Appeal reference APP/C1435/W/23/3321978: Land at Downlands Farm, Uckfield

PROOF OF EVIDENCE OF MR FRANCIS WALLACE

1. I have lived at [redacted] since 1984. I am a solicitor by profession. I was a partner in a local legal practice until I retired in 2017. I am a former chairman of Uckfield & District Chamber of Commerce. I have spent many years as a volunteer in Lake Wood nature reserve, which borders the appeal site.

2. I wrote a letter of objection to the planning application for the development at Downlands Farm on 7th August 2022. I will base this proof of evidence on matters referred to in that letter, which based my objection on four main points.

The application is not in accordance with the development plan

3. The appeal site is not zoned for development of any kind, in the Wealden District Core Strategy Local Plan of February 2013. The appeal site is within an undeveloped green space area, shown on the plan as including ancient woodland, between Snatts Road and the A22 Uckfield bypass. Snatts Road effectively forms the northern development boundary to Uckfield.

4. I would refer to the well-established principle that "*planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise".* This principle is restated in the introductory section of the National Planning Policy Framework (NPPF). I can see no material considerations which indicate otherwise in this case, so as to allow a major housing development on green space and ancient woodland.

5. The NPPF contains a presumption in favour of sustainable development, based on three overriding objectives (economic, social and environmental), but states explicitly that this does not change the statutory status of the development plan as the starting point for decision making: where a planning application conflicts with an up to date development plan, planning permission should not usually granted.

6. This major application is for building up to 424 residential units in an out of town location. This site is entirely inappropriate for development of that sort. If this site were even to be considered for such use, this should be as part of the debate into the next Local Plan, rather than in a premature fashion in the present planning application.

The application would have an adverse impact on a sensitive and valuable environmental area.

7. Downlands Farm comprises fields, wooded ghyll valleys containing ancient streams and areas of woodland, including ancient woodland. On its western site, the appeal site abuts Lake Wood nature reserve, which is owned and managed by the Woodland Trust. Parts of the appeal site give commanding views over Ashdown Forest, which lies to the north. Ashdown Forest is part of the High Weald Area of Outstanding Natural Beauty.

8. Downlands Farm is host to a variety of wild bird and animal life. Lake Wood is a wildlife sanctuary, and contains many species which are in decline, such as blue tits, woodpeckers and dormice.

9. The proposed development would put huge pressure on the bird, animal and plant life which is present, both on the appeal site itself and on the neighbouring areas, including Lake Wood. It is striking that the application envisages that houses would be built within a few metres of the boundary to Lake Wood. The building of 400 plus houses would have a hugely urbanising effect on the whole area. That number of houses would be inhabited by some 1000 to 2000 people, along with their motor vehicles and domestic pets. Street lighting would be introduced. The provision of some green spaces within the development does not alter the impact of what is proposed. Those green areas, as well as Lake Wood, would inevitably be used for recreation by the inhabitants of the development, leading to noise, disturbance and predation by domestic pets. It is also inevitable that this would cause the decline or loss of much of the animal and plant life which is present in the area now.

10. I anticipate that the Appellant will contend that the proposed development amounts to sustainable development within the NPPF, and that planning permission should therefore be granted. I do not agree. I would point out that the NPPF requires development to meet the over-arching environmental objective of protecting and enhancing the natural, build and historic environment. It states that planning policies and decisions should contribute to and enhance the natural and local environment. Applications should promote the conservation, retention and enhancement of priority habitats, and the protection and recovery of priority species. Paragraph 180 (a) of the NPPF states: "*if significant harm to biodiversity resulting from a development cannot be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or as a last resort, compensated for, then planning permission should be refused".* The mitigation which is proposed as part of this development, such as retaining areas of green space and providing SANGS, would not prevent the inevitable damage to the natural habitat of Downlands Farm and its surroundings which a 400 – plus units housing development would entail. Permission should be refused on this ground alone.

The infrastructure to support another major development is not in place

11. Uckfield is a small town, having a population of well under 20,000, and it has only one main road through the town centre. The only alternative route to that road is the A22 bypass. The town centre is heavily congested with traffic, particularly in peak periods. Any road works or accidents, either in the town centre or on the A22 bypass, quickly produce traffic gridlock. A development of the size proposed is bound to add significantly to the quantity of traffic in the town and on the A22.

12. Snatts road is a narrow country lane, without street lights or pavements for much of its length. It joins London Road at its eastern end at a dangerous crossroads with limited visibility. At its western end, it joins Rocks Road at an even more dangerous junction, situated very close to a sharp bend in Rocks Road. Snatts Road is already heavily used as a short cut to the town centre, or as a route to avoid the town centre, by a large volume of traffic. Many vehicles park on the side of the road near its eastern end and near the houses to the west of the junction with Claremont Rise. This makes it more hazardous for traffic to negotiate this narrow lane. The proposed development would be bound to add to the quantity of traffic using the road. That would entail a significant increase in traffic hazards and detriment to the residential amenities of those who live in Snatts Road and the neighbouring streets. Provision of a SANG on the development would add considerably to this impact, as it would inevitably attract car-borne visitors wishing to walk or exercise their dogs on the SANG. These problems can already be seen at the SANG which has been provided as part of the large development at Ridgewood, to the south and west of the town. That SANG has a small car park which is frequently full, leading to traffic congestion and hazardous parking on the narrow road leading to the car park.

13. Rocks Road is a minor country road, without street lighting or pavements west of the junction with Snatts Road.

14. The proposed development envisages pedestrian and cycling access via Rocks Road and Snatts Road to the town centre. Whilst these forms of transport may be used by some people, primarily for leisure purposes, it is clear that the majority of journeys to and from the site will be by private car. The fact that the vehicular access will be via a new roundabout on the A22 bypass underlines this fact. The site is much too far from the town centre to be accessed by any other means, for most journeys. I take issue with the Appellant's assertion that the site is within 1.1 km of the town centre. Most if not all of it is considerably further away than that. The eastern end of Snatts Road, by comparison, is one mile from the town centre, and at least a 20 minute walk for those who do not use cars for the journey. The northern

parts of the site are nearer to 2-3 miles from the town centre, particularly if the distances using the road network are used in the calculation. There is no bus route along the A22 bypass between Uckfield and Maresfield. The bypass has no footpaths and the only street lighting is at the roundabouts. Pedestrians do not walk along the bypass, for the simple reason that it is a heavily used main road with no safe walking routes, and because it is so far from Uckfield town centre and other settlements such as Maresfield. Provision of a footpath alongside the bypass, which the proposed development envisages, would not alter the danger and distances involved. A footpath might be used by a few people, but would not alter the heavy dependence on private cars which a housing estate on Downlands Farm would inevitably have.

15. Uckfield already struggles to provide sufficient facilities such as GP surgeries, dentists, car parking and water / sewage facilities to serve its existing population. That population is growing rapidly, with major housing developments under construction, the largest of which is on former farmland at Ridgewood, to the east and south of the town centre adjoining the bypass. 1000 plus residential units are being built here. The addition of a further 400 plus units has simply not been thought through sufficiently, in terms of the demand which it will place on an already overloaded infrastructure.

The previous application and appeal

16. The Appellant has made reference to the previous refusal of planning permission for up to 750 dwellings on the appeal site. This was a decision of the Secretary of State, following the recommendations of his Inspector, Mr P E Dobsen, under reference APP/C1435/A/07/2046982. Mr Dobsen's recommendations were published in in a letter dated 27th November 2008. This dealt with Downlands Farm and two other appeal sites at Bird in Eye, Uckfield. I will quote from Mr Dobsen's summary of conclusions, at paragraph 794 of his letter: *"There is no compelling case, based on housing land requirements and the advice in PPS 3, to allow any of the appeals, much less 2 or 3 of them. Moreover, all 3 sites and proposals suffer from significant site-specific objections, contrary to national and local planning policies. In general these are most acute in the case of Downlands. This, by far the largest of the schemes, set within an attractive rural landscape containing much ancient woodland, would entail the largest and least acceptable impact, and would be most likely to compromise nature conservation and the biodiversity of its site and surroundings. This would not be adequately compensated by its claimed ecological benefits. In addition, it would be the least acceptable of the 3 sites, and the least sustainable in transport terms. As for the BIE (Bird in Eye) sites, their planning merits would be very similar, but BIEN (Bird in Eye North) would be better integrated visually and physically within the town of Uckfield".*

17. Nothing material has changed since 2008, apart from further increases in the pressure to provide housing in the south east of England. That pressure would not justify disregarding the damage which would be done to the environment, should this development be allowed. Mr Dobsen's reasoning and conclusions remain as valid now as they were in 2008. I urge the Inspector to dismiss this appeal.

Francis Nigel Wallace

23rd September 2023