Supporting Planning and Affordable Housing Statement

LAND AT BIRD IN EYE FARM, SOUTH OF BIRD IN EYE HILL, (FRAMFIELD PARISH), UCKFIELD

OUTLINE PLANNING APPLICATION

FOR

THE ERECTION OF UP TO 290 DWELLINGS, ASSOCIATED LANDSCAPING, INFORMAL OPEN SPACE AND STRATEGIC SANG, WITH ACCESS FROM THE B2102

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On behalf of:

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1. INTRODUCTION

Context

1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Croudace Homes Ltd and Mr & Mrs Berry in support of an **outline planning application** proposing the development of Land at Bird in Eye Farm, south of Bird in Eye Hill, Uckfield for the erection of up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102.

1.2. The purpose of this Planning Statement is to summarise the findings of the various supporting technical documents (section 2 refers) and to provide an overview of the proposed scheme, whilst setting out a justification for the development having regard to the relevant planning policy and material considerations.

1.3. This outline planning application follows extensive pre-application discussions with the Council and statutory consultees regarding the proposed development of the site for housing together with the on-site provision of a strategic SANG.

1.4. The formal pre-application advice received from the Council related to a larger scheme for up to 400 dwellings and concluded that development of the site for housing was acceptable in principle, subject to demonstrate the acceptability of development in relation to highways and ecology.

1.5. Whilst the pre-app response related to a larger scale proposal, the conclusions are entirely relevant to this current proposal, particularly due to the policy hiatus stemming from the withdrawal of the submitted draft Local Plan and the inability to demonstrate a 5 year supply of deliverable housing land.

1.6. This outline application is accompanied by a comprehensive suite of ecological reports and surveys compiled by CSA Environmental, that confirm the proposal would not have any significant adverse impact on a range of ecological matters, including the Ashdown Forest SPA. This is discussed in more detail below.

1.7. With regard to highway and transport matters, the accompanying Transport Assessment sets out the acceptability of the proposal with regard to sustainable transport and in relation to the impact of the scheme upon traffic flows in Uckfield.

1.8. Section 7 of the Transport Assessment refers to Junction Capacity Analysis and refers to the potential impact of the proposed development on two particular town centre junctions that were specifically raised in the 2007 appeal. The following junctions were analysed:

- Framfield Road/High Street/Bridge Farm Road signalised crossroads;
- High Street/Bell Lane signalised T-Junction; and
- Site Access.

1.9. The Assessment demonstrates that both town centre junctions currently operate with spare capacity. The Application proposes improve the existing situation by linking the two signalised junctions via a SCOOT (Split Cycle Offset Optimisation Technique) type system. In summary, such a system will coordinate the two town centre junctions which currently operate independently of one-another. The SCOOT system will automatically adjust the traffic signal delays to adapt to traffic conditions, with data gathered from sensors within the carriageway. This will increase capacity that will accommodate the additional traffic associated with the proposed development; and in doing so bring about a highways betterment to the benefit of existing residents.

1.10. Although the site is located within Framfield Parish, the scheme is viewed as an extension to Uckfield. In this context, the Transport Assessment demonstrates that the site is located within an easy walking distance, 1.2km, of the centre of Uckfield. The centre of Uckfield provides residents with a wide range of services and facilities including educational, retail and leisure facilities.

1.11. Such facilities in conjunction with the nearest bus stop being 115m from the site and Uckfield train station 970m from the site ensure the site is accessible and sustainable and will offer future residents genuine opportunities for sustainable modes of travel.

1.12. Heritage represents a further consideration of particular importance in so far as there is a Grade II Listed Building on site known as The Oasthouse.

1.13. The acceptability of the scheme in heritage terms is addressed in the accompanying Heritage Baseline Statement prepared by RPS, with paragraph 96 confirming that the proposed development could be seen as delivering a heritage improvement as the development of the site allows for opportunities to open up new views of the Oasthouse to the south and east.

1.14. The accompanying Landscape and Visual Impact Assessment (LVIA) by CSA Environmental considers the acceptability of the scheme having regard to landscape matters.

1.15. The LVIA is summarised in more detail below, however, due to the site's topography the potential impacts on the landscape have been an integral part of the schemes design and evolution from the outset.

1.16. Section 6 of the LVIA concludes that whilst there are some near views of the application site to the west and north the wider views are restricted owing to the topography of the site and surrounding area and the extensive landscaping and woodland which is to be retained and that the scheme would have no significant adverse impact on the landscape.

1.17. There are other comprehensive technical reports including arboriculture and drainage that are summarised below. The above highlight the main issues raised in the pre-app and the presence of the listed building within the site.

1.18. The technical information submitted with this application demonstrates the acceptability of the scheme having regard to the requirements of the Development Plan. Importantly, it confirms the acceptability of the illustrative design and quantum of development which is given further support due to the policy vacuum that together with the Council's inability to demonstrate a 5 year housing land supply further demonstrate that permission should be granted without delay.

Planning Policy Context

1.19. With the Council formally withdrawing its Local Plan from Examination in February 2020, the presumption of sustainable development is applied on account of the development plan being 'out of date' having regard to the lack of consistency between the policies contained therein and the approach to development set out in the NPPF (paragraphs 11, 74 and 219 refer).

1.20. In addition, the policy context is also informed by the Council's inability to demonstrate a five year supply of deliverable housing land.

1.21. As set out above, the proposals for the site have been subject to pre-application discussions (LPA Ref: PE/2019/0650/E). The final scheme design as now proposed is the product of a collaborative approach to the masterplan process, informed by the advice received from the LPA and statutory consultees.

1.22. In locational terms, Uckfield is acknowledged as being one of the most sustainable locations for growth in the District.

1.23. The site has been positively assessed in the Council's SHELAA under Site Ref: 002A/1410 as being suitable, available and achievable. In addition, the site is within walking distance from local services and facilities, including job opportunities within the town.

1.24. Overall, the proposals for the development of land to the south of Bird in Eye afford an opportunity to secure sustainable development that can be delivered expeditiously on the grant of planning permission.

EIA Screening

1.25. Pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, a request for a screening opinion was submitted to the Council; seeking confirmation that development of the site in the manner proposed (up to 290 dwellings) did not meet the threshold for an EIA.

1.26. In a response dated 17h March 2021 (LPA Ref: SR/WD/2021/6504/SO), the Council confirmed that the scheme would not fall within Schedule 1 development although, as it proposed more than 150 dwellings on a site of more than 5.0 hectares, it would fall within Schedule 2 Urban Development Project.

1.27. The response further confirmed, having particular regard to the characteristics of the proposal and the site location, the scheme would not lead to significant environmental impacts. As such an Environmental Statement was not required as the scheme would not constitute EIA development. The application is advanced on this basis.

The Application

1.28. In so far as the planning application is in outline, only the principle of developing the site for up to 290 dwellings and the means of access are to be determined as part of the application. All other matters of detail, including appearance, landscaping, layout and scale are reserved for subsequent determination.

1.29. The application site is shown edged red on the accompanying Site Location Plan No. PRB/BIE/PA1L and extends to approximately 41ha.

1.30. Details of how the site could be developed for the proposed quantum of housing is shown on Illustrative Site Plan No. PRB/BIE/PA2N. The scheme provides for up to 290 dwellings (including 35% affordable homes), associated parking, landscaping and access from Bird in Eye Hill.

1.31. The access arrangements are shown on the access plans included in the Transport Assessment ("TA") prepared by Bellamy Roberts, which includes the Proposed Access Plan No. 5330/006F (Appendix 10 refers) and the proposed extension of the 30mph limit on Framfield Road as shown on Plan No. 5330/008C (Appendix 11 to the TA refers).

1.32. The site is currently in agricultural use as part of the Bird in Eye Farm which also has a number of commercial uses operating from the farm buildings within the central part of the site.

1.33. The Site is bound by B2102 Bird in Eye Hill to the north and east, the ancient woodland belt to the south and further woodland running parallel with a tributary of the River Uck to the west. Within the middle of the site lies the main complex of buildings associated with the Bird in Eye Farm within which the Oasthouse is located. Beyond to the south of the ancient woodland is the land proposed for the SANG.

1.34. The site is located adjacent to but beyond the settlement boundary for Uckfield as defined in the Saved Polices off the Local Plan.

1.35. No part of the application site (or adjoining blue land) forms part of a Conservation Area and nor is it identified for any landscape 'value'.

1.36. As detailed in the Flood Risk Assessment that accompanies the application, the site is classified as falling within Flood Zones 1, 2 and 3, with all the built form being located in Flood Zone 1, the areas at least risk of flooding. There are no further environmental constraints which would preclude the proposed development.

1.37. The Council is not able to demonstrate a five year supply of deliverable housing land, such that the granting of outline planning permission on the site for housing is considered to be acceptable. Additionally, development of the site will bring about economic and social benefits and the fact that there are no technical constraints to bringing the site forward for development, including in relation to the capacity of the local highway network, which position is agreed with County Highways means that there is no reason for the Council not to support this application.

1.38. As set out in the Transport Assessment ("TA") accompanying the application, the site is suitably located for future residents to make sustainable travel choices on foot, bicycle and public transport. The TA sets out the sustainable benefits of providing development at the site given its proximity to public transport including bus and rail services.

1.39. As to schematics, the scale parameters, paragraphs 3 and 4 in Article 4 of the Town and County Planning (Development Management Procedure) (England) Order 2010 were deleted by Amendment Order No.3 dated 31 January 2013 such that outline planning applications, where layout is a reserved matter, are no longer required to state the approximate locations of buildings; and where scale is a reserved matter they are no longer required to state the upper and lower height, width and length parameters.

1.40. Information shown on the supporting plans and particulars includes sufficient detail to evaluate and assess the general planning and layout principles that are submitted in support of the proposal.

1.41. As set out in this Planning Statement, the benefits of the scheme include the provision of both market and affordable housing, in a sustainable location, within walking distance from local services and facilities, to help meet an identified housing need within the Borough.

1.42. The scheme will also bring about improvements and a betterment to the listed Oasthouse by increasing public views of the building which is to be supported by paragraph 194 of the NPPF.

1.43. The scheme also secures additional local expenditure through an increased local population, council tax revenues, and new homes bonus as well as additional construction jobs.

1.44. Although the application is in outline, with only (i) the principle of developing the site for up to 290 dwellings and a strategic SANG; and (ii) the means of access to be determined at this stage, the illustrative site plan also provides for onsite landscaping and biodiversity enhancements, which mitigate the impact of the proposed development in landscape, visual and heritage terms.

1.45. As set out in this Statement, the scheme accords with relevant planning policy considerations, including the presumption in favour of sustainable development set out in the NPPF.

Presumption in Favour of Sustainable Development

1.46. In order to boost significantly the supply of housing, the NPPF requires LPAs to demonstrate a five year supply of deliverable housing land. However, the Council cannot demonstrate a five year supply of deliverable housing land and has found it appropriate to grant planning permissions for schemes beyond the settlement boundaries defined in the Core Strategy. This approach is explained in greater detail below, but is illustrated by the approval of schemes at Crowborough, Hailsham, Eastbourne and Maresfield.

1.47. In accordance with paragraph 11 of the National Planning Policy Framework ("NPPF") NPPF, housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 also states that relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites.

1.48. In setting out the presumption in favour of sustainable development, paragraph 11 of the NPPF adds, in relation to decision-making at 11(c), that this means approving development proposals that accord with the development plan.

1.49. It adds at paragraph 11(d) that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, permission should be granted unless (i) policies in the NPPF provide a clear reason for refusing the development; or (ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits.

1.50. Including for the reasons set out in this Planning Statement, noting in particular the content at sections 5 and 6, as well as for the reasons set out in the supporting plans and particulars, **the application scheme is submitted in accordance with the presumption in favour of sustainable development.** The need for housing is further demonstrated by the results of the Housing Delivery Test.

1.51. This Planning Statement considers the relevant planning policy considerations and includes a planning balance which concludes that the benefits of the proposal weigh heavily in favour of the grant of planning permission.

Benefits of the Proposed Scheme

1.52. In assessing the merits of the application, the benefits of the scheme include:

- Provision of much needed housing in a sustainable location, helping to meet identified housing needs.
- Delivery of a significant proportion of affordable housing (35%).
- A high quality design-led development scheme.
- Provision of a substantial area of strategic SANG land, accessible by the wider community.
- A form of development, including by means of the proposed landscaping strategy that can be assimilated into the character of the surrounding area and provide an improved landscape buffer to the existing urban edge.
- Increased local expenditure to sustain and support local services and facilities.
- Job opportunities and increased economic activity.

Content

1.53. This Planning Statement is set out as follows:

Section 1: Introduction
Section 2: Planning History
Section 3: Summary of Supporting Material
Section 4: Description of the Site and Surrounding Area
Section 5: Description of the Proposed Scheme
Section 6: Planning Policy Framework
Section 7: Consideration of the Proposed Scheme
Section 8: Summary

2. PLANNING HISTORY

General

2.1 A previous outline scheme proposing development of the site for "the erection of 197 dwellings, including affordable housing, with associated access, structural landscaping and recreational space (including 4 LAPS and one LEAP)" was dismissed at appeal by decision letter from the Secretary of Statemnt ("SoS") dated February 2009.

2.2 The scheme related to a smaller site than currently proposed with this application and nor did it include a strategic SANG.

2.3 Although the site was reviewed positively by the Inspector and SoS, the application was refused principally due to the lack of a need in housing land supply terms, given that the site was not allocated for development in the Local Plan.

2.4 The SoS and Inspector conclusions in relation to landscape, ecology and heritage are summarised below (our emphasis underlined).

Landscape

2.5 SoS Para 27 states, inter alia:

> **"…for the reasons given in IR689, that there are no cogent reasons to resist the BIES proposals purely on landscape grounds."**

2.6 IR Para 689 States:

> **"…any development on BIES would be very visible from the Community Hospital and nearby existing and approved residential areas off the Framfield Road, but it would not breach the skyline when looking eastwards, and could be designed (as shown by the DAS) to protect existing views of the listed oast house building at Bird In Eye Farm. Like BIEN, but unlike Downlands, it would appear as a natural and logical extension to the town, and not significantly separated,**

much less divorced, from it by the Framfield stream. As with BIEN, I think that the landscape proposals would complement the form and layout of development shown in the DAS, and help provide a pleasing new urban edge to Uckfield. In sum, there are in my opinion no cogent reasons to resist the BIES proposals purely on landscape grounds."

Ecology

2.7 SoS Para 33 states:

"for the reasons given in IR731-738, the Secretary of State agrees with the Inspector that there is no sound case for rejecting the BIEN or BIES schemes on the grounds of any harm to ecological/nature conservation interests."

Heritage

2.8 SoS Para 43 states:

"the Secretary of State notes that there is a Grade II listed oast house immediately adjacent to BIES. Like the Inspector, the Secretary of State is satisfied that the setting of this building would not be materially harmed by the BIES proposals (IR792)."

Appeal Decision Summary

2.9 On the basis of the foregoing, although the application was refused n the basis of a lack of demonstrable housing need, at that time, the scheme was no refused on technical grounds.

2.10 As such, and for the reasons set out in the supporting information to the proposed scheme for up to 290 dwellings (as now proposed), there are no technical reasons that would preclude the grant of planning permission.

3. SUMMARY OF SUPPORTING MATERIAL

General

3.1. A number of technical studies and reports have been undertaken and prepared in support of the application and comprise as follows:

- Design and Access Statement (Paul Brown, RIBA, Chartered Architect)
- Energy Statement (Energist)
- Air Quality Assessment and Emissions Mitigation Assessment (SLR)
- Transport Assessment (Bellamy Roberts)
- Travel Plan (Bellamy Roberts)
- Road Safety Audit (Bellamy Roberts)
- Flood Risk Assessment[1] (Drainage Strategy and SuDS Report) (Stantec)
- Utilities Appraisal (Stantec)
- Ecological Impact Appraisal (CSA Environmental)
- Biodiversity Net Gain Report (CSA Environmental)
- Biodiversity Checklist (CSA Environmental)
- SANG Design and Framework Management Plan (CSA Environmental)
- Statement of Information to Inform Habitats Regulation Assessment (CSA Environmental Ltd)
- Landscape and Visual Impact Assessment (CSA Environmental)
- Arboricultural Impact Assessment and Tree Survey (Barton Hyett Associates & CSA Environmental)
- Agricultural Land Circumstances and Quality Report (CSA Environmental)
- Archaeological Desk Based Assessment (RPS)
- Heritage Assessment (RPS)
- Land Contamination Assessment (Ground Conditions) (Land Science)
- Draft Heads of Terms for Legal Agreement (Wolf Bond Planning)
- Statement of Community Involvement (Woolf Bond Planning)

3.2. The content of the technical reports submitted in support of the application is summarised below:

[1] Including Topographical Survey at Appendix B

Design & Access Statement

3.3. The Design and Access Statement demonstrates how the technical team has analysed the characteristics of the application site and surrounding area and evolved the scheme following consideration of the technical assessment of the site and surrounding area.

Energy Statement

3.4. The Energy Statement has been produced in order to demonstrate how the Application Scheme accords with the requirements at Policy WCS14 of the Wealden District Core Strategy (2013). As explained, this is achieved by outlining the predicted energy demand and resultant carbon emissions of the development. It also shows how the proposals have incorporated energy efficiency measures informed by the Wealden Design Guide Supplementary Planning Document Section 4 Sustainability.

3.5. In order to meet the requirements, the energy hierarchy has been followed. The development has improved upon the building regulation requirements through passive design and a fabric first approach. High levels of insulation and energy efficient services and fixings have been specified.

3.6. Through energy efficient design and the specification of high efficiency building services a 1.0% reduction in Carbon emissions and a 1.10% reduction in energy demand has been achieved. In addition to the above the assessed dwellings fabric energy efficiency improves upon the target fabric energy efficiency by a margin of 9.53%.

3.7. Overall, the submitted information demonstrates compliance with Policy WCS14 and Part L1A of the Building Regulations; which matters can be secured by the imposition of appropriately worded conditions.

Air Quality Assessment and Emissions Mitigation Assessment

3.8. The Air Quality Assessment ("AQA") assesses the impact of the proposed traffic to be generated by the scheme upon the air quality in the area and concludes that the impact will not be significant. Various mitigation measures are proposed which can be secured by condition and/or through the Legal Agreement.

Transport Assessment

3.9. As outlined in section 1 above, highways and transportation issues have been an integral part of the design process.

3.10. As demonstrated throughout the Transport Assessment ("TA"), the proposed development is submitted in accordance with national and local development policy regarding economic growth, sustainable development and travel.

3.11. The TA confirms that the site is well located to take advantage of the existing pedestrian network and public transport facilities in Uckfield, which will be enhanced through the extension of the public footpaths to the site itself. Furthermore, the TA confirms that the site is located within an accessible location as all the necessary day to day services including educational, retail and leisure facilities are located within Uckfield which is an easy walking distance from the site as shown on Table 2 of the TA.

3.12. Section 7 of the TA assess the numerous junctions within the town centre and the proposed junction at the site access.

3.13. The TA states that the two town centre junctions operate with capacity, albeit minimal capacity during the evening peak hour that when growth is factored in the two junctions will exceed capacity by 2025.

3.14. The TA states however that the issue is exacerbated as the junctions currently operate independently of each other.

3.15. It is for this reason the TA proposes to connect the two junctions through a SCOOT (Split Cycle Offset Optimisation Technique) which will coordinate the

two junctions as well as automatically adjusting signal delays based upon traffic conditions with the necessary data being gathered from sensors in the carriageway.

3.16. With the proposed SCOOT changes, and when the proposed development is assessed against other committed developments the two junctions will operate with space capacity at both the morning and evening peak periods.

3.17. Such changes will provide sufficient capacity to accommodate the proposed quantum of development whilst bringing about highway improvements to these tow junctions within Uckfield.

3.18. The changes to the town centre junctions together with the genuine opportunities for future residents for residents to use non-car based modes of travel to access Uckfield town centre and the safe and appropriate internal highway layout will ensure the proposal is entirely appropriate in highway terms.

Flood Risk Assessment

3.19. Based on EA fluvial floodplain mapping, the application site is situated mainly in Flood Zone 1, land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding, with small areas adjacent to the watercourse to the west of the site falling within Flood Zones 2 and 3.

3.20. The FRA confirms there have been no recorded incidents of groundwater or sewer flooding; and that all the built form is proposed within Flood Zone 1.

3.21. The FRA confirms that the scheme will manage surface water using the SuDS principles which will limit run off rates to match those of the existing greenfield rates and that the site will have safe continuous access within Flood Zone 1.

3.22. The proposed surface water drainage system utilises SuDS (Sustainable Drainage Systems) to manage surface water runoff rates and volumes, but also improve water quality. Source control features such as permeable paving and bio-retention areas will manage runoff at source. These features will be supported via a traditional piped drainage network, which will be designed such that the piped network does not surcharge in the 1 in 2 year storm event (i.e.

50% chance of occurring each year) and does not flood in the 1 in 30 year event (i.e. 3.33% change of occurring each year).

3.23. The pipes will discharge into swales and/or a detention basin where runoff will be temporarily stored and slowly discharged (i.e. attenuated) at rates which match the existing greenfield scenario.

3.24. The surface water drainage system will be designed to manage the 1 in 100 year storm event (i.e. 1% chance of occurring every year), making an allowance for a 40% increase in peak rainfall intensity to account for the potential effects of climate change. In the event of storms which exceed this design standard, the site layout and proposed levels are such that exceedance overland flows will be directed away from properties and toward areas of open space.

3.25. By utilising SuDS, the surface water drainage strategy also presents the opportunity to contribute to amenity provision on site (providing useable spaces in the case of permeable paving or attractive open space with open, vegetated features) whilst seeking to enhance biodiversity on site. This will be achieved through continuing a collaborative design approach between the drainage engineers, landscape architects and ecologists as the proposals develop.

3.26. In summary, the FRA concludes, inter alia, that the development is, in flood risk and drainage terms, safe, would not increase flood risk nor would it impact third parties.

Utilities and Foul Water Drainage

3.27. Foul water will discharge via gravity to the existing Southern Water public foul sewer within Bird in Eye Hill (B2102) north-west of the site.

3.28. With up to 290 dwellings discharging at an expected rate of 4,000 l/dwelling/day, the total foul water discharge rate for the site is expected to be 14.5 l/s. Southern Water are currently reviewing whether the existing network has sufficient capacity to manage the additional flows.

3.29. Following confirmation of capacity or if reinforcement works are required, consent under S106 of the Water Industry Act 1991 to connect into the public sewer will be obtained from Southern Water.

Ecological Impact Assessment

3.30. The supporting Ecological Impact Assessment "(EcIA") details the findings of the initial desk-based assessment of the entire site together with a follow up Site Surveys relating to a range of species including badgers, dormouse and reptiles which were undertaken between April 2019 and May 2020.

3.31. The EciA describes the Site as presently comprising improved grassland fields, hedgerows, trees and blocks of ancient and plantation woodland. The scheme seeks to retain hedgerows and other habitats wherever practicable, with compensatory planting provided within retained open space areas.

3.32. Grass snake and common lizard populations are present on-site and several common and widespread species of bat have been recorded utilising the Site for foraging.

3.33. The Site lies within 7km of the Ashdown Forest SAC and SPA, the zone within which proposed developments are identified as being likely to result in a significant effect on these designations. Provision of a Suitable Alternative Natural Greenspace (SANG) as part of the proposed development and contributions to the Strategic Access Management and Monitoring Strategy (SAMMS) will serve to mitigate these impacts.

3.34. Mitigation measures are also proposed to minimise impacts of the development on the ancient woodland blocks, in particular woodland W2 through which an access path will be as part of the strategic SANG. Measures include the provision of buffer planting, interpretation boards and dog mess bins within the development and SANG and in the SANG car park.

3.35. Opportunities for ecological enhancement may be secured by planning condition. New habitat creation is proposed to include new woodland and tree planting, nectar-rich grasslands, incorporation of dormouse, bat and bird boxes and new wildlife ponds and SUDs features.

3.36. The development is an anticipated to result in, a net gain in biodiversity (68.77%) through these on-site habitat creation and enhancement measures.

3.37. The Illustrative Site Layout demonstrates the potential to deliver net benefits for wildlife in the form of additional habitats, with the opportunity to provide additional biodiversity enhancement measures alongside the new housing.

3.38. The necessary ecological mitigation and enhancement can be secured by condition, to include the following:

- Construction Environmental Management Plan (CEMP): In addition to wider environmental controls and best practice construction management, the CEMP will set out construction-phase impact avoidance measures with respect to dormice, nesting birds, badgers and reptiles.

- Landscape and Ecology Management Plan (LEMP): The LEMP will detail the establishment and long term management of retained and newly created habitats to maximise benefits for wildlife. It will include a graphical Ecological Enhancement Plan, setting out the number, type and position of enhancement features.

- Lighting Strategy: A sensitive lighting strategy will accompany the detailed layout, ensuring that dark corridors are maintained, and minimising light spill to retained and newly created habitats.

- Reptile Mitigation Strategy: A mitigation strategy in relation to reptile populations on Site will be produced to detail working methods in relation to translocation and displacement of reptiles, including details of habitat enhancements and provision of log piles within areas of retained habitat.

3.39. Based on the successful implementation of avoidance, mitigation and enhancement measures proposed, the Scheme is considered to accord with all relevant nature conservation legislation and will result in an overall net gain in biodiversity of nearly 69%. This is significantly in excess of the national 10% target. As et out in the EcIA, the scheme accords with the provisions of Policies WCS12 and WCS13 of the Wealden District Adopted CS Local Plan (2013).

SANG Design and Framework Management Plan

3.40. The Suitable Alternative Natural Greenspace ("SANG") Design and Framework Management Plan summarises the proposed approach to the creation of a bespoke SANG to mitigate the potential recreational impacts of the proposed residential development at Land at Bird in Eye Farm, South of Bird in Eye Hill, Uckfield on the Ashdown Forest Special Protection Area (SPA).

3.41. The purpose of this document is to describe the key objectives of the proposed strategic SANG and its delivery. Prescriptions are provided to guide future management for the benefit of biodiversity, as well as to establish the area as an important recreational resource for residents of the new development and the wider community. Details of habitat and visitor access enhancement measures and a clear management and monitoring schedule are also provided.

3.42. A Landscape Strategy and SANG Design Plan (CSA/2646/114/L) has been produced; which sets out the over-arching landscape principles of the SANG and should inform any detailed proposals produced subsequently to enable the final setting-out and installation of the SANG.

3.43. The proposals will provide mitigation on-site in the form of 26.17ha of SANG land, together with a walking route extending to circa 2.7km and a car park for 30 vehicles.

3.44. Using the metric of 8ha of SANG per 1,000 population (which metric is applied by Natural England and Wealden District Council), the delivery of a 26.17ha SANG has the capacity to provide mitigation for c. 3,271 new residents or 1,363 dwellings (using a 2.4 residents / dwelling factor).

3.45. Predicted occupancy rates (based on 2.4 people per dwelling), will result in circa 5.57ha SANG land being required as mitigation for the proposed up 290 dwellings (696 new residents), leaving a headroom capacity of circa 15.6ha which could potentially become available for mitigation of future local development of up to 1,073 dwellings or 2,575 new residents (using a 2.4 residents / unit factor).

3.46. The delivery of the SANG and future ownership of the land will be secured by means of a planning obligation(s) and/or through the imposition of appropriately worded conditions.

Statement of Information to Inform Habitats Regulation Assessment

3.47. This document provides information to assist the Wealden District Council, as Competent Authority, in their consideration of whether the proposed development will have any likely significant effects on internationally designated sites (previously referred to as Natura 2000 / European sites), and in ascertaining any adverse effects on their integrity, as required under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. The information provided in the document also has regard to the current legal context for Habitats Regulations Assessment.

3.48. Based on the information provided in the report, it is anticipated that the Wealden District Council, in their capacity as competent authority under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, will conclude that the proposed development has the potential to result in likely significant effects on the Ashdown Forest SPA and SAC, when considered in combination with other plans or projects (in light of the definition of these terms in the 'Waddenzee' ruling of the European Court of Justice Case C-127/02).

3.49. Wealden District Council must therefore undertake an Appropriate Assessment of the implications of the proposed development on the qualifying features of the Ashdown Forest SPA and SAC in light of their published conservation objectives.

3.50. With consideration of the proposed measures intended to avoid or reduce effects (i.e. provision of bespoke SANG and SAMMs payments) it is anticipated that the Wealden District Council's Appropriate Assessment will conclude the following:

- that the proposed development will not have any adverse effect on the integrity of any internationally designated site alone;

- that the proposed development will not have any adverse effect on the integrity of any internationally designated site in combination with other plans or projects; and

- that suitable measures have been proposed to secure the viability of the proposed development within the context of Regulation 63 of the Conservation of Habitats and Species Regulations 2017

3.51. Through submission of the information contain herein, it is considered that the applicants (Croudace Homes Ltd and Mr and Mrs Berry) have discharged their duty under Regulation 63(2) to, "*provide such information as the competent authority may reasonably require for the purposes of the assessment*."

Landscape and Visual Impact Assessment

3.52. The Landscape and Visual Impact Assessment ("LVIA") confirms that the neither the Site nor the immediate landscape is covered by any statutory or non-statutory designations for landscape character or quality. The northern part of the Site lies on the west-facing valley slope facing the town, which exerts an urbanising influence on it, as does the adjoining existing housing on the north western edge along Bird in Eye Hill (B2102). The use of this part of the Site for paddocks and the commercial activities at the Bird in Eye Farm complex give it an edge of settlement character.

3.53. Overall, the Site is assessed as being of medium landscape quality, value and sensitivity. This assessment is consistent with the findings of the Wealden Landscape and Settlement Assessment, in respect of Landscape Setting Area 2 in which the Site lies.

3.54. The visual assessment found that there are some opportunities for views from public vantage points in the near vicinity of the Site to the west and north, and from the public footpath which extends along the south eastern Site boundary. For the rest of the Site, and in the wider landscape, views are restricted by the closely undulating topography and the extensive woodland cover in the landscape.

3.55. The Illustrative Site Layout and the Landscape Strategy and Strategic SANG Design show how an appropriate landscape-led development can be accommodated at the Site, complementing its edge of settlement and landscape character, with the development set into a strong, multi-functional framework of green corridors. Within, and on the edges of the development, the proposals retain and enhance the vast majority of the Site's existing landscape features which will complement the landscape character and provide a sense of place to the new development.

3.56. The Ancient Woodland within, and adjoining the Site's boundaries will be protected, with development and recreational routes set back from it, or managed sensitively, to protect it.

3.57. The strategic SANG will act to contain development on the eastern side of the town, while providing a significant recreation resource for the town, and opportunities for new planting, creating new and enhancing existing habitats.

3.58. In turning to the potential of the site to accommodate the proposed quantum of development; the LVIA states that the application scheme would closely follow the pattern of development within the town which is characterised by development rising up valley sides and would have a strong relationship with development on the eastern edge of Uckfield; and as such the scheme would not appear at odds with the pattern of development this location.

3.59. Moreover, in seeking to use the site's topography and landform, the retention of much of the existing landscaping and the extensive woodland together with the additional landscaping proposed as part of the wider landscape led masterplan, the proposal can be accommodated can be accommodated without giving rise to significant adverse landscape / townscape or visual effects.

Arboricultural Impact Assessment

3.60. The Arboricultrual Impact Assessment ("AIA") identifies a total of 8 individual trees, 21 groups, 6 hedgerows and 5 (including ancient) woodlands within the survey area.

3.61. In addition to the area of ancient woodland the AIA survey has identified two veteran trees which are of significance both in heritage and ecological terms. The AIA confirms at paragraph 3.12 that the proposal will be able to respect the necessary buffer zones around these ancient woodland and veteran trees.

3.62. Furthermore, the AIA confirms that none of the higher Category A and B trees are to be removed, only those lower quality Category C trees would need to be removed in order to facilitate the development. Against an, at worst, minimal tree removal the AIA sets out a number of enhancement measures that will easily off set such a minimal loss of trees. Such enhancement measures include:

- Extensive woodland margin planting;
- Adapting existing woodland management regimes;
- Provision of extensive standard tree planting; and
- Proactive management of the younger areas of woodland.

3.63. Give the sensitive approach the masterplan and the retention of many of the tree specimens within the site, the AIA concludes that the proposed development is entirely appropriate in arboricultural terms with tree removal kept to a minimum with extensive areas of planting proposed together with enhanced management of woodland areas.

Agricultural Land Circumstances and Quality Report

3.64. The Agricultural Land Classification ("ALC") system provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use. The ALC system divides agricultural land into five grades (Grade 1 'Excellent' to Grade 5 'Very Poor'), with Grade 3 subdivided into Subgrade 3a 'Good' and Subgrade 3b 'Moderate'.

3.65. Agricultural land classified as Grade 1, 2 and Subgrade 3a falls in the 'best and most versatile' category in Paragraph 179 and 180 of the National Planning Policy Framework (NPPF).

3.66. The Application Site comprises Subgrade 3b agricultural land. It does not fall within the 'best and most versatile' category and would its development for housing would not significantly harm national agricultural interests in terms of the NPPF (2021) or Development Plan policy.

Archaeology

3.67. The Archaeological Desk Based Assessment ("DBA") confirms that there are no designated archaeological assets, no World Heritage Sites, Scheduled Ancient Monuments, Historic Battlefield or Historic Wrecks are within the study area nor is the site located within a Archaeological Notification area designated by the Council.

3.68. The site is considered to be of low archaeological potential for undated, Prehistoric, Palaeolithic, Mesolithic, Neolithic and Bronze Age, Iron Age, Roman, Anglo-Saxon and Medieval finds.

3.69. The DBA confirms that Uckfield did not emerge as a settlement until the Medieval period as did Framfield with the application site likely to have formed agricultural hinterland between the two settlements and as such there is the potential for medieval agricultural evidence. As such, any archaeological evidence is likely to be of low (local) significance only.

3.70. The site is considered to be of low archaeological potential for all other periods and that further works, an geophysical survey and targeted trial trenching can be secured by way of an appropriate condition imposed on any planning permission.

Heritage Assessment

3.71. The Heritage Assessment considers the potential impact of the development on Grade II Listed Building known as The Oasthouse which is located within the middle of the complex of farm buildings which are located within the middle of the site although outside of the red line land itself. There are two other listed buildings further beyond to the east around Framfield Place.

3.72. In turning to the two buildings around Framfield Place; there are The Stables at Framfield Place which are Grade II Listed whilst Framfield Place itself is Grade II* Listed. These are both separated from the application site by a field which is bound by mature trees and other landscaping which prevents views form the application site to these two buildings.

3.73. It is The Oasthouse which is of more importance when considering the potential impacts on the proposed scheme. The Heritage Baseline Assessment sets out the condition and special significance of The Oasthouse which stems from, in part, it being a particularly unusual type of Oast.

3.74. The Report states that the setting to the Oasthouse has been compromised over time due to the degree of change to the traditional farmyard.

3.75. The main farmhouse has been extensively extended and altered and there are a number of large many non-farming activities around the site which detract from the rural character of the site.

3.76. In terms of demonstrating the potential impact upon the building the report acknowledges that The Oasthouse is not like other rural or agricultural buildings that rely on the preservation of a large or legible landscape context in which it may be experienced. The significance in this case lies in the way in which it demonstrates technical innovation. The area to the west however contributes moderately, to the building's significance.

3.77. The application proposal incorporates an open area to the west which allows for the appreciation of the building as a former agricultural building. From the north, east and south the proposal allows for new and enhanced views of the

building which should be considered as a heritage benefit.

3.78. Overall, the proposed development would have no discernible impact on the setting of The Oasthouse.

3.79. As there would be no real or discernible harm, there are no policy conflicts with national or local policy, or the provisions of s.66 of the 1990 Act. In the event that there was, at most, negligible harm, such harm would not outweigh the many benefits of providing much needed market and affordable houses.

Assessment of Ground Conditions

3.80. The Phase 1 Geo-Environmental Assessment concludes that that there is potentially a very low to very high risk that significant pollutant linkage may be present due to the potential for made ground on site and the site being part of a working farm.

3.81. Land Science recommends that further work is undertaken to assess the potential extent of any contamination including shallow boreholes, trial pits, standpipes and soil samples. Such work would ensure the full extent and location of any contamination and the necessary remediation required. Such additional work can be secured by way of an appropriate conditions.

Statement of Community Involvement

3.82. This document summarises the extent of pre application engagement undertaken including in relation to the results of the public exhibition.

4. DESCRIPTION OF THE SITE AND SURROUNDING AREA

Context

4.1. The Application Site is shown edged red on the accompanying Site Location Plan No. PRB/BIE/PA1L and extends to approximately 41ha.

4.2. The site is situated to the east of established residential development in the town, close to the boundary of a consented scheme for 146 dwellings at Land North of Mallard Drive. The town has a typical form of development, with shops, services and the railway station centred around a high street.

4.3. The River Uck runs east-west through the centre of the town, and the Bellbrook Industrial Estate is located on its western side. From the centre, residential development is accessed off the main B2102 road, with progressively newer development towards the fringes of the town

4.4. The site is located within easy walking distance (within 1.2km) of Uckfield town centre and easy access can be gained to the local shopping facilities, health facilities, schools, nurseries, the train station and job opportunities. Accordingly, the site affords a highly sustainable location in seeking to meet identified housing needs

The Site

4.5. The site comprises a series of paddocks in the northern western part, with further paddocks and some plantation woodland to the east and south. Ancient Woodland lies along parts of the western, southern and south eastern boundaries as well as bisecting the site.

4.6. The southern parcel of land is separated from rest of the site by a strip of Ancient Woodland known as Bird in Eye Shaw, which has a stream running through it and a pond. Ancient Woodland also extends along part of the western boundary.

4.7. The site surrounds Bird in Eye Farm, which lies to the south of the current access into the farm, approximately 90m from the B2102, Bird in Eye Hill. The farmyard contains a number barns currently occupied by several small business units, areas of hard standing, a number of stable blocks, a manège and a dwelling.

4.8. There is a public right of way that protrudes along the southern edge of the site, footpath Framfield 65b.

4.9. The Site is bound by Bird in Eye Hill to the north, to the east lie open agricultural fields with the village of Framfield beyond. To the south of the main section proposed for development lies a band of ancient woodland with open land proposed for the strategic SANG beyond. To the west lies the River Uck tributary with the Uckfield community hospital and residential development on the other side of the valley.

4.10. The site is split into two distinct parts with the flatter area to the north of the ancient woodland comprising the area where the proposed built form elements of the scheme would be located with an area of SANG proposed to the east. The area to the south of the ancient woodland belt forms the larger area of SANG land.

4.11. No part of the site forms part of a Conservation Area and nor is it identified for any landscape 'value'.

4.12. The Multi Agency Geographic Information for the Countryside Map ('MAGIC') and the Proposals Map (adopted March 2014) indicates that the site is not covered by any statutory or non-statutory designations for landscape character or quality.

4.13. The Oast (Grade II listed building) at Bird in Eye Farm is located on the western side of the farmyard, around which the site is wrapped. It occupies an elevated aspect that affords a visual link between the building and the eastern edge of Uckfield.

4.14. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the masterplan approach has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess. Overall, there are no environmental or statutory designations that would otherwise serve to limit the development potential of the site.

4.15. As set out in the LVIA the proposal would comprise development on sloping and rising up from the valley associated with the Uck tributary which is characteristic of land to the west. As such the scheme represents a logical extension of Uckfield into largely unconstrained land.

4.16. As detailed in the Flood Risk Assessment that accompanied the application, the area where the development is proposed is classified as falling within Flood Zone 1. There are no further environmental constraints which would preclude the proposed development.

5. DESCRIPTION OF THE PROPOSED SCHEME

General

5.1. The outline application scheme has been developed and informed following a thorough review of the opportunities and constraints afforded by the site.

5.2. Only the principle of developing the site for up to 290 dwellings and a strategic SANG, together with the means of access are to be determined as part of this outline application.

5.3. Appearance, landscaping, layout and scale are reserved for subsequent determination.

5.4. The application proposes:

> ***"Outline application for up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102."***

5.5. The proposals are set out on the following plans:

The Scheme

i. Site Location Plan No. PRB/BIE/PA1L
ii. Proposed Access Drawing No. 5330/006F (Appendix 10 to the TA)

Supporting Plans

iii. Illustrative Site Plan No. PRB/BIE/PA2N
iv. Opportunities & Constraints Plan No. PRB/BIE/PA3C
v. Parameter Land Use Plan No. PRB/BIE/PA4C
vi. Landscape Strategy and SANG Design Plan No. CSA/2646/114L

5.6. Plans (i) and (ii) comprise the application plans for the purpose of determining the application.

5.7. Plans (iii) to (vi) are submitted for illustrative purposes only.

Masterplan Approach

5.8. Preparation of the Illustrative Site Plan has been informed by the technical studies summarised in Section 2, and assessment of relevant planning policy considerations summarised in section 5.

5.9. Key to the evolution of the layout of the proposed development is the identification of existing trees and hedgerows for retention. In particular, a line of existing hedgerow which bisects the site to the east of the existing farm buildings has been identified as an important part of the character of the site, and is proposed for retention with a 5m buffer zone. This effectively creates a green corridor down the centre of the site. Furthermore, there are 15m minimum buffer zones provided to the ancient woodland to the south.

5.10. Analysis of the site's topography and drainage requirements has informed the siting of a large proposed balancing pond towards the south-western corner of the site, outside the ancient woodland. Together with the constraint of the farm buildings, identification of these features to be retained and/or created results in parcels of land which can be developed for housing.

5.11. The Masterplan vision is to create a high-quality development that has a strong sense of character and identity whilst linking seamlessly and positively with the adjoining development of Uckfield to the west.

5.12. The Masterplan approach, including in relation to design, is underpinned by a thorough contextual appraisal of the site and its surroundings. Full details are set out in the accompanying Design & Access Statement.

5.13. The vision is to be achieved through the following design principles included in the masterplan design:

- The creation of a sustainable living environment with a mix of residential accommodation.
- A place with a varied character that responds to the local vernacular and built context to provide a sense of place.

- A sustainable development which responds to best practice, with house type designs to be approved at the reserved matters stage that will seek to minimise energy use, sustainably manage water, responsibly source materials and manage waste and ecology.

- Opening up views of The Oasthouse a unique heritage asset thereby enhancing its significance and setting.

- The provision of highway benefits to Uckfield centre through the linking of the two traffic light controlled junctions through the SCOOT system.

- Enhancing the landscape edge to the boundaries of the site, in particular the eastern boundary that will further enclose the development in conjunction with the ancient woodland to the south.

- A development which preserves and enhances biodiversity by retaining natural features on the site and reinforcing them by creating opportunities for new habitat areas, including tree planting.

- To encourage and enhance the opportunities for sustainable movement, through the provision of pedestrian and cycle linkages to neighbouring facilities and public transport routes within Uckfield.

- Creation of landscape rich SANG area together with numerous walking routes and footpaths for future residents and the wider community.

5.14. The principal elements of the scheme are summarised as follows:

- The scheme provides for up to 290 dwellings, to include an appropriate mix of house types, within a landscaped setting.

- The scheme will include a mix of housing tenures, together with up to 35% affordable housing provision.

- Buildings heights will be in conformity with existing dwellings in the vicinity of the proposal.

- Vehicle access is provided from Bird in Eye Hill.

- Increased public footpath to facilitate sustainable travel into Uckfield and the associated services, facilities and public transport links.

- SuDS.

5.15. The component parts of the scheme are summarised as below.

Access and Layout

5.16. Vehicular access to the proposed dwellings will be provided by a single means of access from Bird in Eye Hill. Details of the proposed access are provided on Bellamy Roberts drawing no. 5330/006D.

5.17. The DAS sets out consideration of the overall design approach.

Dwelling mix

5.18. As set out above, the scheme provides for a total of up to 290 dwellings, including the provision of up to 35% affordable dwellings (up to 101 dwellings).

5.19. The tenure mix is to be agreed through the determination of the application in consultation with the Council's Housing Officer.

5.20. The overall housing mix, including in relation to the market housing, is a matter to be determined at the subsequent reserved matters application stage. It will however provide for a mix of housing types to cater for all members of the community.

Design

5.21. The house type designs, to be considered at the reserved matters stage do not need to replicate any existing patterns of development or utilise particular materials but should achieve a cohesive appearance sympathetic to the properties within the eastern parts of Uckfield.

5.22. As shown on the Illustrative Site Plan, the overall layout and form of the development has been designed to be sympathetic to the urban edge location of the site. This includes the creation of a new landscape buffer to the western and eastern boundaries of the site.

Density

5.23. The Illustrative Site Plan provides for up to 290 dwellings which equates to a net density of 19dph.

5.24. This density will ensure the new dwellings integrate with, and complement the local area in terms of scale, massing and layout, whilst sympathetically responding to the site's edge of settlement location.

Landscaping Strategy and SANG

5.25. Although landscaping is a reserved matter, the accompanying Illustrative Site Plan provides for a landscaped buffer to the eastern boundary of the site. This is in conjunction with the areas of ancient woodland which will be retained and enhanced to ensure a visually enclosed development.

5.26. The strategic SANG forms an integral part of the scheme, with the overarching landscape and design principles shown on Plan CSA/2646/114/G.

5.27. The SANG proposals can be quantified as follows:

- 26.17ha of SANG land
- A walking route extending to circa 2.7km
- A car park for 30 vehicles.

5.28. The SANG secures a significant recreational benefit for existing and future residents whilst also securing biodiversity enhancements through additional habitat creation.

5.29. The delivery of the SANG and future ownership of the land will be secured by means of a planning obligation(s) and/or through the imposition of appropriately worded conditions.

Land Uses

5.30. On the basis of the foregoing, and having regard to the on-site opportunities and constraints informing the proposed development, proposed land uses are summarised in the land use table below.

Proposed Land Uses

Land use	Ha	Approx No. Dwellings
Residential Area *Includes local open space, amenity areas, semi-natural greenspace and landscape buffers*	Up to 15ha	290
SANG	Approx. 26ha	
Total	**41ha**	**290**

Scheme Benefits

5.31. The key benefits of the proposed scheme can be summarised below:

- Provision of up to 290 new dwellings in a sustainable location.
- Contribution towards the provision of much needed market and affordable housing.
- Appropriate landscaping strategy throughout the site and proposed SANG which will contribute to a sense of place.
- Provision of new public footpaths.
- Creation of new vistas from which to appreciate the unique Oasthouse heritage asset.

6. PLANNING POLICY FRAMEWORK

General

6.1. This section summarises the planning policy position against which the acceptability of the scheme is determined.

6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. This represents the s.38(6) 'balance'.

6.3. In this instance the material considerations include:

- the policy vacuum left following the withdrawal of the emerging Local Plan (February 2020);
- the Council's acceptance that they cannot demonstrate a five-year supply of deliverable housing land
- the significant need for housing (market and affordable); and
- the need for the Council to produce a Housing Action Plan

6.4. Although the Council accept that they are unable to demonstrate a five year supply of housing, as detailed in the Statement, the Applicant's position is that the extent of the shortfall is far greater than that purported by the Council.

6.5. Section 39 of the Act identifies the requirement for decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development. These requirements must be considered in light of the NPPF, including the 3 roles of sustainability set out at paragraph 8 (economic, social and environmental). However, and as set out at paragraph 9 of the NPPF, the three roles are not a checklist and their values are considered below in light of that context.

The Development Plan

6.6. The Development Plan comprises the following:

- Wealden Local Plan Saved Policies (1998) (Saved 2007)
- Wealden Core Strategy Local Plan (2013)
- Affordable Housing Delivery Local Plan (2013)

6.7. The settlement boundaries contained within the 1998 Local Plan show that the site is located outside of the settlement policy area. Numerous minor changes were made to the settlement policy areas within the Core Strategy at a number of smaller settlements although no such changes were made to the settlement areas around Uckfield.

6.8. On 28 March 2013 an application was made to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 challenging the validity of the Core Strategy. The challenge was brought on the grounds that it failed to comply with the requirements of Directive 2001/43/EC on the Assessment and Effect of Certain Plans and Programmes on the Environment and the implementing Environmental Assessment of Plans and Programmes Regulations 2004. This was dismissed by Order dated 21 February 2014.

6.9. However, an appeal on 3 grounds was made to the Court of Appeal. On 7 October 2014, the Court of Appeal dismissed Grounds 1 and 2 relating to the housing numbers in the Core Strategy (original ruling was upheld).

6.10. Ground 3 related to whether the Council had considered reasonable alternatives to the use of a 7 km zone in relation to the provision of SANGS. On 9 July 2015 in response to a Court of Appeal decision, the Council has made changes to its Core Strategy Policy WCS 12 relating to Ashdown Forest.

6.11. Prior to the Court of Appeal Judgement Policy WCS12 provided that any net increase in residential development between 400m and 7km would be required to mitigate its recreational impact through the provision of Suitable Alternative Natural Green Space (SANGS) and on-site visitor management measures. The

reference to the 7km zone of influence and the specific mitigation identified in this policy has now been removed. However all planning applications will continue to be subject to the Habitat Regulations which protect the Ashdown Forest Special Protection Area (SPA).

6.12. The remainder of the Core Strategy remains unchanged following the Court ruling.

Core Strategy

6.13. The Core Strategy was adopted in February 2013 and as such the housing and requirement was based on the 2007 Strategic Housing Market Assessment. This pre-dates the standard method by some time and as such the most important polices, namely those related to the supply of housing, are out of date.

6.14. Policy WCS1 (Provision of Homes and Jobs 2006 – 2027) makes provision for some 4,525 net additional dwellings within the district reflecting the findings of the 2007 Strategic Housing Market Assessment. Policy WCS2 (Distribution of Housing Growth 2006 – 2027) seeks to allocate those additional dwellings throughout the district with Uckfield earmarked for 1000 new allocations in addition to the 742 already committed or built.

6.15. Policies WCS1 and WCS2 Policy WVS4 set out a number of strategy development areas with SD1 (Land at West Uckfield) seeking to allocate the 1000 dwellings in one strategic area.

6.16. It is nevertheless highly material that the housing provision figure within Policy WCS2, and subsequently WCS4, do not represent full objectively assessed need when assessed against the annual requirement set by the standard methodology which is in excess of 1,200 dwellings a year as confirmed in the Council's assessment of housing land supply for April 2020[2].

[2] Page 5 of the April 2020 assessment indicates that the District's capped annual need is at least 1,225dpa.

6.17. It is evident therefore that Policies WCS1, WCS2 and WCS4 are out of date and that significant additional housing is required on greenfield sites., an issue accepted by the Council in the Core Strategy. This is confirmed in paragraph 5.8 which states **"it is inevitable that there will have to be a substantial use of greenfield land to meet existing and future housing needs…."** This has been further accepted in the decisions by the Council and through appeals on subsequent applications.

6.18. Policy WCS8 (Affordable Housing) ensures, inter alia, that new developments provide for a mix of dwelling size and tenure that meet the identified needs of a community and that on sites of 5 dwellings or more affordable housing should, where viable, be provide at a level of at least 35%.

6.19. Whilst the application is submitted in outline form with only the principle and means of access to be considered the scheme would provide for a mix of dwellings sizes to cate for both younger individuals, couples and families. In addition, the proposal would provide for up to 101 affordable houses.

6.20. Whilst the provision of affordable housing attracts very substantial weight where the Council can demonstrate a 5 year housing land supply; in this case the Council acknowledge that it is **unable** to demonstrate a five year supply of housing land against the requirements of the SHMA and/or the standard methodology set out in the NPPF. This represents a material consideration of significant weight.

6.21. Policy WCS12 (Biodiversity) refers to the targets set out within the Sussex Biodiversity Action Plan in that the Council will prevent a net loss of biodiversity; reference is also made to the Ashdown Forest.

6.22. The accompanying biodiversity reports demonstrate that whilst there may be some local impact as a result of the proposal the reports clearly state that subject to the mitigation measures being adopted the scheme would in fact bring about numerous opportunities for biodiversity net gain. Furthermore, the proposed SANG exceeds the area required for the proposed level of development and can facilitate additional development in the surrounding area thereby representing a further benefit of the application proposal.

6.23. The proposed SANG and the opportunities for biodiversity net gain demonstrates the scheme fully complies with the overarching aims of Policy WCS12. Additional reference is made to biodiversity matters below.

6.24. Policy WCS13 ensures the districts existing network of green infrastructure will be protected, improved and enhanced. As outlined above the site is bound on two sides by areas of ancient woodland as well as other existing hedgerows and trees.

6.25. The proposal has been carefully designed to ensure that there is no impact on the ancient woodland and that any tree and hedgerow removal has been kept to an absolute minimum. Furthermore, the scheme proposes to strengthen the boundaries of the ancient woodland with substantial buffer planting. With protection of and enhancement to the ancient woodland and additional landscaping providing for a net improvement to the green infrastructure it is evident the scheme complies with Policy WCS13.

6.26. Policy WCS14 states the council will take a positive approach to the determination of applications that reflects the presumption in favour contained within the NPPF. Whilst additional reference is made to the potential impacts of the application scheme below it is clear from the above that there are no significant impacts that would outweigh the many significant benefits the proposal will bring when assessed against an un-tilted balance, let alone the tilted balance which applies in this case.

6.27. At this outline stage, it is considered that the proposed development accords with all of the relevant Core Strategy policies so far as they can be considered at this stage:

- WCS1 – Provision of Homes and Jobs
- WCS2 – Distribution of Housing Growth
- WCS4 – Strategic Development Areas
- WCS5 – Managing the Release of Housing Land
- WCS8 – Affordable Housing
- WCS12 – Biodiversity
- WCS13 – Green Infrastructure
- WCS14 – Presumption in Favour of Sustainable Development

6.28. When the above policies are considered against the aims of paragraph 11(d) of the NPPF they are to be considered out of date as the most important are out of date as they are not based on up to date housing requirements in accordance with the standard methodology and further as the Council cannot demonstrate an up to date supply of deliverable housing sites. This is discussed later in this statement.

6.29. In *Suffolk Coastal DC v Hopkins Developments ltd* [2017] UKSC 37 Lord Carnwath's judgement confirms at paragraph 63 that the weight to be attached to restrictive policies, such as countryside and landscape polices, can be reduced where they are derived from settlement boundaries that in turn reflect out of date housing requirements. In the Suffolk Coastal case the Inspector's findings were consequential upon their being no five-year housing land supply and on the basis that the Council could not deliver the housing to meet current needs. There are obvious parallels with Wealden District.

6.30. In the case of Wealden District, the Council have been granting planning permissions for housing development outside of settlement areas that are in breach of countryside and landscape policies in order to meet market and affordable housing needs and maintain a rolling five-year land supply[3].

6.31. The Council's position in relation to the need to allow residential development on sites which are technically outside of settlement boundaries is cleary and helpfully set out in the Executive Summary of the Report to Committee relating tp the proposed development of land at Straight Half Mile, Maresfield, which application was considered by the Council's Planning Committee North on 15th October 2020. This states as follows:

> ***"The application site lies within open countryside as defined by the Local Plan and has therefore been advertised as a 'departure' application.***

[3] Including since January 2020, resolutions of the Council with respect of applications off Walshes Road, Crowborough (WD/2020/0743/MAO and WC/2020/0596/MAO), At Straight Half Mile, Maresfield (WD/2017/0694/MAO), east of Benhall Mill Road, Tunbridge Wells (WD/2017/0143/MAJ) and Friday Street Farm, Oak Tree Lane, Eastbourne (WD/2020/1391/MAO).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that determination must be made in accordance with the plan unless material considerations indicate otherwise. The current development plan for the area in which the application site is located comprises the policies of the Wealden Local Plan 1998 which were saved in 2007, the Core Strategy Local Plan which was formally adopted on 19 February 2013 and the Affordable Housing Delivery Local Plan adopted in May 2016.

The Council cannot demonstrate a five-year supply of deliverable housing land and there is a clear need for housing within the housing market area, including a need for affordable housing.

The site is contrary to Saved Policies GD2 and DC17 of the adopted Wealden Local Plan 1998, by virtue of its location outside the development boundary as set out on the proposals map of that plan. These policies, which restrict development in the countryside, were based on an assessment carried out in 1998 of the housing requirements up until 2004. In the absence of a five-year housing land supply the effect of these policies, which seek to restrain new development to land within the settlement boundaries, would be to restrict the supply of housing and prevent local housing needs being met. On this basis the issue of housing delivery is considered to be a significant material consideration in favour of the application that outweighs the policy conflict with GD2 and DC17. On this basis, it is the officer's view that very limited weight should be given to these two policies in the consideration of this application.

The application accords with the three objectives of sustainable development: economic, social and environmental. The development would bring economic benefits, delivering and supporting jobs on and off site. The economic benefits would also include spin-off benefits to other businesses in the area and supporting those local services within the locality. The proposals would help deliver much needed housing including affordable housing to meet housing requirements in the district and locally needed affordable homes thereby meeting the social role. It is considered that subject to appropriate detailed design which would be determined through subsequent reserved matters application(s) and condition discharge that the development will provide a locally distinctive environment. Having regard to Paragraph 109 of the NPPF it is not considered that the development would have an unacceptable impact on highway safety or that the likely residual cumulative impact of development would be 'severe', and therefore there are no reasons in transport terms to justify a refusal. Whilst occupants of neighbouring properties would see the proposed development, detailed

design will ensure there is sufficient separation for their living conditions not to be adversely affected by overlooking or overshadowing. Furthermore reinforcement of existing boundaries with new planting, secured through condition, will protect the amenity of both existing residents and prospective occupiers and minimise the visual impact of the development. Ecological mitigation and enhancements will be provided within the site. The development can meet the environmental role. ……

To conclude, the development accords with all the relevant planning policies in the adopted development plan with the exception of the two policies GD2 and DC17, which for the reasons set out above, are given very limited weight."

6.32. A similar analysis was set out in the Executive Summary to the application for up to 90 dwellings on land off Eastbourne Road, Uckfield (LPA Ref: WD/2020/0410/MAO), which application was reported to Committee on 1 April 2021. It includes the following assessment:

"The Council cannot demonstrate a five-year supply of deliverable housing land and there is a clear need for housing within the housing market area, including a need for affordable housing.

The site is contrary to Saved Policies GD2 and DC17 of the adopted Wealden Local Plan 1998, by virtue of its location outside the development boundary as set out on the proposals map of that plan. These policies, which restrict development in the countryside, were based on an assessment carried out in 1998 of the housing requirements up until 2004. In the absence of a five year housing land supply the effect of these policies, which seek to restrain new development to land within the settlement boundaries, would be to restrict the supply of housing and prevent local housing needs being met. On this basis the issue of housing delivery is considered to be a significant material consideration in favour of the application that outweighs the policy conflict with GD2 and DC17. On this basis, it is the officer's view that very limited weight should be given to these two policies in the consideration of this application

The application accords with the three objectives of sustainable development: economic, social and environmental. The development would bring economic benefits, delivering and supporting jobs on and off site during the construction period.

The economic benefits would also include spin-off benefits to other businesses in the area and supporting those local services within the locality. The proposals would help deliver much needed housing including affordable housing

to meet housing requirements in the district and locally needed affordable homes thereby meeting the social role. The development will relate satisfactorily to surrounding built-form. It is considered that subject to appropriate detailed design which would be determined through subsequent reserved matters application(s) and condition discharge that the development will provide a locally distinctive environment. Having regard to Paragraph 109 of the NPPF it is not considered that the development would have an unacceptable impact on highway safety or that the likely residual cumulative impact of development would be 'severe', and therefore there are no reasons in transport terms to justify a refusal.

To conclude, the development accords with all the relevant planning policies in the adopted development plan with the exception of the two policies GD2 and DC17, which for the reasons set out above, are given very limited weight. Whilst the proposal is contrary to the development plan taken as a whole, paragraph 11d (ii) of the National Planning Policy Framework (2019) (the Framework) applies for the reasons set out in the main body of the report (having regard to a positively concluded Appropriate Assessment). This sets out that that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is known as the 'tilted balance' in consideration towards housing supply.

Whilst it is acknowledged in the main body of the report that the development will impact on the character of the immediate locality, the adverse impacts are not considered to significantly and demonstrably outweigh the advantages of the delivery of up to 90 dwellings in the context of the district's lack of a five year housing land supply."

6.33. Evident form the above is the countryside and landscape policies are not meeting current housing needs based on the definition of built-up areas as defined in the development plan. Therefore, consistent with the approach now followed by the authority, reduced weight applies to any conflict with saved policies GD2 and DC17 of the Wealden Local Plan.

6.34. As an overarching assessment, it is worth pausing to note the following considerations:

1. The spatial policies for the supply of housing do not meet current housing needs; and the Council has been granting planning permissions for the development of sites for housing beyond the settlement boundaries as defined in the Core Strategy.

2. Accordingly, the settlement boundaries defined under GD1 and GD2 are not sufficient to meet current housing need and the weight to be given to the conflict with this policy is reduced.

3. Although the application site is within the countryside, it is not a valued landscape nor are there any other constraints on site that would preclude such a development as proposed.

4. The scheme provides a safe means of access.

5. The site is in a sustainable location.

6. The scheme can bring about enhancements to the Grade II listed Oasthouse building within site through enhancements to public views.

7. The loss of subgrade 3b agricultural land should be afforded no more than limited weight.

8. The requisite mitigation measures are secured by condition and/or through the planning obligation such that the impacts of the scheme can be adequately mitigated.

6.35. It is therefore concluded that the proposal is consistent with the aims of the development plan and that development would be in accordance with Saved Local Plan Policies and Core Strategy policies when considered on the whole, having regard to the Council's accepted approach that limited weight applies to the conflict with policies GD2 and DC17.

6.36. As with Saved Policies GD2 and DC17 of the Local Plan Policies WCS2 and WCS4 of the Core Strategy are also inconsistent with the requirement in the Framework to boost significantly the supply of housing land as they are based on housing projections which are out of date. As such, the weight given to these policies in the overall planning balance is significantly reduced, reflecting the position at paragraph 63 of the Suffolk Coastal judgment (Hopkins Homes).

Wealden Local Plan 1998 Saved Policies

6.37. Policy GD2 of the Local Plan states development outside the settlement boundaries will be resisted unless it accords with specific policies in the Plan. It has been set out above, and as acknowledged by the Council this policy is to be afforded limited weight as it inconsistent with the NPPF. However, as summarised below the proposal does accord with certain policies in the plan.

6.38. Policy EN1 ensures the Council will pursue sustainable development with regard to the location, layout and design of development. As set out throughout this Statement and the accompanying technical reports the application scheme will bring about a sustainable form of development in relation to the location, layout and design of the proposal and when considered against the definition in paragraph 8 of the NPPF.

6.39. Policy EN7 refers to the specific requirements for protecting the Ashdown Forest.

6.40. The table below summarises the main Core Strategy policies of relevance to the application proposal.

	Most important policies for the determination	Consistent with NPPF	Weight to be afforded	Scheme accords with policy
Wealden Core Strategy (2013)				
WCS1 – Provision of Homes and Jobs 2006 - 2027	✓	×	Limited	×
WCS2 – Distribution of Housing Growth	✓	×	Limited	×
WCS4 – Strategic Development Areas	✓	×	Limited	×
WCS5 – Managing the Release of Housing Land		×	Limited	×
WCS8 – Affordable Housing		✓	Full	✓
WCS12 - Biodiversity		✓	Full	✓
WCS13 – Green Infrastructure		✓	Full	✓
WCS14 – Presumption in Favour of Sustainable Development	✓	✓	Full	✓
Wealden Local Plan (Saved Policies)				
GD2 - Development Proposals Outside Development Boundaries	✓	×	Limited	×
EN1 - Sustainable Development	✓	✓	Limited	✓
EN2 - Sustainable Locations	✓	✓	Full	✓

	Most important policies for the determination	Consistent with NPPF	Weight to be afforded	Scheme accords with policy
EN7 - Ashdown Forest	✓	✓	Full	✓
EN12 - Trees and Woodlands	✓	✓	Full	✓
EN13 - Ancient Woodland		✓	Full	✓
EN27 - Design		✓	Full	✓
HG5 - Dwelling Mix		✓	Full	✓
HG6 - Crime Prevention		✓	Full	✓
UC1 - Uckfield		×	Limited	×

Summary

6.41. The conclusions drawn from recent committee reports, and from a review of the current development plan policies are set out below:

- Countryside policy (GD2) of the Local Plan is too restrictive when considered against the requirements of the NPPF and as such should be afforded significantly less weight;
- The Core Strategy Policies related to housing provision do not provide for an NPPF consistent objectively assessed housing need and as such the settlement limits set in the Saved Local Plan Policies are out of date.
- The corresponding weight to be attached to such policies is therefore reduced.
- The Council cannot currently demonstrate an up to date 5 year housing land supply; the effect of this is even more acute following the need to prepare a Housing Action Plan as the Council have failed the Housing Delivery Test.
- The Council's own Core Strategy accepts the need to use greenfield sites to accommodate additional housing needs; which is exacerbated as since the Core Strategy was adopted the need for housing has increased further still.

6.42. The Council has accepted that limited weight applies to the conflict proposals with Development Plan policies GD2 and DC17. Furthermore, it has been established above that the basket of most important policies is to be considered out of date as they are inconsistent with the NPPF. in conjunction with the lack of a deliverable five year supply of housing land. It is considered that whilst the

scheme does not strictly accord with certain countryside policies these are out of date and attract limited weight. As such, the numerous benefits, particularly in increasing the supply of market and affordable houses and enhancing the setting of the unique Oasthouse heritage asset, clearly outweigh any minor disbenefit.

Material Considerations

National Planning Policy Framework

6.43. The National Planning Policy Framework (NPPF) was most recently updated in July 2021. It is a material consideration of particular standing in the determination of planning applications.

6.44. The content of the NPPF as it relates to the proposed development of the application site is addressed in the order set below:

- The presumption in favour of sustainable development
- Decision making
- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

6.45. Paragraph 8 of the NPPF identifies that there are three dimensions to sustainable development, comprising (i) economic, (ii) social; and (iii) environmental.

Economic Role

6.46. The economic role requires the planning system to, inter alia, ensure that sufficient land of the right type is available in the right places and at the right time to support growth. This is achieved with the application scheme on the basis that it is located within a sustainable location, within walking and cycle distance to local services and facilities. The scheme also provides for housing development of the type and mix required to meet identified needs.

6.47. The scheme further addresses the economic role in terms of increased LPA Revenues, Construction impacts (increased GVA, jobs etc.) and increased expenditure in local area.

Social role

6.48. The social role requires the planning system to provide the supply of housing required, creating a high quality, well-designed built environment, accessible to local services and reflecting the community's needs. All of these requirements can be achieved with the application scheme.

Environmental role

6.49. The environmental role requires the planning system to protect and enhance the natural, built and historic environment. This can be achieved with the proposal in a location that will not result in any significant adverse effects upon the character of the surrounding area, including in landscape terms and lead to enhancements to both the natural and historic environment.

Decision Taking

6.50. In setting out the presumption in favour of sustainable development, paragraph 11 of the NPPF adds, in relation to decision-making at 11(c), that this means approving development proposals that accord with the development plan. It adds at paragraph 11(d), and of particular relevance to Wealden that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, permission should be granted unless (i) policies in the NPPF provide a clear reason for refusing the development; or (ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits.

6.51. It has been discussed earlier in this Statement, why it is considered that the policies for the supply of housing (both in terms of the housing requirement and the associated settlement boundaries), and further as the Council cannot demonstrate an up to date 5 year land supply, are materially out of date.

6.52. Section 4 of the NPPF sets out the approach to decision-taking. Paragraph 38 makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible

6.53. The site is located in a sustainable location and will improve the economic and social conditions of the area. It will also help to provide an enhanced landscaped edge to the settlement and new biodiversity habitats as well as enhancing the setting to the Grade II Listed Oasthouse.

Delivering a sufficient supply of Homes

6.54. Paragraph 60 sets out the Government's objective of significantly boosting the supply of homes.

6.55. Paragraph 61 sets out the approach to determining the minimum number of homes needed, which should be informed by a local housing need assessment conducted using the standard method in national planning guidance – unless an alternative approach is justified. It is also added that any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

6.56. Paragraph 68 sets out the need to provide a five year supply of deliverable sites for housing. It also requires sites for years 6-10 and beyond.

6.57. This application for up to 290 dwellings would make a material contribution towards the substantial shortfall in supply.

Promoting Sustainable Transport

6.58. Section 9 sets out the approach to providing for sustainable growth.

6.59. Paragraph 105 states as follows.

> **'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between**

urban and rural areas, and this should be taken into account in both plan-making and decision-making'.

6.60. The site is located adjoining an identified settlement, within walking distance to local services and facilities. The supporting TA demonstrates the acceptability of the scheme in sustainability terms. Accordingly, the scheme is consistent with paragraph 105.

6.61. Furthermore, the Transport Statement also sets out highway improvements through the proposed linking of the two town centre junction which will bring about a betterment to the existing highways condition.

Natural Environment

6.62. Section 15 sets out the approach to conserving and enhancing the natural environment.

6.63. The scheme is located within the wider zone of influence and as such proposes a substantial SANG that will ensure there are no direct effects on the Ashdown Forest. In addition, the scale of the SANG will facilitate the provision of further housing in the locality.

6.64. As to landscape considerations, the site is not located within any formal designations for the most valued landscapes. The accompanying LVIA confirms that the proposal would be similar in character to the existing residential development to the west, and the retention of the existing woodlands and trees will further mitigate the appearance of the scheme.

6.65. The proposal maintains the thick band of ancient woodland planting to the south and west. As a result, there is potential to not only screen the proposed houses, but also to enhance the existing settlement edge around the Hospital.

Historic Environment

6.66. The red line site itself wraps around the cluster of farm buildings associated with Bird in Eye Farm. Within this is the Grade II Listed Oasthouse, a particularly unique Oasthouse. There are two other listed buildings beyond to the east which lie to the west of Framfield. These are hidden from view form the site owing to extensive landscaping.

6.67. Their setting however will not be impacted by the proposal as demonstrated in the accompanying Heritage Appraisal.

6.68. The Oasthouse however has more potential to be impacted upon The Heritage Assessment however confirms that in increasing public views and providing for a green buffer the setting of the Oasthouse can be improved as a result of the proposed development.

6.69. This is considered to weigh significantly in favour of the overall planning balance.

Five year Housing Land Supply.

6.70. The Council has previously accepted a land supply deficit, such that the release of the site for housing is considered to be acceptable. As indicated above, this is the position of the authority as agreed through decisions of its Planning Committee.

6.71. The Council in their December 2020 Housing Land Supply Statement indicate that as at 1st April 2020, the authority cannot demonstrate a five year supply of housing land. The authority position is that they are able to demonstrate a 3.75 years supply, significantly below the minimum 5 years obligated by the NPPF (paragraph 73). This was through inclusion of a 5% buffer pursuant to the Housing Delivery Test results available when the Housing Land Supply Statement was prepared[4]. However, revised Housing Delivery Test results were issued by the Government on 19th January 2021 with respect of the levels achieved from April 2017 to March 2020. These updated Housing Delivery Test results indicate that Wealden District had provided 83% of the requirement and consequently a 20% buffer is necessary.

6.72. The implications of the 20% buffer for the District's housing land supply is shown in the Addendum to the Five Year Housing Land Supply Statement. This shows that the housing need figure to show a five year supply had increased from 6,431 dwellings to 7,356 dwellings.

[4] The 2019 results issued on 13th February 2020.

6.73. The Council's purported supply of 4,827 dwellings therefore now equates to a supply of only 3.28 years (a shortfall of 2,529 dwellings).

6.74. Although the Council considers that its deliverable housing land supply from April 2020 to March 2025 totals 4,827 dwellings, the Applicant's view is that it is substantially less than this. This is primarily as a result of the Council's assessment of supply being adequately supported by the evidence detailed in the PPG (ID ref 68-007-2019-0733), especially with respect of those sites with either outline planning permission or a resolution to grant permission (listed in appendix 3 of the Housing Land Supply Statement). Consequently, and without the necessary evidence, a significant proportion of the 1,574 dwellings within this category may not be delivered with the next five years. The implications are shown below.

Comparison of land supply sources envisaged to be deliverable (2020-25)

Source	Council	Applicant	Difference
Small sites with permission[5]	793	793	0
Large sites with detailed permission[6]	2,418	2,418	0
Large sites with outline permission or resolution to grant[7]	1,574	0	1,574
C2 uses[8]	42	42	0
Total	**4,827**	**3,253**	**1,574**

6.75. Without the evidence to support the inclusion of large sites with outline permission or a resolution to grant, the expected deliverable supply within the district reduces from 4,827 dwellings to 3,253 dwellings. The implications of this for the assessment of 5 year supply is shown below.

[5] Listed in Appendix 1 of Council Housing Land Supply Statement
[6] Listed in Appendix 2 of Council Housing Land Supply Statement
[7] Listed in Appendix 3 of Council Housing Land Supply Statement
[8] Listed in Appendix 4 of Council Housing Land Supply Statement

Comparison of assessment of housing land supply in Wealden District 2020-2025

Step in process	Council	Applicant
A - Minimum annual local housing need[9]	1,225.1	1,225.1
B - Base requirement for 5 years (2020-25) (A x 5)	6,125.5	6,125.5
C – Plus 20% pursuant to HDT (B x 1.2)	7,356	7,356
D – Annual requirement for a 5 year supply (C/5)	1,471.2	1,471.2
E – Expected deliverable supply	4,827	3,253
F – Expected shortfall (C – E)	2,529	4,103
G – No. of years supply (E/D)	3.28	2.21

6.76. The above analysis confirms that the Council is unable to demonstrate a 5 year supply at April 2020, although the Applicant's position is that the extent of shortfall is significantly greater than that assessed by the Council.

6.77. It is therefore clear that the Council has a very significant deficit in housing land supply over the period 2020-25. This results in the presumption in favour of sustainable development applying pursuant to paragraph 11 of the NPPF.

6.78. The Council's acknowledgement that it is unable to demonstrate a five year supply of housing has been acceptable in appeal decisions, including those issued with respect of a residential scheme of land off the B2203, Maynards Green, Sussex (PINS ref APP/C1435/W/19/3227196) dismissed on 10th February (paragraph 33) alongside the scheme at Mornings Mill Farm, Eastbourne Road, Willingdon (PINS ref APP/C1435/W/19/3230484) dismissed on 13th December 2019 (paragraph 50).

6.79. Recognising the very significant deficit in housing land supply in Wealden District, as per decisions of the Secretary of State, very significant weight should be given to the substantial benefits that the provision of market and affordable housing would have for the determination of the application.

[9] Capped at 40% over household projections

6.80. As explained below, the proposal accords with the thrust of the development plan for growth in and around Uckfield (including Bird-in-Eye) and therefore this provides further justification for approval of the scheme at the earliest opportunity.

Affordable Housing

6.81. The application proposes the on-site provision of up to 101 affordable dwellings[10], thus achieving a policy-compliant 35% affordable housing provision.

6.82. Paragraphs 20 and 62 of the NPPF sets a strong emphasis on the delivery of sustainable development including affordable homes, whilst paragraph 60 clearly sets out the Government's aim to "boost significantly the supply of homes".

6.83. The need for affordable housing and their importance in achieving sustainable development is emphasised in many government publications, including House of Commons Committee of Public Accounts – Planning and the Broken Housing Market (19th June 2019).

6.84. The Wealden District Strategic Housing Market Assessment (SHMA) (August 2016) (paragraph 7.66) indicates an annual need for 331 affordable homes from 2013-33. This equated to 45% of the Objectively Assessed Housing need figure of 736 dwellings annually.

6.85. Whilst the Council's Housing Strategy 2017-20 (page 9) indicated that the number of households on the housing wating list had remained static since the last strategy at 1,012 (as at September 2016), as indicated in the analysis of Waiting list data from the Government[11], this remains the position for the district. This is shown in the below table:

[10] Assuming 290 dwellings are built
[11] Local authority housing data - GOV.UK (www.gov.uk)

Further details on changes in Wealden District's housing need

Category[12]	1/4/13	1/4/14	1/4/15	1/4/16	1/4/17	1/4/18	1/4/19	1/4/20
No. on register	1,441	1,130	1,012	962	1,013	794	671	796
No. in reasonable preference category	569	492	506	388	537	407	347	448
Homeless	76	89	51	58	51	20	0	5

6.86. The Council's housing waiting list; especially those in a reasonable preference category; can be compared with the delivery of affordable homes as indicated in the authority's monitoring reports.

6.87. This shows that 1,104 affordable homes were delivered in the period April 2013 to March 2020. This is equivalent to an average rate of 157.7 affordable dwellings per annum since.

Comparison of affordable housing delivery in Wealden District against the SHMA appraisal of affordable need (2013-33)

Year	Net housing completions		Objectively-Assessed Need affordable homes required (min)	Shortfall from annual Objectively-Assessed Need affordable homes figure	Cumulative Shortfall
	All	Affordable			
2013/14	560	201	331	-130	130
2014/15	576	193	331	-138	268
2015/16	520	82	331	-249	517
2016/17	564	81	331	-250	767
2017/18	462	144	331	-187	954
2018/19	828	130	331	-201	1,155
2019/20	1,034	273	331	-58	1,213
Total	**4,544**	**1,104**	**2,317**	**-1,213**	**1,213**

[12] https://www.gov.uk/government/collections/local-authority-housing-data

6.88. As this table shows, the delivery of 1,104 affordable dwellings since April 2013 should be viewed in the context that this represents an under provision of 1,486 affordable dwellings as assessed by the PUSH OAN Appraisal to achieve the annual requirement of 234 affordable units.

6.89. It also represents an under provision of 1,213 affordable dwellings as assessed by the Wealden SHMA to achieve the annual requirement of 331 affordable units.

6.90. On the basis of the available evidence, it is clear that there is a significant need for additional affordable homes and the delivery of affordable housing against the identified need has been woeful.

6.91. As the table above indicates, between April 2013 and March 2020, there has been a cumulative under-delivery of 1,213 affordable dwellings (when assessed against identified needs). This represents a 52% shortfall against assessed affordable housing needs during this period, an acute gap in provision which affects Wealden District and how it functions in an economic, social and environmentally sustainable way.

6.92. The future delivery of affordable housing in Wealden District is highly uncertain. In addition to the very significant shortfall, there is also the question of whether future needs will be met.

6.93. With its continued delays in delivery, this has the potential to make the situation even more severe not just for Wealden District's vulnerable position on affordable housing land supply, but for the significant number of households currently on the Council's Housing Register.

6.94. As at April 2020 there were 796 households on the Council housing register. Accordingly, it is evident that there is a significant need for additional affordable homes.

6.95. Paragraph 60 of the NPPF requires that needs of groups with specific housing requirements to be addressed. Paragraph 62 confirms that one of the specific groups relates to those requiring affordable housing.

6.96. Although the Council publishes details of its planning commitments for housing, there is no information on the extent that those sites forming parts of its supply will deliver affordable housing to either address the current deficit of 1,213 dwellings or ensure that this does not increase in the future.

6.97. The failure to meet the identified needs of affordable housing is a dire situation indicating that the Authority is not fulfilling the objectives in paragraph 60 of the NPPF.

6.98. A step change in the delivery of affordable housing is therefore required if the Council is to get anywhere near the identified need in the SHMA and begin to address the dysfunctions of the local housing market. Such a step change would be consistent with the thrust of paragraph 60 of the NPPF, to boost significantly the supply of housing.

6.99. The acute affordable housing need reinforces the merits of this Scheme with the on-site provision of 101 affordable dwellings[13].

6.100. The Applicant considers substantial weight is attributable to the benefits associated with the provision of affordable housing.

[13] Assuming 290 dwellings are built

7. CONSIDERATION OF THE PROPOSED SCHEME

General

7.1. This section of the Planning Statement deals with the detailed aspects of the application proposal.

7.2. In so far as the scheme is submitted in outline form, the following section of this Statement demonstrates, when considered against the main issues, that the scheme is entirely acceptable in planning terms. The main issues, noted below are summarised in corresponding order:

1. Principle
2. Highways & Transport
3. Drainage
4. Housing Mix and Tenure
5. Character and Landscape
6. Heritage
7. Ashdown Forest, SANG Provision and Ecology
8. Agricultural Land Quality
9. Energy and Sustainability
10. Planning Obligations

7.3. These matters are addressed in turn below.

(1) Principle

7.4. As set out at paragraph 6.2 above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the plan unless material considerations indicate otherwise.

7.5. The current development plan comprises the saved policies from the Wealden Local Plan 1998, the Core Strategy Local Plan (Feb 2013) and the Affordable Housing Delivery Local Plan adopted in May 2016.

7.6. As set out in numerous officer reports to committee upon schemes for housing across Wealden, the Council cannot demonstrate a five-year supply of deliverable housing land and there is a clear need for housing within the housing market area, including a need for affordable housing.

7.7. The lack of a five year supply of deliverable housing land and the fact that the most important policies for determining the planning application are out of date triggers the presumption in favour of sustainable development at paragraph 11 of the NPPF.

7.8. Although the Site is contrary to Saved Policies GD2 and DC17 of the adopted Wealden Local Plan 1998, by virtue of its location outside the development boundary as set out on the Proposals Map, the policies, which restrict development in the countryside, were based on an assessment carried out in 1998 of the housing requirements up until 2004.

7.9. The effect of these policies, which seek to restrain new development to land within the settlement boundaries, serves to restrict the supply of housing and prevents local housing needs being met.

7.10. The identified house need and the lack of a five year supply of deliverable housing land outweighs the policy conflict with policies GD2 and DC17.

7.11. In addition, the Application Scheme accords with the economic, social and environmental roles of sustainable development.

7.12. In addition and having regard to paragraph 111 of the NPPF it is not considered that the development would have an unacceptable impact on highway safety nor that the likely residual cumulative impact of development would be ‘severe’, and therefore the scheme is acceptable in highway terms.

7.13. In addition, and as set out below, any necessary planning obligations will be secured through a s106 agreement, with additional CIL receipts secured as part of the reserved matters stage.

7.14. Overall, the Scheme accords with all the relevant planning policies in the adopted development plan with the exception of the two policies GD2 and DC17, which conflict only attracts limited weight.

7.15. Accordingly, and although the Application is contrary to the development plan when taken as a whole, the presumption of sustainable development at paragraph 11d (ii) of the NPPF is engaged and there are no adverse impacts that could even be considered to significantly and demonstrably outweigh the many benefits arising from the proposal.

(2) Highways & Transport

7.16. The assessment of the scheme's highway impacts has been an integral aspect of the scheme from the outset, with pre-application meetings and discussions convened with the Highway Authority since September 2019.

7.17. In turning to the potential highway impacts, development of the site for up to 290 dwellings and a strategic SAG could generate in the region of 148 two-way movements during the morning peak hour, and 152 two-way movements during the evening peak hour.

7.18. Capacity assessments have been undertaken at the two critical town centre signalised junctions and at the site access.

7.19. In order to accommodate the increase in traffic from the proposed development in the town centre, it is proposed to improve the existing junctions by linking the two signalised junctions via a SCOOT type system.

7.20. The proposed improvements provide sufficient capacity at the two junctions to accommodate the proposed development traffic and will provide an overall highway benefit at the junctions within the centre of Uckfield.

7.21. The capacity assessment of the proposed site access demonstrates that it will operate comfortably, with very limited queuing and delay, and reveals that a right-turn lane is not required.

7.22. With the introduction of the proposed SCOOT system the application proposal can bring about real terms improvements to the highway conditions within Uckfield thereby representing a significant benefit arising from the scheme.

7.23. Both the NPPF and Policy EN2 seek to ensure new development is located where it will encourage sustainable transport.

7.24. National Travel Survey data reveals the majority of trips (80%) under one mile (1.6km) are undertaken on foot, and 15% of journeys between 1 and 5 miles (1.6 to 8km) are usually undertaken on foot.

7.25. Providing new homes on the application site, within 1.2km of the facilities available within Uckfield, gives a real opportunity for the majority of trips to be made on foot and by bicycle thereby contributing towards sustainable modes of transport and corresponding reduction in traffic emissions.

7.26. Access can be gained to local shopping facilities, health facilities, eating and drinking establishments, schools and nurseries.

7.27. A shared footway/cycleway link from the site will be provided to the existing footway on Bird in Eye Hill.

7.28. Bus stops and Uckfield railway station are located within easy walking distance from the site, providing access to frequent bus and rail services to the surrounding area.

7.29. A considerable package of measures is proposed to mitigate the impact of the development, which matters are summarised as follows:

- Extension to 30mph Speed limit to enhance sustainable modes of transport:
- Bus stop improvements;
- Bus service improvements;
- Improvements to the on-street parking regime long Bird in Eye Hill, to improve vehicle flow and safety.
- Install SCOOT system and two town centre junctions to increase capacity.

- Provide shared footway/cycleway from the site to Bird in Eye Hill.
- Car-club scheme
- Framework Travel Plan

7.30. With the proposed mitigation measures in place, the scheme will not have a severe impact on highway safety and the flow of traffic along Bird in Eye Hill or within Uckfield town centre thereby complying with Policies EN2 and TR3 of the Local Plan and Section 9 of the NPPF.

(3) Drainage

7.31. As set out in the FRA, a sequential approach has been applied to the development masterplan. The proposals for residential dwellings constitute a **More Vulnerable** land use, which is considered appropriate within Flood Zone 1 and 2 (reference PPG: Tables 2 in *Paragraph 066 Reference ID: 7-067-20140306* and Table 3 in *Paragraph: 067 Reference ID: 7-067-20140306*).

7.32. As all built development lies entirely within Flood Zone 1, the requirements of the Sequential and Exception tests are met.

7.33. The flood risk mitigation strategy for the development consists of the following elements:

- The proposed ground floor levels are set at a minimum of 300mm above the 1 in 100 annual probability plus allowance for climate change level; and
- Continuous safe access from the site is provided at the 1 in 100 annual probability plus climate change flood level.

7.34. The Surface Water Drainage Strategy has been developed using best practice Sustainable Drainage System (SuDS) techniques. Guidance on suitable techniques and methods has been obtained from the EA, the Non-Statutory Technical Standards for Sustainable Drainage Systems, East Sussex County Council's Local Flood Risk Management Strategy and *'The SuDS Manual'* (CIRIA C753) amongst other sources.

7.35. As set out in the outline drainage strategy the proposed development will manage surface water runoff utilising sustainable drainage methods including source control (pervious pavements, water butts and bioretention), conveyance (filter strips and swales), and site control (detention basin). The outfall is proposed into the existing watercourse with the discharge rate limited to match the existing greenfield runoff rates or less for the site.

7.36. Foul water, or effluent, flows from the site will be managed in a new sewer network, which will connect into the existing public foul sewer network in Framfield Road/Bird in Eye Hill.

7.37. The foul and surface water drainage strategy is included at Appendix G to the FRA.

7.38. Overall, the FRA demonstrates that the proposed development is safe and in accordance with the requirements of national and local planning policy.

(4) Housing Mix and Tenure

7.39. Whilst submitted in outline form with only the principle of the development and means of access to be considered it is important nevertheless to consider the underlying need to provide for a range of hose size, mix and tenure.

7.40. Whilst the emerging Local Plan was withdrawn from examination following concerns raised by the Inspector the evident base behind it is still important in framing the latest up to date need for a range of house types within the District.

7.41. The Strategic Housing Market Assessment (2016) that helped inform the, now withdrawn, Local Plan states that the district needs predominantly 2 and 3 bedroom properties that together make up approximately 75% of total need. The breakdown is as shown below:

- 1 bedroom – 7.8%
- 2 bedroom – 42.8%
- 3 bedroom – 32.4%
- 4 bedroom – 12.3%
- 5 + bedrooms – 4.8%

7.42. The Application Site, and the corresponding quantum of development will provide for a range of dwelling size and type that reflects the findings of the latest up to date evidence to ensure it provides for dwellings that appeal to all members of the community. The proposal will also provide for a policy compliant quantum of affordable housing which is currently set at 35%. This would generate an additional 101 affordable houses, a significant benefit in its own right.

7.43. As with dwelling mix; the indicative block of development shown will allow for a series of smaller block which incorporate design elements such as natural surveillance to ensure the scheme is designed to reduce crime. The scheme, notwithstanding its outline nature, would comply with Policies HG5 of the Local Plan and the overarching aims of the Core Strategy.

(5) Character and Landscape

7.44. The application site is split into two distinct parts, the northern, flatter area enclosed by the band of ancient woodland and the more undulating southern part where the proposed SANG land would be located.

7.45. The northern part of the site is currently used for horse-grazing, it is adjoined by existing housing along Bird in Eye Hill, and within it lies Bird in Eye Farm, which has a number of commercial enterprises. This part of the site overlooks Uckfield, from where the town can be seen rising up the opposite slope from Framfield Stream.

7.46. The southern part of the site is predominantly bound by woodland, giving it an enclosed character, which separates it from the town.

7.47. A band of dense woodland separates the northern part of the site from the southern part and also extends along part of the western boundary, it is this which is classified as ‘Ancient Woodland’. The site has three trees identified as veteran, a Common Ash tree, on the edge of the ancient woodland and two English Oak trees, close to the eastern boundary. The ancient woodland and the veteran trees will be retained thereby respecting the existing characteristics of the landscape.

7.48. Importantly the landscape of the site is not designated for its landscape character or quality and as such the site is in this regard an unconstrained site. Views of the northern part of the site are available from parts of the town to the west and for a short section of Bird in Eye Hill when adjacent to the site. There are views of the southern part of the site along public footpath Framfield 65b as it follows the internal site boundary, but from here, there are no views of the northern part of the site, due to the intervening woodland.

7.49. The landscape-led design will provide housing in the northern part of the site only, while protecting and retaining the vast majority of the existing woodland, trees and hedgerows. The layout provides a wide viewing corridor to the Grade II Listed The Oast, with a children's play area and planting within it.

7.50. The new housing would be set away from the Ancient Woodland and veteran trees, beyond a buffer of at least 15m. Open, landscaped areas are to be retained either side of the retained hedgerow and tree belt. These areas will be part of the extensive new public open space around the housing parcels. Trees are proposed to be planted, for amenity value as well as for biodiversity benefits, within the open space. Street trees will provide visual and wildlife connectivity between the streets and public open space.

7.51. In addition, the large area of SANG, discussed in detail below, will provide a significant resource for the community and the larger area, as well as biodiversity benefits whilst respecting the character of the landscape through the retention of existing landscape features.

7.52. The it is evident from the above that the landscape has been an integral element of the design process with the findings of the accompanying LVIA demonstrating this. As such the scheme complies with the aims of Saved Local Plan Policy EN12.

(6) Heritage

7.53. There are no buildings or structures within the application site, but Bird in Eye Farm, is located within the centre of the northern section of the site, although

outside the site boundary. Within the farmyard there is a listed building, The Oast and to the east of the proposed SANG in the southern section of the site there are two listed buildings, Framfield Place and the Stables to the West of Framfield Place.

7.54. The proposed development has therefore been designed to avoid any harmful impact on these listed buildings and to enhance the existing experience of The Oast. The Oast is listed Grade II and is located in the centre of the group of buildings that comprise Bird in Eye Farm, facing the west half of the application site. It is the only listed building within the farm and sits within a cluster of older farm buildings and is the only building that has escaped significant alteration or adaption.

7.55. The Oast is a rare and unique example of a hop kiln which included internal flues, with a furnace below, to heat the drying floor where the hop blossoms were laid out to dry. This design is different to the vast majority of kilns built in the 18th and 19th centuries.

7.56. The building is listed because of what it tells us about the development of hop production at this time, not because of its age or its architectural qualities.

7.57. This means that unlike other rural or agricultural buildings, The Oast is not considered important because of the way it is seen within the landscape like other agricultural buildings such as historic bars or granaries. The special interest of the building lies in its technical innovation, not the age of the building or its relationship to the landscape. However, the application proposals do provide an opportunity for the building to be seen and experienced within the landscape in a way that is not possible at present and in that way, to be better understood and appreciated.

7.58. In order to provide new and enhanced views of the listed building from within the application site, the proposed layout includes an area of public open space alongside the western boundary of the farm. This area is of a sufficient size to allow The Oast to be seen and understood as a former agricultural building and the development proposals would therefore provide new opportunities to see and experience the listed building.

7.59. The way in which the proposed housing is laid out also provides new views from the south to the listed building where the top of the building would be visible, and its distinctive cowl seen and easily recognised.

7.60. The southern part of the site would be public open space and so the impact on the immediate area around these fields would be negligible. They would remain as open areas of pasture or grassland and would not result in any change to Framfield Place and the Stables to the West of Framfield Place, to the east of the application site.

7.61. The proposed layout provides for new, enhanced views of The Oast as part of the masterplan and these new views are considered a heritage benefit because they would open up and enhance the setting to the listed building within the south and east of the site. At present, there are no public views of The Oast from within the fields around the building and so the proposals would provide an opportunity for an increased appreciation and understanding of the listed building within the application site itself.

7.62. Paragraph 202 of the NPPF ensures that where there is less than substantial harm to a heritage asset, such harm should be weighed against the public benefits of the proposal. In this case, the enhancements to the public views of and understanding of the Oast it is clear the scheme brings about a betterment to the setting and appreciation of the heritage asset.

7.63. Paragraph 199 of the NPPF places great weigh to conserving an asset. It is evident that the proposal will bring about enhancements to the heritage asset thereby representing significant benefits associated with proposal.

(7) Ashdown Forest, SANG Provision and Ecology

7.64. A circa 26.1ha SANG is proposed as an integral part of the scheme design, and secures mitigation for potential recreational impacts to Ashdown Forest Special Protection Area (SPA).

7.65. The SANG proposals include areas of plantation woodland, ancient woodland and grassland. Residents will be able to use this area for walking and dog exercising, with visitors and their dogs having open access over SANG land at all times without restriction.

7.66. There will be direct access to the SANG from the proposed development, with a 30 space car park also in place. Direct access to existing footpaths, leading from the town of Uckfield, will allow residents to easily enjoy the SANG.

7.67. A circular walk of c. 2.7km will be created within the SANG, with additional shorter walking routes and access through woodland areas also being provided. Enhancement of existing habitats and creation of new areas of woodland and tree planting, wildflower meadows and new ponds will provide a varied walking experience as well as increasing habitat diversity and net gains for biodiversity. Two viewpoints at the highest elevations of the Site will provide open views of the countryside to the south and east with benches in these locations.

7.68. Interpretation boards will be incorporated containing information regarding habitats and species present as well as walking routes, in addition to pathway signage to guide users. Dog bins will also be provided at key access points and within the parking area.

7.69. In addition to the above, the accompanying ecology report acknowledges that it is best practice to avoid adverse impacts through the Mitigation by Design approach. Such an approach has been an integral aspect of the schemes dosing and evolution from the outset.

7.70. In this regard, the loss of trees and hedgerow has been kept to a minimum with only small sections being removed to facilitate vehicular access, the necessary 15 m buffer zones to veteran trees and ancient woodland are in fact greater than the minimum required whilst such buffers will be subject to appropriate planting to strengthen the edges of the woodland.

7.71. Whilst there would be adverse impacts on a range of species that are found largely within the areas of ancient woodland the ecological reports recommend

a range of ecology mitigation measures.

7.72. Such mitigation measures include the use of plant species of wildlife value, provision of bat roost facilities, dormouse nesting opportunities and barn owl hunting opportunities.

7.73. The ecology report concludes that subject to such mitigation measures and others including construction management plans the proposal will, in ecological terms comply with local policies, particularly WCS12 and WCS13 of the Core Strategy and the overarching aims of the NPPF.

(8) Agricultural Land Quality

7.74. Paragraph 174 of the NPPF ensures, inter alia, that panning policies and decisions recognise he benefits that the best and most versatile agricultural land can bring.

7.75. Whilst the site covers a large area, the accompanying Agricultural Land Classification Report concludes that the application site is comprised entirely of subgrade 3b agricultural land. As such the loss of such land would not compromise wider agricultural interests thereby complying with the aims of paragraph 174 of the NPPF.

(9) Energy and Sustainability

7.76. The Energy Statement demonstrates how the Application Scheme accords with the requirements at Policy WCS14 of the Wealden District Core Strategy (2013). As explained, this is achieved by outlining the predicted energy demand and resultant carbon emissions of the development. It also shows how the proposals have incorporated energy efficiency measures informed by the Wealden Design Guide Supplementary Planning Document Section 4 Sustainability.

7.77. In order to meet the requirements, the energy hierarchy has been followed. The development has improved upon the building regulation requirements through passive design and a fabric first approach. High levels of insulation and energy efficient services and fixings have been specified.

7.78. Through energy efficient design and the specification of high efficiency building services a 1.0% reduction in Carbon emissions and a 1.10% reduction in energy demand has been achieved. In addition to the above the assessed dwellings fabric energy efficiency improves upon the target fabric energy efficiency by a margin of 9.53%.

7.79. Overall, the submitted information demonstrates compliance with Policy WCS14 and Part L1A of the Building Regulations; which matters can be secured by the imposition of appropriately worded conditions.

7.80. The Application Site is also in a sustainable location and will provide for a significant number of social public and environmental benefits. This includes providing development within walking distance from the town centre, accessible by bus whilst also creating recreational opportunities as well as enhancements to the sites biodiversity through habitat creation.

(10) Planning Obligations

7.81. Matters of detail, including in relation to the likely financial contributions are to be agreed as part of the reserved matters application including, subject to meeting the necessary tests at paragraph 57 of the NPPF, it is considered that the following may be provided for/sought through any CIL charge and site specific obligations:

i. Affordable Housing (up 35%) (up to 101 dwellings)
ii. SANG land (as well as SAMM)
iii. Footpath works
iv. Highway improvements to Uckfield junctions
v. Public open space provision
vi. Sustainable Transport/Travel Plan

7.82. Additional details are set out in the supporting Draft Heads of terms Document, with the content to discuss be discussed with the Council during the determination of the Planning Application.

7.83. If a satisfactory legal agreement is completed securing the necessary contributions for on and off site provision of facilities and infrastructure, this would address the requirements of Core Strategy Policy WCS7.

7.84. Any education needs and or contribution(s) to local infrastructure will be met through CIL and secured at the reserved matters stage.

The Planning Balance: Assessing Sustainability

7.85. This section assesses the significant merits of the scheme in relation to the three sustainability tests set out at paragraph 8 of the NPPF and clearly shows that whilst there are considered to be some slight adverse impacts, these considerations are plainly incapable of outweighing, let alone significantly and demonstrably outweighing, the many benefits of the scheme.

7.86. Paragraph 9 of the NPPF states (amongst other things) the assessment of the sustainability roles should not be undertaken in isolation, because they are mutually dependent.

7.87. A planning balance exercise has been carried out in accordance with the guidance at paragraph 9 of the NPPF and sets out a combined analysis in relation to the sustainability roles (economic, social and environmental).

Economic

7.88. The Scheme satisfies the economic role of sustainability including through the provision of housing to support growth and the associated provision of infrastructure, to be secured through the necessary Community Infrastructure Levy and the preparation of the S106 agreement, where justifies, and by on-site provision of affordable housing of up to 101 dwellings.

7.89. The Scheme generates a series of local and Borough-wide economic benefits including through (i) construction of the scheme and the range of employment generated as a result; and (ii) the on-going expenditure from the households purchasing and occupying the new homes.

7.90. An infographic is included at **Appendix A** which summarises the key economic benefits arising form the Scheme.

7.91. The principal economic benefits arising from the scheme are summarised below:

- Increased house building in an area where there is an acute need for new housing that in turn drives economic growth further and faster than any industry. In this regard the proposals will contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is being made available in the right place and at the right time to support growth.
- The provision of up to 290 new homes in the district where there is an established need housing given the demonstrable shortfall in the five year housing land supply position.
- The application scheme will deliver much needed affordable homes that will meet identified needs that are otherwise not being met.
- Meeting general housing needs is a significant benefit, consistent with the Government's objective of significantly boosting the supply of housing.
- In order for the economy to function, sufficient housing is required in the right locations and at the right time. This site represents a location where there would be no significant impact upon the landscape, historic environment nor on the amenity of neighbouring properties.
- Based upon a multiplier of 2.3 jobs per new home[14], up to 290 dwelling Application Scheme is estimated to create approximately 667 new jobs.
- Increased expenditure in the local area will support local FTE jobs.
- Helping to deliver a significant boost to the local economy through 'first occupation' expenditure of £1.58m[15]. This is expenditure on new furniture and other household goods that residents spend as 'one-offs' when moving into a new home.

[14] See page 13 of the Homes Builders Federation "Economic Footprint of UK Housebuilding " (July 2018) - https://www.hbf.co.uk/documents/7876/The_Economic_Footprint_of_UK_House_Building_July_2018LR.pdf

[15] Research carried out by OnePoll on behalf of Barratt Homes (August 2014; https://www.barratthomes.co.uk/the-buying-process/home-buying-advice/) which shows an average of £5,462 per dwelling.

- Generating a further significant economic boost of £543,859 from residents moving into the District's existing housing stock which were vacated so that the owners could move into the new homes proposed on land south of Bird in Eye, Uckfield. This is a result of the spending on renovations, household goods, removals, surveys, estate and legal fees that are associated with the purchase of existing rather than new homes within the District's housing stock[16].

- In terms of household expenditure, data from ONS Family Expenditure Survey 2019-20[17] shows that the 'average UK household spend' is £585,.20 per week (Table A33) (or £30,514 per year), whereas in South East England it is 19.4% higher than the UK average (Table A33). This means average weekly spend per household is £698.60 (or £36,427 per annum). For the application proposal at Bird in Eye providing up to 290 dwellings, the total gross expenditure is estimated to be £10.56m per year to the economy. A proportion of this household expenditure is anticipated to be spent in local shops and services and will help sustain the existing services in Wealden District including those in Uckfield. The expenditure will include that a proportion of that spent on areas including food & non-alcoholic drinks (£68.70 per week); alcoholic drinks (£12.70 per week); recreation and culture (£103.70 per week), household goods and services (£46.40) and miscellaneous goods and service i.e. hairdressing & beauty treatments (£54.10 per week).[18] Given the current economic challenges facing the UK these are significant economic benefits.

7.92. By providing land of the right type, in the right place, and at the right time to support economic growth, the development of up to 290 no. dwellings on the site satisfies the objectives at paragraph 8 of the NPPF and assists in the aims of the NPPF in helping to build a strong and competitive economy.

7.93. This is further emphasised in the Government's November 2011 Paper 'Laying the Foundations: A Housing Strategy for England' where paragraph 11 states *"getting house building moving again is crucial for economic growth – housing has a direct impact on economic output, averaging 3 per cent of GDP in the last decade. For every new home built up to two new jobs are created for a year.*

[16] Research by HBF and Knight Frank on "Economic Benefits of housing market activity" which shows a contribution per house sale/purchase transaction of £9,560 - https://content.knightfrank.com/research/2121/documents/en/knight-frankhbf-economic-benefits-of-housing-market-activity-2020-7616.pdf?pk_campaign=newsletter_4034. The 2011 Census indicates that 30.1% of owner occupied or shared ownership households in Wealden District that had moved within previous year, had lived within the authority.

[17] Family spending workbook 3: expenditure by region - Office for National Statistics (ons.gov.uk).

[18] Figures based upon SE Regional data in Table A33

7.94. The economic benefits are to be accorded substantial weight in the planning balance.

Social

7.95. The Application Scheme satisfies the social role, in helping to support strong, vibrant and healthy communities, including through providing the supply of housing required to meet identified needs in open market and affordable sectors. This is a significant benefit. In addition:

1. Future residents will be in an easy walking and cycling distance to a wide range of other uses including the shops and services in Uckfield town centre.

2. The Application Scheme will, to be agreed at the reserved matters stage, provide a range of housing types and size.

3. The scheme secures high quality residential environment together with extensive SANG land, children's play park and other areas of open space consistent with development plan policy.

4. The appeal scheme would deliver a policy compliant 35% affordable housing contribution.

7.96. The details of the layout and house type design are to be agreed through the determination of a subsequent reserved matters application, with the detailed scheme to reflect the particular need for housing at that time.

7.97. Any increased pressure upon local services will be mitigated through the planning obligation(s) and/or capital receipts secured through CIL.

7.98. In relation to education provision, research undertaken by EFM Ltd for the Applicant (March 2021) identifies spare capacity within the 6 no. primary schools that are within a two-mile walking distance from the Site, whilst the funding of any necessary additional capacity for the provision of secondary school places at Uckfield Community Technical College will be secured through CIL.

7.99. Overall, the social benefits of the scheme can be afforded significant weight in the overall planning balance.

Environmental

7.100. In terms of the environmental role, the Application Site is not located on land designated for its landscape value. The accompanying reports demonstrate that the scheme will not have any material impact on existing ecology and will in fact significantly enhance the biodiversity characteristics of the site, resulting in a biodiversity net gain.

7.101. The retention of existing boundary trees and hedges, and the areas of ancient woodland, around the site and the sensitive set back of the development will ensure the proposed built form is subsumed positively into the landscape character of the area.

7.102. The improvement of the built environment in heritage terms, and the enhancement of the settlement edge through the introduction of a substantial woodland buffer is viewed as a significant benefit of the proposal; together with the enhancements to the setting and appreciation of the Grade II listed Oasthouse.

7.103. The proposals would deliver sustainable homes allowing the fulfilment of this important objective whilst at the same time moving to a low carbon economy and securing an environmentally sustainable form of new residential development.

7.104. On the basis of the above, there are environmental benefits which would arise from the proposals, to which moderate weight should be attached to in the overall planning balance.

8. SUMMARY AND CONCLUSION

8.1. The application proposes a residential development scheme, in outline form, on land at Bird in Eye Farm, South of Bird in Eye Hill, Uckfield (Framfield Parish), for up to 290 dwellings, associated landscaping, informal open space and strategic SANG, with access from the B2102.

8.2. The spatial policies for the supply of housing do not meet current housing needs; and the Council has been granting planning permissions for the development of sites for housing beyond the settlement boundaries as defined in the Core Strategy.

8.3. Accordingly, the settlement boundaries defined under GD1 and GD2 are not sufficient to meet current housing need and the weight to be given to the conflict with this policy is reduced.

8.4. Although the application site is within the countryside, it is not a valued landscape nor are there any other constraints on site that would preclude such a development as proposed.

8.5. There are a number of material considerations which weigh significantly in favour of the application being permitted, including the Council's lack of a five year supply of land for housing and with other relevant policies not seeking to deliver an NPPF consistent objectively assessed need.

8.6. It has been demonstrated in this Statement that whilst the application site is outside the settlement policy boundary for Uckfield as defined in the Local Plan, it is inevitable that the Council will have to use greenfield sites to provide for increased housing provision; even with the Core Strategy itself seeking to provide a below compliant level of housing. Consequently, it is considered that those policies are to be afforded limited weight and, pursuant to the presumption in favour of sustainable development, the application scheme represents a sustainable form of development in its own right.

8.7. The acute need for housing is given further weight by the need for the Council to produce a Housing Action Plan for failing to meet the housing delivery test objectives.

8.8. The Application will secure an extensive area of SANG which will ensure there are no indirect impact upon the integrity of the Ashdown Forest through increased visitor numbers.

8.9. In the planning balance it is considered that the material considerations in favour of the scheme (provision of market and affordable housing, economic benefits, biodiversity benefits, landscape enhancement, heritage enhancement) outweigh the conflict with an out of date settlement boundary, and loss of Subgrade 3b agricultural land.

8.10. The Application Site provides a sustainable location for housing, within walking distance to local serves and facilities in Uckfield town centre.

8.11. It represents a sustainable location for housing development to meet identified needs and development of the site in the manner proposed would result in a well-designed scheme that would contribute positively to residents' social well-being.

8.12. The scheme, at the reserved matters stage, will provide for a mix housing types and tenures, including 35% affordable housing, helping to meet the identified need for new homes in Wealden district.

8.13. The scheme satisfies the economic, social and environmental roles of the NPPF and has been advanced following pre-application consultation with the Council and Sussex Highways and has been amended to respond to the advice received.

8.14. There are no adverse impacts that could even be considered to significantly and demonstrably outweigh the many benefits arising from the proposal.

8.15. For the reasons set out above, the Application represents a sustainable form of development and should be supported, and planning permission granted.

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The economic benefits of

Bird in Eye Farm, Uckfield

Croudace HOMES.CO.UK

The proposed development at Bird in Eye Farm, Bird in Eye Hill, Uckfield will contribute towards Wealden District's housing and affordable housing provision, stimulate economic growth and add to local authority revenues.

The proposal

Up to **290** **New homes**

35% **Affordable homes**

Other details:

A new play area will be located in the heart of the residential development. There will also be provision of a 26.5ha SANG with associated parking and an integrated footpath network which will be accessible to everyone. A range of biodiversity enhancements will be delivered including new woodland, tree planting, and areas for wildflower planting and bird nesting.

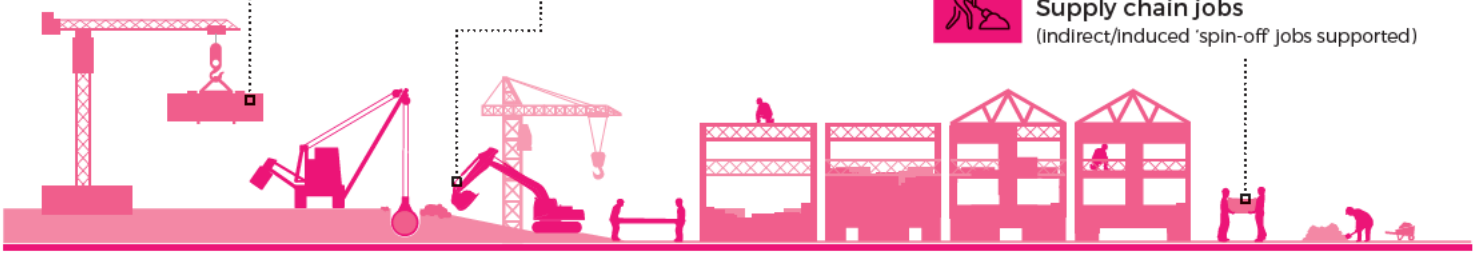
Construction benefits

£54m
Construction value
(total construction cost)

£35.7m GVA
Economic output
(additional GVA p.a.)

202 Jobs
Construction jobs
(temporary jobs over the c4.5 year build period)

246 Jobs
Supply chain jobs
(indirect/induced 'spin-off' jobs supported)



Operational and expenditure benefits

£1.6m
First occupation expenditure
(spending to make a house 'feel like a home')

£3.9m
Resident expenditure
(within local shops and services p.a.)

42 Jobs
Supported jobs
(from increased expenditure in the local area)

Local Authority revenue benefits

£3.5m
Planning contributions
(S106 or CIL)

£675,000
Council Tax revenues (p.a.)

26.5ha
SANG
(Accessible to everyone)

Over £330,000
Bus Service Contribution

LICHFIELDS