

APPEAL REF: APP/C1435/W/22/3307820
Land at Bird in Eye Farm, South of Bird in Eye Hill, Framfield,
Uckfield TN22 5HA

INSPECTOR'S RULING ON AMENDED ACCESS PLAN: 5330/021 Rev P

1. The Inspector considered the submissions from the appellant, the Council, the R6, and interested parties as to whether accepting the revised plan would deprive those who should have been consulted on the changes the opportunity of such consultation (the Wheatcroft principles).
2. The appellant consulted the main parties and all persons on the Council's consultation list on the revised plan some three weeks ago. No one disputes this and, furthermore, evidence from various witnesses in the Inquiry has subsequently been submitted based on the revised plan. Responses from local residents in response to this consultation have also been submitted to the Inquiry.
3. Validity was raised insofar as it was submitted that insufficient information was provided with the amended plan and concern raised about the deliverability of the works and whether they would be within the red line plan of the appeal site.
4. The Inspector makes the following ruling on this matter:
5. The Inspector is satisfied that, on the evidence she has heard, all persons who should have been consulted on the amended access plan have been given the opportunity to do so.
6. The appeal will be determined on the basis of amended access plan 5330/021 Rev P.
7. Even if the application was invalid this would not, of itself, invalidate the proceedings or require redress, particularly given the Inspector is satisfied that no-one has been put at a disadvantage as a result.
8. Deliverability of the proposals and any assessment of the impacts of the revised plan now falls to be considered in evidence during the Inquiry and is not determinative to the acceptance of the revised access plan.

H Butcher

INSPECTOR 13 September 2023