricultural character. To the north and east the setting remains largely the same as its historic setting, whereas to the south the conversion of the barn to residential and domestication of the grounds have removed the last traces of the working areas associated with the agricultural uses.

5.66 The tithe apportionment shows that hops at Downlands Farm were being grown and harvested from a 3.45 acre field north of the orchard beyond Oast Cottage (Broomy Field), which is within the Appeal Site (**Appendix 29**). The roughly L-shaped field survives with its field boundaries to the north and east, bordered by Shermanreed Wood to the west. Although there is no direct intervisibility between these functionally linked spaces, the extended agricultural setting within the Appeal Site contributes positively to its significance in terms of contextualising the locally distinctive building typology.

*Group Value*

5.67 The presence of a medieval farmstead at Downlands Farm suggests that it was during this period that woodland would have been cleared to create arable fields around the wooded ghylls, (see para 4.63 of the AHA – **CD2/83**). These rural surroundings were

present during the time that the buildings within the post-medieval farmstead were constructed, and still closely resemble the land historically associated with it.

5.68 The edge character of the farmstead group is clearly discernible from the historic farm track which provides informal public access to the farmland to the west, and in glimpsed views from Snatts Road. The track itself has an understated informal character consistent with a rural farm track and survives largely intact, with a close relationship to the cartshed at Partridges. Despite the introduction of modern garages and sheds at all three of the properties and creation of domestic curtilage, the subdivision of working spaces and overall form of the farmstead remains discernible.

5.69 The barn and oast, even if not seen directly from portions of the site, are identifiable typologically as locally valued and distinctive building forms, well understood to be related the hop industry and agriculture in the Weald. By implication, the location on the edge of the rural area and adjoining agricultural fieldscapes, with which the farmstead has a genuine historic relationship, contributes to their significance, even where their use has changed. The rural qualities of the landscape are still discernible, as is the understanding that the group lies on the edge of the built-up area, distinct from the denser development to the east of Snatts Road.

5.70 The construction of two contemporary style houses to the east within the former grounds of Charlwood Manor have reduced the sense of isolation, but these are more closely related to development on Snatts Road, and has not impacted greatly on legibility of the farmstead group, or its historic relationship with Charlwood Manor.

## 6 Appellants Application Documents and Response

6.1 Below I refer to the following submitted documents relevant to my evidence:

- Archaeological and Heritage Assessment (**CD2/83**)
- Heritage Addendum (**CD2/103**)
- Public Representation of Vivienne Blandford, 8 September 2022 (as above, 'VB'; **Appendix 11**)
- Public Representation of Dr Martyn Stenning, 12 August 2022 (hereafter 'DMS22'; **Appendix 9**)
- Public Representation of Dr Martyn Stenning, 20 January 2023 (hereafter 'DMS23'; **Appendix 9**)
- Public Representation of Mrs M Stephens, 5 September 2022 (hereafter 'MS'; **Appendix 8**)
- Public Representation of Downlands Action Group, 9 September 2022 (hereafter 'DAG'; **Appendix 30**)

*Archaeological Heritage Assessment (AHA)*

6.2 The AHA submitted with the application (**CD2/83**) covers both archaeology and built heritage considerations. I will address only the impacts on built heritage assets, including impact on designed historic landscapes and buildings.

6.3 My formal consultation response dated 13 September 2022 (**CD11/10**) set out:

- The AHA (**CD2/83**) was not rigorous enough to support its conclusions around impact on the Downlands Farm group and the Buckswood Grange group including Lake Wood;
- The AHA (**CD2/83**) focuses solely on visual impact contrary to GPA3 (**CD11/2**), with over-reliance on public accessibility, lacking understanding of the kinetic or experiential qualities of setting, and with no awareness that the proposal will introduce experiences from within the residential development itself;
- Heritage sensitivities are unlikely to be prohibitive to an unidentified quantum of development but the opportunity to respond to NPPFs design objectives (**CD6/16**, Paragraphs 130 and 206) have been missed through incomplete understanding of significance;
- Less than substantial harm to the significance of heritage assets (at the higher end).

6.4 As regards the rigor of the assessment others have also expressed concerns on the omissions of the AHA (**CD2/83**), and the subsequent HA (**CD2/103**), and the

conclusions drawn based on incomplete understanding (see for example, ESCC Archaeology consultation response – **CD11/13**, VB – **Appendix 11**, DMS23 – **Appendix 9** and MS – **Appendix 8**). Review of the listing description and community contributions to 'Enrich the List' (now called *Missing Pieces* **CD11/7**) also highlight some of the gaps in the first assessment.

6.5 One of the main heritage concerns was omission of any assessment of Buckswood Grange in terms of significance and setting. EDP's rationale for not including Buckswood Grange was not explored in any detail as has been done for St Bartholomew's Church, Maresfield (paras 4.16-4.23 of **CD2/83**), albeit this discussion was based solely on visual terms. Rather the rationale for omission of Buckswood Grange is set out in paragraphs 41.1 and 4.14-4.15 of the AHA (**CD2/83**), briefly alleging '*no significant visual or functional connection or association to the site*' and '*no significant historical association with the land within the site*'. The brief historical summary set out in Section 4 above has demonstrated that this is not the case. In fact, these statements contradict EDPs own assessment in terms of:

- RSS identified as common owner of the site and assets in the early-19th century as part of the Rocks Estate, and surveys of the estate which show the historic relationships between the site and Buckswood Grange (**CD2/83**, Paragraphs 4.73-4 and 4.91); and
- Chicory Cottage built within Fir Tree Grove as the butler's house for Buckswood Grange (**CD2/83**, Paragraphs 4.77 and 4.93).

6.6 So too, the suggestion that the site '*is not experienced from or in combination with any of these assets*' (**CD2/83**, Paragraph 4.15) is not borne out in terms of the proposed pedestrian access from the corner of Snatts Road and through Fir Tree Grove, which is clearly seen at the main entrance to Buckswood Grange, and part of the experience of it along the public highways. See especially the representations by Highways and others regarding the impact of the proposals on the Snatts Road junction (**Appendices 8, 9 and 30**).

6.7 The Appellant followed up this response with a series of questions to which I provided an email response dated the 2/5 December 2022 (**CD11/11**). This clarified my initial response in respect of:

- Chicory Cottage is not considered curtilage listed due to its separation from the estate prior to listing, but it is considered a non-designated heritage asset;
- Downlands Farm Cottages are not considered to be non-designated heritage assets;

- Identified gaps in the AHA (**CD2/83**) which led to the conclusion on lack of rigor;
- Buckswood Grange is Grade II listed, not grade II* listed as had been previously stated (**CD11/6**);
- The reasons that a more thorough assessment and better understanding of significance would have led to a different indicative layout and/or quantum of development.

*Heritage Addendum (HA)*

6.8 The HA (**CD2/103**) was submitted with the aim of addressing the perceived oversights of the AHA (**CD2/83**) and sought to respond directly to the points raised in the correspondence from 2/5 December 2022 (**CD11/11**). Taken together with the AHA (**CD2/83**), the HA (**CD2/103**) provides a more thorough assessment of the heritage resource and broader historic connections across the site, and goes into more detail on the assets and their surroundings. However, it does not identify the significance of the assets in any sort of informed way and still takes an overly narrow view of setting and contribution to significance in terms of the advice in GPA3 (**CD11/2**). Some of the more general concerns with the HA (**CD2/103**) include:

- The emphasis given to the list description of Buckswood Grange in terms of understanding significance as primarily architectural, and dismissal of components of the wider estate in contributing to significance (paragraph 1.65);
- Failure to consider Lake Wood as a non-designated heritage asset, independent of Buckswood Grange, despite acknowledging that Lake Wood is a designed landscape (paragraph 1.70) which survives largely intact (paragraph 1.75), based largely on a perceived lack of designed or 'associative' views (paragraph 1.82);
- Fails to consider Chicory Cottage as a non-designated heritage asset, but appears to acknowledge a level of heritage interest and suggests mitigation to maintain the character of the setting and mitigate against loss of heritage interest (paragraphs 1.100-1.102)

6.9 However, there are two major points of contention with the interpretation of setting and its contribution to significance, including:

- The suggestion that the carriage route does not survive (**CD2/103,** paragraph 1.76). My site visits have shown sections of it to be clearly identifiable in Lake Wood and Thirty Acre Wood and in the western section of Shermanreed Wood / south-west section of Budletts Wood (**Appendix 1**); and

- The suggestion that there is no experience of the land within the site from Lake Wood (**CD2/103,** paragraph 1.79). My site visits have shown there to be a number of desire lines showing direct access between Lake Wood and the Appeal Site, and intervisibility with the Appeal Site from the upper woodland path (**Appendix 1**).

6.10 My final consultation response dated the 13 February 2023 (**CD11/12**) set out some general points of disagreement in relation to the impacts identified for each group and suggested that this came down to a difference of professional opinion about what contributes positively to the significance of the assets via their setting(s). However, as I and others have identified gaps or misunderstandings with Steps 1 and 2 of GPA3's methodology (see Section 4 above) in the Appellant's submissions, which relies heavily on (lack of) direct visual connections and fails to approach setting in the broader way required, it is very difficult to see how this could have led to reasonable conclusions about what parts of the setting contribute to significance or how significance is experienced via setting (without understanding what parts of the surroundings have historically mattered). In my view, the supporting information falls short of the standard required by NPPF Paragraph 194 and Historic England Advice Note 12 (HEAN12) on Statements of Heritage Significance. This has also hindered the Applicant in terms of identifying opportunities to reduce harm arising from the scheme.

6.11 The final consultation response (**CD11/12**) identifies less than substantial harm to the designated heritage assets, at the moderate of higher end of the scale, though this was not itemised individually at the time (see **Section 7** below). I reiterated that this harm could be reduced through amendments to the design of the scheme in line with a broader understanding of significance of the assets.

## 7 Heritage Impact

### Introduction

7.1 For clarity, my view on the harms to heritage assets are as follows:

- **Buckswood Grange** – less than substantial harm, at the moderate level
- **Lake Wood** – a moderate level of harm to a non-designated heritage asset of moderate to high significance
- **Chicory Cottage** – total loss of significance to the non-designated heritage asset
- **Oast Cottage** – less than substantial harm, at lower end of the scale
- **Partridges** – a low level of harm to the significance of the non-designated heritage asset of low to moderate significance
- **Swallow Barn** – less than substantial harm, at the moderate level

7.2 I will also address the cumulative impact of the harm which arises from harm to the constituent elements of the former Rocks estate, and its combined impact on the setting of the Buckswood Grange.

7.3 The AHA (**CD2/83**) suggests that there are no material changes to policy since the 2006 application and that *'…the potential impact of proposals for residential development on designated heritage assets…remain valid*' (paragraphs 1.19-1.22). Whilst this policy position is true in the context of local policy, national policy has moved on since then with the concept of non-designated heritage assets and the publication of the NPPF (**CD6/16**), together with the introduction of guidance on The Setting of Heritage Assets (**CD11/2**). It is also the case that there has been substantial case law collecting since this time on the consideration of the matter of both significance, setting and heritage assets – designated and non-designated.

7.4 Paragraph 1.21 of the AHA (**CD2/83**) summarises that the Council previously identified no adverse effects on setting of listed buildings or other heritage assets such as conservation areas in the wider landscape of the substantially larger site considered in 2007 (**CD4/1**), and that neither the Inspector nor other parties suggested material harm to heritage assets (**CD4/2** and **CD4/3**). However, this is clearly not the case in this instance, as EDP themselves identify harm to Maresfield Conservation Area (**CD11/1**) arising from the current Appeal Proposals. Further, the Council have identified harm to the significance of designated and non-designated heritage assets, and heritage impact has been raised in a number of public representations relating to

the Appeal Proposals. This suggests that the earlier conclusions may not 'remain valid' as suggested.

**Assessment of Heritage Impact**

*Impact on Buckswood Grange Group*

7.5 The main impacts on the Buckswood Grange group will arise from:

- the introduction of built form and residential activity close to the northern edge of Lake Wood;
- the demolition of Chicory Cottage;
- clearance of trees and urbanisation of the rural character of the area around the junction of Rocks Road with Snatts Road in order to provide associated infrastructure for the proposed pedestrian access; and
- creation of the access from the A22, which will disrupt the route of the carriage track and introduce visibility, noise and activity in this part of the setting of the heritage assets.

7.6 Owing to the topography and characteristics of Lake Wood, it is overwhelmingly a tranquil environment, albeit there is more intrusion of road noise on the western side. The rockscape on the southern edges of Lake Wood is level with or above Rocks Road, but the Lake itself and many of the woodland paths are lower than the surroundings, reached by the tunnels under the road from the Buckswood Grange or gently descending from the Woodland Trust's entrance along the woodland paths.

7.7 The upper path across the northern edge of Lake Wood affords glimpsed views into the development site (**Appendix 1**). At the eastern end, the development would be above the path, and more level travelling westwards. There are presently a number of 'desire lines' providing direct access into the Appeal Site (**Appendix 1**). These are interspersed between the carriage drive at the western end and an historic field access at the eastern end close to the Woodland Trust's gated access, which is seen on the First Edition OS map from 1873 (**Appendix 7**). These are well-used but informal routes directly linking Lake Wood with the Appeal Site, where there was a well-trod path around the Appeal Site itself.

7.8 The introduction of development and the attendant activity close to the northern edge of Lake Wood, on higher ground, would introduce visible built form together with lighting, noise and activity which would adversely affect the tranquil qualities of the designed landscape and understanding of it as part of a gentleman's retreat on the

edge of Uckfield, and thereby detract from the appreciation of its significance. Whilst such impacts would predominantly affect the northern part of the asset, other representations talk to the potential harm to Lake Wood itself from associated impacts such as wear and tear, hydrology, ecology, and arboriculture impacts, which would also lead to harm to its 'fabric' and the experiential qualities which are an essential part of its significance as a non-designated heritage asset.

7.9 Following the route of the carriage drive, users coming out of Lake Wood would be confronted with the modern road infrastructure and a large block of suburban style development beyond. One of the more established desire lines would emerge roughly between the drainage ponds and the development in the south-western part of the Appeal Site; while to the east, the historic access would lead to the edge of the indicative L-shaped block at the south-west end of the cul-de-sac. The strategic pedestrian and cycle routes would make use of the approximate route of the carriage drive and existing access into Lake Wood, and as such the harm would be readily appreciated (**Appendix 1**).

7.10 This built form, and all of the attendant activity and lighting and infrastructure produced would irrevocably change the context from rural to suburban and alter the experience of the asset such that it would be detrimental to the significance of Lake Wood (**CD11/2**). The impact would be greater in the winter when there would be more intervisibility. This is directly in opposition to the HA's conclusion that the development will result in no changes to the physical properties or character of Lake Wood (**CD2/103**, paragraph 1.87).

7.11 The removal of tree cover from Thirty Acre Wood to achieve the new access has the potential to exacerbate impact of the road noise on the designed landscape of Lake Wood. Creation of the new access in this location would further disrupt the route of the carriage drive which follows the eastern edge of Thirty Acre Wood by cutting directly across it with modern road infrastructure and street furniture. The route is not complete, fragmented by the creation of the A22, and has not been maintained along its full length, but is still readily identifiable in a number of places, either by its sunken form, surviving banks and/or the pattern of tree growth defining its edges (**Appendix 1**). The use of this woodland corridor as SANG (**CD1/16**) could present issues in terms of wear and tear but also affords potential for interpretation.

7.12 As such, the proposals would cause some harm to Lake Wood, a non-designated heritage asset of moderate to high significance. Under Paragraph 203 of the NPPF,

the effect on the significance would be permanent adverse, and at a moderate level of harm.

7.13 Turning to the proposals within Fir Tree Grove, the current experience at the entrance of Buckswood Grange is one of generally rural surroundings, albeit with some close-boarded fencing on the boundary of Buckswood Grange (**Appendix 1**). The pavement and street-lighting end at the junction and the enclosed and vegetated character of Rocks Road continues for some distance to the east and west and up Snatt's Road within the retained portions of its setting. In contrast, the clearance of trees, creation of the boardwalk structure, highways improvements, lighting, traffic calming and other infrastructure would all urbanise the Rocks Road / Snatts Road Junction, directly across from the entrance to Buckswood Grange. This is in direct contradiction to Paragraph 1.78 of the HA (**CD2/103**), which ignores the prominence of the proposed access to Fir Tree Grove. In any event, the Council's position is that the appeal site contributes to the significance of Buckswood Grange via its setting, even though much of the proposal would not intrude upon views directly to and from the mansion.

7.14 The rocky outcrops of Lake Wood continue through Fir Tree Grove and beyond the former quarry, such that Chicory Grove is above the road level, which rises northwards from Buckswood Grange. At present this provides vegetated rural surroundings at the main entrance to Buckswood Grange. This access, originally related to the Georgian mansion, was also part of the design of Buckswood Grange. Travelling along Rocks Road there is a clear transition from the more urban centre of Uckfield, to suburban to largely rural at the junction of Rocks Road/Snatts Road (**Appendix 1**). These rural qualities are reinforced by Buckswood Grange as a large country house which was set on the edge of the town and surrounded by parkscape.

7.15 Thus the setting for this new entrance is a narrow country lane, one of the formative parts of the design of the Rocks estate, and lined by wooded embankments, sandstone outcrops, mature and ancient woodlands. The re-grading of the topography within Fir Tree Grove to allow pedestrian access as proposed, the more open character with loss of trees, the boardwalk structure with its railings, lighting and street furniture, as well as changes to the junction of Rocks Road and Snatts Road to create safe pedestrian access and egress, plus any other infrastructure would have an impact on the character of the immediate surroundings of Buckswood Grange. As set out above, these parts of its setting do contribute to appreciation of its significance and would be harmed by the urbanisation. Owing to this, the impact to the significance of

the grade II listed building would be less than substantial. Taken alone, this would be at the lower end of less than substantial harm.

7.16 The former private footbridge between Buckswood Grange and Fir Tree Grove, having been severed when a double-decker bus hit the bridge in the 1960s or 70s, is indicative of the historic connection across Rocks Road. The proposal would create a new link between Rocks Road and the Appeal Site, which would open up new public experiences of the heritage asset from within Fir Tree Grove, particularly given the topography, and in the kinetic experience. The similarity of the natural and designed features in each has the potential to highlight awareness of the 'distinct' three areas as a wider entity for users of Lake Wood and/or Buckswood Grange. In this regard, the more formal indicative urban planning at the south-east corner of the development site would exacerbate the loss of this transition (**CD2/6**). It is perhaps useful to note that the development on the higher ground in the south-east corner of the Appeal Site would also be that experienced in the distance from Maresfield Conservation Area, were a more formal layout or urban form and density, if discernible, would be less desirable.

7.17 Others have raised concern as to whether the access through Fir Tree Grove is acceptable on other grounds (e.g. Highways and Ancient Woodlands). Given this, the total loss of the significance, even at a low level, of Chicory Cottage does not appear to be justified in accordance with Paragraph 204 of the NPPF (**CD6/16**). This would result in total loss of its low level of significance as a non-designated heritage asset.

7.18 The loss of Chicory Cottage would sever a link with the past and detract from a long-standing association of development in the immediate locality. When coupled with the other changes within Fir Tree Grove, this would have an adverse impact within the setting of Buckswood Grange and thereby harm its significance. The design and impact of the heavily engineered boardwalk structure which would replace it, and associated impacts of the access to Rocks Road/Snatts Road junction, would not justify the total loss of its significance, nor the adverse impact on the significance of Buckswood Grange. Whist the HA suggests (**CD2/103**, paragraph 1.101) that that the area will be 'brought into appropriate management to retain an informal, naturalistic woodland character', this is unlikely to be sufficient mitigation for the harm, owing to the activity and infrastructure and other Secure by Design requirements. The use of Fir Tree Grove as SANG (**CD2/15-23**), and particularly this critical link to Uckfield, will further surround Lake Wood with activity and infrastructure which infringe upon the rural characteristics and tranquillity that is especially enjoyed at its eastern edge.

*Impact on the Downlands Farm Group*

7.19 Fundamentally, the Council disagrees on the extent to which the open land surrounding the farm buildings contributes to their significance as has been set out above. The Appellant's heritage submissions (**CD2/83** and **CD2/103**) focus especially on the modern woodland at the western end of Barn Field, now within the curtilage of Partridges Oast. As has been shown above, this is a relatively short-lived part of the setting of the Downlands Farm group. Whilst it does provide some enclosure, it does not in my view totally divorce it from the surrounding land as suggested, and as an ephemeral feature with no formal protection, should not be relied on in accordance with Paragraph 40 of GPA3 (**CD11/2**). In this regard, I note the representations made by others which express concern about indirect impacts on the woodland within the Appeal Site. This raises the question of whether the buffer woodlands to the west and south of the farmstead should be relied upon in the assessment.

7.20 In any event, the existing woodland at the western side of Partridges acts as a natural extension of Shermanreed Wood and is not inconsistent with the wider setting of wooded ghylls within the Appeal Site. The degree to which it detracts from setting or 'divorces' this part of the setting from the experience of the asset is disputed. As set out in the initial consultation response (**CD11/10**) and follow-up response from 2/5 December 2022 (**CD11/11**), the loss of agricultural land and formalised public route along tree-lined pedestrian avenues and immediately south of the farmstead grouping would afford views towards and of Swallow Barn and Partidges, and experiences of them moving across the landscape. The assets will no longer have any tangible relationship to nearby open land, with the retained 'buffer providing no meaningful contribution to its setting. This will equate to less than substantial harm to the grade II listed Swallow Barn, at a moderate level given the proximity; and a low level of harm to the significance of Partridges as a non-designated heritage asset of low to moderate significance.

7.21 I would also note that historic farm track which provides access to the farmstead group has the potential to be impacted from improvements along it to connect with the existing public rights of way. This would also increase levels of access around the farmstead group, and past Charlwood Manor on Snatts Lane. Any such pedestrian infrastructure improvements west of Snatts Road, or in the vicinity of Coombe Bank, have the potential to erode remaining legibility of the rural qualities of the area and further undermine the significance of the heritage assets.

7.22 Oast Cottage would predominantly be impacted by the SANG to the north (**CD1/16**), which would introduce a level of activity, noise and movement in this very tranquil rural setting, and formalise the agricultural landscape into a woodland park. The formalised planting and perambulations at the higher, south-eastern part of the SANG would detract from the rural setting of the farmhouse, and further isolate the farmstead group from any agricultural context. This would equate to less than substantial harm to the significance of the grade II listed Oast Cottage, at the lower end of the scale.

7.23 The combination of change to the landscape through residential development and SANG areas, characteristics of the indicative layouts, formalised layout and urbanising effects on access all impacts detrimentally on the significance of the heritage assets comprising the farmstead.

*Cumulative Impact*

7.24 I have set out above how each of the heritage assets relates to the significance of Buckswood Grange as constituent parts of the former Rocks estate. The cumulative effect of effectively surrounding the heritage assets with modern residential development and associated infrastructure would greatly diminish any legibility of the group value of the whole (**Appendix 1**). It would dramatically affect the perception of Buckswood Grange as a large country house on the outer edge of the town and within an extensive landscape of ornamental and functional features which sustained the estate. This elevates the level of harm to Buckswood Grange, such that it would cumulatively be at the moderate level of less than substantial harm and subject to the provisions of Paragraph 202 of the NPPF.

**Summary**

7.25 I understand that the submitted site layout is indicative at this stage, however, I do not consider that the layout as shown on the illustrative plans would lead to the site being read as a sympathetic development within the setting of the heritage assets. The scale and shape of development would be in sharp contrast to the rural qualities of the area which presently characterises the setting of the assets this side of Rocks Road and Snatts Road, and represents significant urban expansion of Uckfield. Sensitivity to the heritage assets would likely lead to this appearing more isolated from the broader settlement pattern, and more of an intrusion into the historic environment. As such, and given other considerations on the site, it is difficult to see how the quantum of development proposed might be achieved in a manner which would not cause harm to the significance of the heritage assets.

7.26 There is also substantial concern that the accessibility requirements for pedestrians to and from the site will further urbanise the rural character of both Snatts Road and Rocks Road and therefore the setting of the heritage assets, which will be detrimental to their identified individual and group significance(s).

7.27 In these circumstances, it is fundamental to the aims of the NPPF (**CD6/16**) and statutory duty as regards listed buildings as set out in the Planning (Listed Buildings and Conservation Areas) Act 1991, that the understanding of significance, including any contribution made by setting, is properly understood such that the balancing exercise can be fully informed.

7.28 The heritage impacts identified throughout the application have not been addressed in the design of the development, either to avoid or mitigate harm, or better reveal or enhance the significance of the heritage assets. Although it would be possible to address some elements through amendments to the design, the current scheme does not offer any heritage benefits and instead would cause harm to the heritage assets identified by the Council. The planning balance is for the decision maker to determine.

*Opportunities to avoid or mitigate harm and enhance and better reveal the significance*

7.29 The NPPF (**CD6/16**) sets out an obligation not to prejudice understanding of an asset's significance for future generations, look for opportunities for development within the setting of heritage assts to enhance or better reveal significance, and to avoid or mitigate harm to a heritage asset's conservation wherever possible. Offered without prejudice, some potential improvements to the scheme which might come about from a greater consideration of the heritage sensitivities could include:

- Opportunity to reintroduce some landscape structure and reinstate the historic field boundaries within the development;
- Removal of the development closest to the northern edge of Lake Wood and in the south-east corner of the site;
- Reduction of the density and retention of more open land on the eastern edge at the pedestrian and cycle link, closest to the farmstead group;
- Consideration of how to introduce landscaping and access which might support use of land as SANG and enhance or better reveal aspects of significance incorporating historic land uses and/or character;
- Retention of a buffer between the Woodland Park and the farmstead group;
- Potential restoration of historic features and incorporation into the design – e.g. the continuous route of the carriage drive, reinstatement of the road bridge

and/or reinforcement of the connections between Buckswood Grange and Fir Tree Grove;

- Public interpretation as part of a ‘heritage trail’ within the Site, with wider connections to Uckfield and the Streatfeilds;
- Historic Building Recording of Chicory Cottage.

## 8 Conclusion

8.1 The Council has refused planning permission for several reasons. One of those, RfR3, sets out that the proposals fail to preserve the settings of the designated heritage assets, and would cause less than substantial harm to their significance through development within their setting(s); and affect the significance of non-designated heritage assets.

8.2 The Council therefore considers the scheme does not meet a number of local and national policies. Namely local policies EN1 and EN27 of the Saved Local Plan 1998 relating to sustainable development and the layout and design of development, as well as DC18 relating to the loss of a property of local character and EN6 which requires development to conserve or enhance the natural beauty and character of the landscape; and broader policies relating to the intrinsic quality of the historic environment in the Core Stagey SP02.

8.3 I have explained that there are heritage assets whose significance would be impacted by the proposals for development within their settings. Although it would be possible to address some elements through amendments to the design, the current scheme does not offer any heritage benefits and instead would cause harm to the heritage assets identified by the Council. The planning balance is for the decision maker to determine.

8.4 The significance of each of the heritage assets has been identified and the impacts discussed. I have also discussed the Appellant's failure to appropriately assess the heritage resource which means that opportunities to enhance or better reveal significance, avoid and/or mitigate harm have not been acknowledged or realised.

8.5 I conclude that the Appeal Scheme is indeed – as the Council alleges – contrary to the various local and national policies cited in RfR3.

**Statement of truthfulness and professional endorsement**

8.6 Pursuant to Planning Inspectorate guidance 'Procedural Guide: Planning appeals – England Updated 13 June 2023), in particular Section 13 – expert witness, I confirm that the evidence and opinions which I have prepared and provide in this Proof of Evidence herein are my true and professional opinions.

**Heather Hall** – 25 August 2023

(to be signed if required at opening of Inquiry)

# 9 Appendices

1. Map of historic features, photo locations and photographs

2. Uckfield & District Preservation Society, Hindsight, Volume 6, Summer 2000 – The Streatfeild Family and the Rocks Estate by Simon Wright pages 46-61

3. 1841 Uckfield Tithe Map

    a. Extract of map showing The Rocks estate
    b. Extract of map showing Shortbridge Lodge (plot 97) with extract of apportionment
    c. Extract of Tithe Apportionment relating to Streatfeild lands
    d. Figure 1, Annotated Tithe Map (full size)

4. 1840 Maresfield Tithe Map extract with extract of Apportionment, carriage drive passing through plots 2005 and 2006

5. Figg Maps 1829:

    a. The Rocks Mansion and Certain Lands in the Parish of Uckfield
    b. Part of Copwood and other Lands in the Parishes of Uckfield and Isfield (showing Lake Wood)
    c. Downland Farm, Shermanreed and other Lands in the Parishes of Uckfield and Maresfield

6. Hunter's Pit – photographs from sales particulars

7. OS Map extracts – 1st edition, 2nd edition, 3rd edition, 1975 and 1992

8. Public representations of Mrs M Stephens

9. Public representations of Dr Martin Stenning ('DMS22' dated 12 August 2022 and 'DMS23' dated 20 January 2023)

10. Dictionary of Scottish Architects – DSA Architect Biography Report https://www.scottisharchitects.org.uk/architect_full.php?id=203723

11. Public representation of Vivienne Blandford

12. Sussex Gardens Trust (SGT) and Parks & Gardens UK:

    a. SGT webpage from 26 October 2021 via Way Back Machine Internet Archive: Other Notable Sussex Parks and Gardens List: https://web.archive.org/web/20211026235047/https:/sussexgardenstrust.org.uk/other-notable-parks-and-gardens
    b. SGT webpage from 29 July 2014 via Way Back Machine Internet Archive: Buckwood Grange, (also known as Rocks Park Primary School and The Rocks), Uckfield, England, record ID: 5565

https://web.archive.org/web/20140729160547/http:/www.parksandgardens.org/places-and-people/site/5565/summary

**c.** Parks & Gardens UK webpage for Buckwood Grange (also known as Rocks Park Primary School, The Rocks): https://www.parksandgardens.org/places/buckwood-grange

**13.** 1888 Brooker's Guide Directory

**14.** Chicory Cottage Sales Particulars

**15.** Charlwood Manor application consultation responses from Senior Heritage Officer and ESCC Archaeologist, under application WD/2018/0780/O

**16.** Downlands Farm HER Entries:

- MES32152 Downland Farm, Uckfield: Medeival Farmstead https://www.thekeep.info/collections/getrecord/ESHER_MES32152
- MES32153 Downlands Farm Cottages, Uckfield: C19 Farmstead https://www.thekeep.info/collections/getrecord/ESHER_MES32153
- MES38141 Barn at Downlands Farm, Snatts Road, Uckfield: C16 **Building** https://www.thekeep.info/collections/getrecord/ESHER_MES38141
- MES38142 Patridges Oast, Downlands Farm, Uckfield: C19 or earlier Oasthouse https://www.thekeep.info/collections/getrecord/ESHER_MES38142

**17.** Yeakell and Garder's 1778-83 'Topographical Map of the County of Sussex Divided into Rapes, Deaneries and Hundreds, Planned from an Actual Survey'

**18.** Thomas Budgen OS Surveyors Drawing for Eridge Park, published 1789-1806 and depicting 1789: https://britishlibrary.oldmapsonline.org/maps/40f01d99-a60c-52c2-a4af-64eeba08499d/view

**19.** Extract of Mudge's map of 1813

**20.** Auction particulars of Downlands Estate, extract from the Sussex Advertiser 28 June 1813

**21.** John Farncombe The Sussex Breed of Cattle in the Nineteenth Century by J. P. Boxall https://bahs.org.uk/AGHR/ARTICLES/20n1a2.pdf

**22.** Sale particulars of 1873: Downland House with gardens, 15 acres in Uckfield; The Keep reference BUR/2/6/1873/5, as advertised in the Brighton Gazette on the 29th of May 1873: https://www.thekeep.info/collections/getrecord/GB179_BUR_2_6_1873_5

**23.** Details of record BMW/A/2/33/79, showing transfer of Downland House from executors of JW Scarlett to Richard James Streatfeild, 8 October 1890: https://www.thekeep.info/collections/getrecord/GB179_BMW_A_2_33_79

**24.** 1951 Sales Particulars map

**25.** Relevant Planning History and extracts relating to:

- **a.** Partridges, extract of planning approval T/1953/1007/F
- **b.** Gormanston, extracts of planning approvals for T/1953/10747/F, amended as T/1957/219/F

**26.** Aerial Photographs

**27.** LBC for Barn conversion including Conservation Officer's comments on planning file relating to WD/1996/2693/F and WD/1996/2943/LB

**28.** Photographs of Partridges Oast, from sales particulars: https://themovemarket.com/tools/propertyprices/partridges-snatts-road-uckfield-tn22-2ar

**29.** Extract of tithe apportionment for 'Broomy Field', plot 53 of Uckfield Tithe Map

**30.** Public Representation of Downlands Action Group, 9 September 2022