

LAND AT DOWNLANDS FARM

CLOSING SUBMISSIONS ON BEHALF OF THE DOWNLANDS ACTION GROUP AND THE WOODLAND TRUST

1. The closing submissions are made on behalf of the Woodland Trust ("WT") and the Downlands Action Group ("DAG"). The two organisations have shared concerns over the disastrous ecological impact that the Downlands Scheme would have. DAG also has wider concerns (beyond the WT's remit) about the sustainability of the Downlands site and its impact on the surrounding countryside. These submissions deal in turn with the issues of sustainability, landscape impact and ecology.

Sustainability

2. The preparation and presentation of the Downlands appeal has been utterly shambolic (no less a criticism would adequately describe the situation). There are no clearer examples of this appalling behaviour than way in which the Downlands Appellants dealt with the issues of pedestrian and cyclist access to the site.
3. A22 pedestrian / cycle link. The Downlands Scheme is to be built in phases. The Masterplan shows that for Phase 1 all access (pedestrian, cyclist and vehicular) is to be taken from the new access off the A22. For pedestrian and

cyclists this would entail a new path alongside the busy A22. Mrs Bernadette Reed gave evidence to the inquiry as to the likely attractiveness of this route. She told the inquiry that:

“The proposed footpath along the A22 is a long route to town and an unpleasant environment which will encourage use of the car. As with the cycle path, the route is in part very hilly and this will deter regular walking using this route”.

4. Mrs Reed was cross examined on her evidence. It was never suggested to her that her reading of the Masterplan was wrong. And yet, astonishingly, many weeks later the Appellant brazenly told the Inquiry that the new path had never been intended for pedestrians and that the Snatts Road Link would be available to serve Phase 1 of the development. This was completely untrue and represented a complete volte face by the Appellant. There are two points to make about this. First, it shows that the Appellant accepted that the Phase 1 access proposals as set out in the Masterplan are unsustainable. Second, it makes the Snatts Road Link all the more important as it is (now) required for Phase 1 of the Scheme.
5. Snatts Road. There are many problems with the proposed Snatts Road Link, quite apart from its new importance to Phase 1. The ecological and landscape impacts are dealt with elsewhere. The two key points relating to sustainability are:
 6. First, there is no evidence that it is likely to be deliverable. Circular 11/95 makes plain that it would not therefore be appropriate to impose a Grampian condition to deal with the matter. The deliverability of the Snatts Road Link is plainly of critical importance and in the absence of any evidence as to its likely deliverability the scheme must be refused.

7. Second, even if it were to come forward, the Snatts Road Link would not make the scheme attractive to non-car modes. As Mrs Reed said, the route is hilly (both within the scheme and on the Link itself) and involves crossing Snatts Road, at a narrow and dangerous point, close to a blind corner. The length of the journey, the tortuous alignment and the steep gradient will discourage walkers and cyclists, as will the potential for conflict between the two groups. There are also the problems associated with Church Road which would again add to the route's unattractiveness.
8. Wider sustainability concerns. There are in addition serious concerns about the site's accessibility to non-car modes of travel. There would be very significant levels of car use, especially in terms of school and commuter traffic. The Downlands Appellants were unable to demonstrate that the proposed school could actually be built on the appeal site. This would only make the situation worse, although the Downlands Appellants did not assess this scenario at all.
9. In summary, the Downlands Scheme would be unsustainable and should be refused permission on this ground alone.

Landscape impact

10. The Downlands Scheme would have an entirely unacceptable impact on the character and appearance of the landscape. The only person who thought otherwise was Mr Russell-Vick, the Downlands witness on this issue. Yet it quickly became clear that his assessment was entirely worthless. This was because Mr Russell-Vick's starting point was to take it as a given that the site would be developed with a scheme for 750 houses. He went on to analyse the Downlands Scheme on the basis of this assumption. In short, he concluded that for a 750 house scheme in this location, the Downlands Scheme didn't do too badly. That approach is of course both flawed and unacceptable. It

ignores the central question, which is should a 750 house scheme be built here? That is the very question upon which Mr Russell-Vick's evidence should have informed the Inquiry. Its failure to do so means that Mr Russell-Vick's evidence must be disregarded.

11. The only rational conclusion is that the Downlands Scheme would be very harmful in terms of its visual impact and in terms of its impact on landscape character. It is truly difficult to comprehend the Downlands Appellant's selection of this site for a scheme of this size. In the main, Uckfield sits in a bowl-shaped landform. The town cannot be seen when in views from the north west. Rather, the views towards Uckfield from the north west are of a magnificent rural panorama from which buildings are almost entirely absent. The mix of woodland and open fields that can be seen from (for example) the AONB presents a deeply attractive mosaic. It has a timeless feel to it. The Downlands Site sits prominently in this landscape, comprising open fields rising up to the Snatts Road ridge. Uckfield sits unseen behind the ridge.
12. The Downlands Scheme would spill over this ridge, the built development cascading down the hill, thereby bringing Uckfield into clear and harmful view from the north west for the first time. And yet, incredibly, the Downlands Appellants sought to make a virtue of this, claiming to have designed a new hilltop village in the Wealden style. Rather than try to minimise the damage that this new incursion into the countryside would cause the Downlands Appellants actually chose to put the highest density development in the most prominent part of the site. This, coupled with the broad spread of development across the site, the lighting and associated infrastructure means that the Scheme would be very harmful indeed in terms of its impact on the wider landscape.
13. Things don't get any better closer up. A new entrance is to be formed off the A22. This new, engineered landform would be harmful on its own, but it is to

be coupled with an entirely alien access tunnel and a whole new set of lighting, including along the A22 in connection with the new cycle link. The "Green Bridge" is entirely out of keeping with the area. The new lighting will intrude into this currently unlit stretch of road. The built development on the site will also intrude into views from the A22, bringing Uckfield down to the edge of the road.

14. The impact on the character and appearance of the landscape when viewed from Snatts Road would also be particularly serious. Snatts Road has a rural, undeveloped feel to it at the moment and this would all change for the worse (the evidence of Mr Wallace refers). The views out from Snatts Road across the Downlands Site towards the AONB would also be affected very detrimentally (the most damaging view being at the point where the new bus / emergency access will emerge onto Snatts Road, with the foreground changing from rolling parkland to housing estate and tarmac access roads).
15. The Snatts Road Link would be harmful to the character and appearance of the wood through which it will pass. The raised boardwalk and the new lighting would be out of character and would appear alien in this context.
16. In summary, the Scheme is the product of a series of very bad mis-judgments: first, the selection of this prominent outward-facing slope; second the decision to put the highest density development on the most prominent part of the site; third, Mr Russell-Vick's flawed analysis. The landscape and visual impact that would result from the scheme is reason enough on its own for the scheme to be refused. In short, the scheme is so harmful that it cannot rationally be allowed to proceed.

Ecology

17. The ecological consequences that the Downlands Scheme would have are so harmful and extensive that it is difficult to know where to start on this issue.
18. Again, the approach adopted by the Downlands Appellants was shambolic. Just to give one example: what explanation, other than incompetence, could possibly be advanced for the Appellant's failure to investigate the nature of the wood through which the Snatts Road Link will pass?
19. The ecological value of the existing site and its immediate surroundings is beyond dispute. The site is surrounded by and includes some ancient woodland. The scheme will result in the direct loss of ancient woodland. This is of course irreplaceable. A swathe will be cut through the Snatts Road woodland (agreed by all parties to be at least in part ancient woodland) to accommodate the new link. The scheme would also bring 750 new households into direct contact with the immediately adjoining ancient woodland. The impact would be catastrophic (see the bleak but factually accurate picture painted by Dr Stenning of his longstanding involvement with Lake Wood, the adjoining nature reserve). It is, frankly, naïve of the Appellant to believe that the impact would be controllable. The presence of a single warden would have only minimal effect. What was most worrying was the Appellant's evidence that the harm that would result would only be overcome through a process of "re-education". In short, the Appellant seems to be envisaging some sort of social experiment here. No details were given to supplement the Appellants' optimism that everything could somehow be made to work.
20. Quite apart from the direct and devastating impact on the ancient woodland itself, the scheme would have an adverse impact on a whole range of other flora and fauna (again, the evidence of Dr Stenning refers; see also the evidence of Dr Beebee). The clear evidence is that the site qualifies for SSSI designation and yet the Appellant proposes to build all over it. There would

be an adverse impact on the sandstone outcrops, ancient ghylls, lowland heath, unimproved grasslands, wetlands, organically farmed fields, ponds and hedgerows. Dormice, bats, newts and badgers to name but a few are all at risk (the Appellant promoted the scheme in ignorance of the badgers in Snatts Road wood). The proposed access would sever the site and the proposed "wildlife bridge" remains entirely unproven. There would be increased pressure on the adjoining wildlife sites, including Lake Wood.

21. In short, it is nothing short of irresponsible to promote a scheme of this nature on this site. The site is hemmed in by ancient woodland; indeed two narrow fingers of ancient woodland extent right into the site. The site and the surroundings play host to a multitude of ecologically important plants and animals. The "country park" is an ill-conceived response by the Appellant to the almost incredible environmental constraints that exist here. The Appellant proposes mitigation rather than avoidance, in breach of the proper approach. The mitigation will not come close to dealing with the impacts that will inevitably arise. The ecological impact that would accompany the development of the site is such that permission must be refused. It is also such that the scheme should never have been promoted in the first place.

Conclusions

22. The Inspector is respectfully asked to recommend to the Secretary of State that the Downlands Scheme should be refused, irrespective of the outcome of the conjoined appeals. The Secretary of State is respectfully asked to refuse planning permission and to dismiss the appeal.

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