



Woolf Bond Planning

Chartered Town Planning Consultants

Our Ref: SB/7336

PINS Ref: APP/C1435/W/24/3356658

Email: [REDACTED]

9th May 2025

R Wordsworth Esq.,
Inquiries and Major Casework Team
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

By Email: Robert.wordsworth@planninginspectorate.gov.uk

Dear Mr Wordsworth

LAND AT BIRD IN EYE FARM, SOUTH OF BIRD IN EYE HILL (FRAMFIELD ROAD), UCKFIELD (FRAMFIELD PARISH) (PINS REF: APP/C1435/W/24/3356658)

SUBMISSION OF AMENDED AND ADDITIONAL SUPPORTING PLANS AND PARTICULARS

1.0. General

- 1.1. Further to the extension of time to 9 May 2025 which the Inspector kindly granted, this letter sets out the specifics of the Appellant's request to amend the access plans for consideration at the forthcoming Inquiry, pursuant to Wheatcroft principles.
- 1.2. As further explained below, the amended access arrangements (details of the 3 specific "scheme" plans proposed to be substituted are listed at paragraph 4.1 below) are agreed with the Local Highway Authority (as confirmed in their [attached email confirmation](#) dated 8 May 2025, which is provided to PINS under cover of this letter). Moreover, none of the proposed changes introduce significant physical changes or fundamental alterations regarding the form of access proposed (a 3-arm roundabout off the B2102 in essentially the same location; and a shared cycle/pedestrian access in the north-west corner of the site linking to Framfield Road). There is no change in the red line. Further, there will be no prejudice to third party interests in consequence of the proposed amendments, as there is ample time for public consultation on the proposed revised plans.
- 1.3. The Appellant respectfully submits that the requirements for an appropriate amendment application are satisfied here, and the Inspector is invited to confirm acceptance of the proposed amended plans as soon as possible, so that the Appellant and Council can prepare for the Inquiry accordingly.

- 1.4. In so far as the Local Planning Authority (“LPA”) declined to validate the application and did not exercise (at any point during the 13 week determination period) its power under section 70A of the Act to decline to determine the application, an appeal was submitted to PINS against non-validation. The application submission was not subject to public consultation in the determination period.
- 1.5. A Case Management Conference (“CMC”) was held on 11 February 2025. As paragraph 2 of the Inspector’s CMC Summary Note records, it was agreed that the main issues (at present) relate to (i) effect of the access on highway safety; and (ii) effect of the development on the setting of the Grade II listed Oast House.
- 1.6. Paragraph 4 of the CMC Summary Note references the ongoing dialogue between the Appellant and the Local Highway Authority (“LHA”) (East Sussex County Council).
- 1.7. Pursuant to the Inspector’s direction at paragraph 6 of the CMC Note, the Appellant and the LHA have continued to work collaboratively in relation to the approach to be taken to the access design. This joint working has resulted in **agreement being reached with the LHA in relation to the access design and highway safety** (such that the matter is no longer in dispute). The Appellant is grateful to the LHA for their engagement in constructive dialogue in recent months which has resulted in an agreed access design.
- 1.8. A separate Highways Statement of Common Ground will be prepared and the aim will be for this to be submitted to PINS ahead of the CMC on 28th May 2025.
- 1.9. In the circumstances, and on the basis the Appellant’s amendment application is approved, this leaves heritage, relating to the effect of the development on the setting of the grade 2 listed Oast House as the single main issue to be considered in evidence in the context of the heritage balance at paragraph 215 of the NPPF.

2.0. Access Design and Highway Safety

- 2.1. As referenced above, Paragraph 6 of the CMC Summary Note directed the Appellant and the LHA to discuss the highway strategy and access arrangements to serve the Appeal Site.
- 2.2. The Appellant’s highway consultant and the LHA have subsequently engaged in positive dialogue and have agreed on an access scheme such that highway safety should, subject to the proposed amendment, no longer be a disputed issue in the Appeal.
- 2.3. To assist the Inspector and residents alike, a summary of the key changes between the original scheme submitted with the application/Appeal and the revised scheme as now agreed with the LHA is as follows:
 - 1) The Site Access roundabout has been reduced in scale to a 28-metre diameter ‘Compact’ 3-arm roundabout, designed in accordance with DMRB CD116, sited midway along the Appeal Site frontage to the B2102 Bird in Eye Hill.
 - 2) A 40mph speed limit is to be introduced on the B2102 Bird in Eye Hill between Lantern Cottage (to the east of the Site Access) that will extend for a distance of 538 metres west towards Uckfield town centre to a relocated termination point for the existing 30mph speed limit, 42 metres east of its current location on the B2102 Framfield Road.

- 3) A 3-arm mini roundabout is to be constructed 45 metres south of the Site Access roundabout, facilitating access to the proposed residential units to the north-west of the Appeal Site, the retained commercial uses in Bird in Eye Farm as well as the main body of the residential units to the south and east of the Appeal Site and SANG. This is a slight revision on the initial proposed access arrangements for this internal part of the Appeal Site.
 - 4) Vehicular access to Nos. 18/19 Bird in Eye Hill is to be retained off the Site's internal road network, south of the Site Access roundabout. (For the avoidance of doubt, the Appellant has power under relevant land transfers to make this minor adjustment to the relevant access/egress rights through its land, and it materially improves the safety of vehicular access to/from Nos 18/19 as compared with the current situation.)
 - 5) The alignment of the shared footway / cycleway between the proposed residential development and Framfield Road has been adjusted within the Appeal Site to reduce gradients, where achievable / introduce level platform areas to enhance facilities for active travel users.
- 2.4. That said, the key fundamentals and principles of the initial access proposals are not materially changed. In particular:
- 1) There is no proposed change to the redline, or to the locations where access is to be taken from.
 - 2) The proposed vehicular access into the Site remains a 3-arm roundabout located in essentially the same place.
 - 3) As previously, the Site Access roundabout incorporates geometry to accommodate the swept path of larger HGVs for all movements, including turning requirements for larger vehicles accessing / egressing the retained commercial uses on the Appeal Site. Further, the Site Access roundabout can be constructed wholly within land controlled by the Appellant and the publicly maintainable highway boundary, including areas that will need to be managed to maintain visibility splays. In addition, the southern arm of the Site Access is provided with cycle lanes, refuge islands and dropped kerbs, and the earthworks associated with the construction of the Site Access roundabout ensure the delivery of the requisite visibility splays in the horizontal and vertical planes.
 - 4) And as before, the agreed scheme maintains the bus stop works on the B2102 Framfield Road comprising provision of weather protection shelters with seating and RTPI. The agreed scheme also maintains the installation of improved dropped kerbs and tactile paving at the junctions of the B2102 Framfield Road with Selby Road, Keld Avenue, Harcourt Road and Alexandra Road.
- 2.5. The proposed amended scheme has been subject to a Road Safety Audit and appended to this letter is a copy of the Audit itself, the Designers Response (as signed by the LHA) and a full suite of application and supporting plans referenced therein.
- 2.6. The financial obligations and off-site highway improvements requested by the LHA will be secured through the preparation of a legal agreement, subject to satisfying the requirements at para. 58 of the NPPF (Regulation 122) (2) of the CIL Regulations 2010.
- 2.7. For comparative purposes, the changes to the main access design are shown on the below plan extracts.

Extract from the **Originally Submitted Access Strategy Plan (No. 006)**



Extract from the **Revised Access Strategy Plan agreed with the LPA (No. 006H)**



3.0. Amended and Additional Plans and Particulars

- 3.1. The revised access design has resulted in minor amendments to some of the submitted plans and particulars, including the illustrative site layout.
- 3.2. Where the proposed access arrangements are shown on the application plans, they have been updated accordingly (see the below schedule).
- 3.3. The revised access design is also accompanied by Arboriculture and Drainage Technical Notes which explain the acceptability of the revised design approach in relation to these disciplines.
- 3.4. The amended and additional plans and particulars accompanying this letter, and submitted in support of the Appeal Scheme comprise as follows:

Document	As Submitted	As Now Proposed
Proposed Access Plan	23138/001 Rev A	23138/001 Rev J
Shared Footway/Cycleway Plan	23138/004 Rev A	23138/004 Rev F
Overall Access Strategy Plan	23138/006	23138/006 Rev H
Illustrative Site Layout Plan	PRB/BIE/202K	292403-TOR-SK- 102
Illustrative Parameter Land Use Plan	PRB/BIE/204F	292403-TOR-SK- 103
Indicative Storey Heights Plan	PRB-BiE-206	292403-TOR-SK- 104
Landscape Strategy Plan No.	CSA/2646/123B	CSA/2646/ 123F
Road Safety Audit (Gateway RSE)	*	6 th May 2025
Designers Response and Highway Plans (Milestone Transport Planning)	*	6 th May 2025
Arboricultural Note on Highway Access and Footway/Cycleway link (Barton Hyett)	*	7 th May 2025
Drainage and Level Strategy Update Summary (Ardent)	*	Report No. 2401070-R02 (May 2025)

- 3.5. An agreed schedule of application plans was included at paragraph 3.4 of the agreed Statement of Common Ground (January 2025).

- 3.6. Where the proposed access arrangements are shown on the application plans, they have been updated to reflect the revised access design as now agreed with the LHA.
- 3.7. For the reasons explained above, the principal plans reflecting the proposed amended proposals (and supporting plans) are as follows:

The Scheme

- i. Site Location Plan No. PRB/BIE/201C **[no change]**
- ii. Proposed Access Plan No. 23138/**001J**
- iii. Shared Footway/Cycleway Plan No. 23138/**004F**
- iv. Overall Access Strategy Plan 2318/**006H**

Supporting Plans

- v. Illustrative Site Layout Plan No. **292403-TOT-SK-102**
 - vi. Opportunities & Constraints Plan No. PRB/BIE/203C **[no change]**
 - vii. Illustrative Parameter Land Use Plan No. **292403-TOT-SK-103**
 - viii. Indicative Streetscene Plan No. PRB/BiE/205D **[no change]**
 - ix. Indicative Storey Heights Plan No. **292403-TOT-SK-104**
 - x. Landscape Strategy and SANG Design Plan No. CSA/2646/**123E**
- 3.8. Plans (i), (ii), (iii), and (iv) comprise the application/appeal plans for the purpose of determining the Appeal, subject to the Inspector approving this application to substitute in plans (ii), (iii) and (iv) listed above.
- 3.9. Plans (v) to (x) – and the additional highway plans annexed to the RSA Designers Response which reflect additional informative material exchanged between the Appellant and the LHA as part of the process leading to the agreement they have now reached - are submitted for illustrative purposes only.

4.0. Next Steps

- 4.1. In accordance with the approach set out at paragraph 9 of the CMC Summary Note, as well as section 16 of the PPG Guidance: Planning Appeals-England (April 2025); and the ‘**Wheatcroft**’ principle the Inspector is invited to accept the amendments to the access design (ie, proposed plans (ii), (iii) and (iv), set out at paragraph 3.7 above). The changes are, in the context of the appeal scheme as a whole, minor and they do not result in a scheme which is substantially different to the appeal scheme as submitted. Further, the changes in access design have been made with a view to achieving (as has now occurred) agreement with the LHA, so saving Inquiry time and expense. Acceptance of the proposed amended plans would cause no procedural unfairness (with the LPA to undertake further public consultation on the amended plans, and supporting material, as envisaged in paragraph 9 of the Inspector’s CMC Summary Note).
- 4.2. The Inspector is respectfully requested to make a prompt determination on the acceptance of the proposed amended plans to enable timely public consultation to be undertaken by Wealden District Council¹ (and commenced ahead of the CMC to be held on 28th May 2025) , such that any comments received can be addressed on their merits by the Appellant and Council in evidence prior to the inquiry.

¹ Paragraph 9 of the CMC Summary Note refers

I trust the above is clear and look forward to hearing from you.

Yours sincerely,

Woolf Bond Planning Ltd

Steven Brown BSc Hons DipTP MRTPI (for and on behalf of Croudace Homes)
Managing Director

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