

Steven Brown

From: Matthew Norris <[REDACTED]>
Sent: 01 November 2024 13:29
To: Chris Bending
Cc: [REDACTED] Stacey Robins
Subject: RE: Bird in Eye Farm, Uckfield

Dear Chris,

Many thanks for your response.

I would first like to emphasise that the planning application scheme has indeed been informed by the pre-application advice received from the LPA whereby, following the usual process, the scheme has been revised to incorporate officers' comments, with such matters clearly set out in the Design and Access Statement submitted with the application particulars. This included a substantial revision to the proposed layout and the overall number of dwellings.

We have sought to engage with the LPA throughout the pre-application and application stage and, as such, our position remains that we will not be withdrawing the planning application, as communicated to Stacey Robins in recent emails. We note that you are considering your position and we look forward to hearing from you on this in due course.

In the meantime, we would be very happy to have a meeting with the LPA, to include those officers that participated in the previous pre-application meeting in order to discuss the specifics of any particular planning points you wish to communicate with us. To that end, we look forward to receiving suggested dates from you for a meeting.

Regards,

Matthew Norris MEng (Hons) CEng MICE
Managing Director

[REDACTED]

[REDACTED]



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From: Chris Bending <[REDACTED]>
Sent: 25 October 2024 10:00
To: Matthew Norris <[REDACTED]>
Cc: [REDACTED]; Stacey Robins <[REDACTED]>
Subject: RE: Bird in Eye Farm, Uckfield

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Dear Matthew,

Thank you for your email 11 October 2024, my apologies for the delayed reply, but whilst I know this site and recent history in the appeal, I am not close to the specific detail of this new application.

I am aware of the scheme for 290 that was dismissed at appeal. The scheme the subject of the pre-application discussion was for 235 dwellings and I see our team wrote to your agent with comments, making it clear that the indicative scheme did not provide sufficient change from the dismissed scheme to indicate a positive resolution is possible. Heritage was noted as major factor in this but there were other matters relating to the need to pass a sequential test and deal with Ancient Woodland impacts which at that stage, still required further work. Our letter was clear that any submission would need to demonstrate how development would be prevented from causing loss or deterioration of the irreplaceable habitat as they were identified independently from the path through the Ancient Woodland as matters that could cause some deleterious impacts.

There was no further engagement from your team between our letter 4 June 2024 and the submission of the planning application. This was a surprise to our team, not least as our letter made it clear that further work was required on issues and as we were prepared and open to discussion on matters “to assist” and “to avoid [you] carrying our abortive work”.

Faced with a formal application, lodged for determination, we are considering options. That includes decline to determine and, on that matter, I note you have sought legal advice as have we. It has taken some time but we are working through matters.

You are correct that we did not signal any intension to decline to determination at pre-application stage, but with respect, if you read back our letter it was clear we were signalling more work was required and also that we wanted to engage on shaping the extent of changes. Your decision not to engage further has given us cause to consider our position.

We take no pleasure in entering into litigation, but will do so if required to defend our position. If you want to avoid that, I would urge you to withdraw the current submission and work with us. We asked for that collaboration in June 2024 and it was your team who decided to submit without any further liaison.

I note your suggestion of a meeting. Your team will no doubt have told you that at least two weeks ago, Stacey (Head of Planning & Environmental Services) here suggested this to Steven Brown at Wolf Bond. This was under the banner of withdrawal of the submitted application, but Steven felt

unable or was unwilling to agree to that. If your collective position on this has changed, then please let me know and Stacey and team will be only too happy to meet.

Kind regards

Chris

Chris Bending | Director of Place

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<http://www.wealden.gov.uk>

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From: Matthew Norris <[REDACTED]>

Sent: 11 October 2024 17:27

To: Chris Bending <[REDACTED]>

Cc: [REDACTED]

Subject: Bird in Eye Farm, Uckfield

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Dear Chris,

As I'm sure you are aware Croudace Homes South Thames recently (end of July) submitted a planning application for 190 units at Bird in Eye Farm, Uckfield. This followed an unsuccessful appeal for 290 units to the Planning Inspectorate in 2023 and sought to address the issues raised both by Wealden District Council and the Planning Inspector. We also undertook a pre app with officers of the Wealden Planning department for the reduced scheme earlier this year which led to a vast number of changes being undertaken not least the removal of 100 units from the scheme.

Unfortunately following this submission and following correspondence with Stacey Robins we have been informed that WDC planning department will be refusing to determine the application, an issue that was not raised at the pre app meeting nor the subsequent written advice. This has come as a surprise to us given the substantial changes and unfortunately leaves only a Judicial Review as a recourse should this remain the stance of WDC.

We of course would like to avoid what seems to be an unnecessary litigation scenario and I would welcome a chance to meet and perhaps discuss a way that this could be addressed if at all possible.

Kind regards.

Matthew

Matthew Norris MEng (Hons) CEng MICE
Managing Director



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