From: Heather Hall
Sent: 13 September 2022 12:16
To: Claire Turner
Cc: planning
Subject: WD/2022/1637/MEA - Land at Downlands Farm

Categories: Consultee

Dear Claire,

Please accept this email as my formal consultation response on the above major hybrid planning application for the erection of up to 424 residential dwellings and associated landscaping, infrastructure and earthworks at Land at Downlands Farm, Uckfield.

Heritage considerations

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).

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.

The requirements of The Act are reinforced by the National Planning Policy Framework 2021 (NPPF), which at Chapter 16, sets the national agenda for 'Conserving and enhancing the historic environment'. This, in particular, requires the significance of any heritage asset to be identified and assessed that may be affected by a proposal (including by development affecting the setting of a heritage asset) 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 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. 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 193 affords 'great weight' to the conservation of designated heritage assets through an understanding of the impact of a proposed development on their significance and this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Under the Historic Buildings and Ancient Monuments Act 1953, Historic England compiles a register of "gardens and other land" situated in England that appear to be of special historic interest. Although the inclusion of an historic park or garden on the register brings no additional statutory controls, registration is a material consideration and local planning authorities must take into account the historic interest of the site when determining whether or not to grant permission and give great weight to their conservation as designated heritage assets under the NPPF. Buxted

Park lies to the north-east of the site, and encompasses a scheduled monument relating to the deserted medieval village (NHLE 1002236).

The NPPF Glossary defines a non-designated heritage asset as 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. It is commonly agreed that Spring Cottage and Patridges Oast are considered to be non-designated heritage assets. EDP 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 may also have the potential to be considered non-designated heritage assets.

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.

Consideration of the proposals

The heritage issue for consideration is the impact of the proposed development on the significance of heritage assets. The NPPF glossary defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic and it may derive '*not only from a heritage asset's physical presence, but also from its setting*'. Historic England's Good Practice Advice Note 3: The Setting of Heritage (GPA3) gives general advice on understanding setting – i.e. the surroundings in which a heritage asset is experienced – and how it may contribute to the significance of heritage assets and allow that significance to be appreciated. It also sets out advice on how to assess the effects of a proposed development on the significance, whether beneficial or harmful.

Under Step 2 of GPA3's methodology a settings assessment should consider the way attributes of an asset's setting have contributed to its significance 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. In this regard, I do not consider that the Archaeological and Heritage Assessment (AHA) is rigorous enough to support its conclusions (Step 3 of GPA3), particularly in respect of impact on the former Downlands Farm group, but also in respect of the setting of Buckwood Grange which shares an historic relationship with the land within the site, as well as Downlands Farm, the former Bridge Farm (now Downlands Farm Cottages) and Lake Wood which represents part of the designed landscape immediately adjoining the site.

The background set out for the period 'Post-medieval to Modern' within the AHA does not reflect a good understanding the inter-related and evolving mosaic of uses within the former Rocks Estate associated with Buckwood Grange; nor does it show any informed understanding of Downlands Farm, in terms its relationship with Bridge Farm, Downlands House and Gormanston. Whilst the site and its surroundings were all part of the same owner's landholding, the nuances in terms of how the different uses were related both physically and through association, appear to matter in terms of the contribution that setting makes to their significance. The change over time (or lack thereof) does not appear to be generally well understood – for instance, the evolution (and fragmentation) of the wider Downlands group has not been well understood throughout the 20th century – and therefore cannot inform the understanding of significance of the assets. As a result, it is difficult to see how this could have led to reasonable conclusions about what contributes to significance via setting (without understanding what parts of the surroundings have historically mattered), or how that significance would be impacted through further change.

GPA3 also 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. Contrary to GPA3, the AHA focuses only on visual impact of the development, with no understanding of the kinetic or experiential attributes which contribute to setting; and with an over-reliance on existing levels of public accessibility. There is no awareness that the proposal will introduce public accessibility from the land itself and open up views and transitory experienced from and towards the assets, moving across the landscape with which they share an historic relationship. This is particularly relevant to the designated heritage assets, and more particularly the relationship between Buckwood Grange and Lake Wood at the southern extents of the site, and in relationship between the agricultural land and Downlands Farm in the north-eastern part of the site. There is nothing to suggest that the indicative layouts in these locations have been informed by heritage sensitivities associated with the setting of these assets.

In respect of the Downlands Farm grouping there is still evidence of a metalled farm track adjoining the former farm buildings – which have readily identifiable and locally distinctive farm typologies – directly linking the farm group and the open fieldscapes to which it is historically related. Whilst not presently a public right of way, it is clearly well-used and easily accessible in its current form. The proposals to provide a public route through the planted 'buffer' which is suggested to adequately protect the setting of these assets, would in fact introduce new experiences of the assets. As regards the conservation of heritage assets, there is an obligation not to prejudice understanding of its significance for future generations. In my view, the buffer, read in the context of parkland style planting and suburban housing development, has no meaningful contribution as the farm buildings will no longer have any tangible relationship to nearby open land (only woodland and modern development). The most common experience of them would be from within this new context, of which the ANA demonstrates no understanding. The layout proposed closest to the farm and directly at the end of the former track is perhaps the most suburban in form and quality and would introduce adverse change within a portion of the asset's setting which in my view contributes positively to its significance. At paragraph 5.3 the conclusion that '*this change would be so peripheral to the current experience of the listed buildings, that the implementation of the proposed development would nonetheless preserve the character of* [their] *settings*' clearly demonstrates the inadequacy of the assessment. It also demonstrates no understanding of the experiential qualities of the rural area, which have the potential to be eroded through increased vehicle movements, parking, activity and lighting, in addition to visibility of the development.

In respect of Buckwood House, there is a legibility that the land to the north of Rocks Road, encompassing both Lake Wood and the grounds surrounding Chicory Cottage, formed part of the wider landscaped setting of the house. Historically, a footbridge crossed over the road joining the ornamental grounds surrounding the house with the woodland walks beyond, in the immediate vicinity of the site boundary. Portions of Rocks Road and Snatts Road retain historic stone boundary walls enclosing Lake Wood and Fir Grove (now associated with The Quarry House) which add to the legibility of these historic relationships, and historic maps show clear historic routes through these parcels of land which connect with routes in the parkland and gardens surrounding the house, including the existing gated entrance track to the Woodland Trust's land. In my view, the relatively tranquil experience of moving through the landscape associated with Buckwood Grange has the potential to be irreversibly altered by the noise, activity and visual qualities of modern housing development immediately on its edge. I note that the settings assessments were carried out in the summer of 2020 and 2021, with no real appreciation for potential effects of such large scale, and closely sited areas of development with regard to seasonal or diurnal changes, as well as the effects of topography in this location in particular. The land within the site has historic associations with both Downland Farm and Buckwood House as part of its wider estate, though the latter is only very briefly acknowledged. In my view, the

agricultural land would have played an important role in the setting of the parkscape and how it was appreciated as part of the ornamental and pleasure grounds of the house, and was incorrectly dismissed from further assessment as part of the AHA. As a result, the proposals within Fir Tree Grove at the south-eastern extent of the site, appear to pay little regard to the character of the landscaped grounds surrounding Chicory Cottage, or the serpentine woodland walks which historically traversed the woodland, opting instead for an overtly straight path and what appears to be highly engineered interventions within the woodland. This appears to be the only driver for demolition of Chicory Cottage, which retains some historic visual character and as the former butlers house to Buckwood Grange, further evidences the intrinsic historic relationships, and could continue to do so. It is clear that an understanding of significance has not informed the proposals here, nor have opportunities to enhance or better reveal significance been taken.

I have no reason to disagree with the finding of less than substantial harm, at the lower end of the scale, to the Maresfield Conservation Area (as set out in paras 5.35-5.46 and 6.7-6.9).

Having reviewed the extensive planning history, I agree that the heritage sensitivities here are unlikely to be prohibitive to development alone. However, at Paragraph 206, the NPPF requires Local Planning Authorities to look for opportunities for new development within the setting of heritage assets to enhance and better reveal their significance. I do consider that a proper understanding of setting and significance, and consideration of the wider relationships between the assets, offers an opportunity to reflect the NPPF's design objectives (Paragraph 130), as well as respond positively to the setting of, and perhaps enhance the significance of, the heritage assets.

Taking into account my discussion above, I consider that there would be a 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, I consider that this would be at the higher end of less than substantial harm, though could be reduced through more thorough and considered understanding of significance and amendments to the design in line with this understanding.

In summary, the NPPF 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 NPPF 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. Therefore, it 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.

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