



Appeal Decision

Site Visit made on 8 March 2021

by S M Holden BSc(Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th March 2021

Appeal Ref: APP/C1435/W/20/3263588

Uckfield Methodist Church, Framfield Road, Uckfield TN22 5AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr C Wood of Object Assemble against the decision of Wealden District Council.
 - The application Ref WD/2019/2715/F, dated 19 December 2019, was refused by notice dated 18 June 2020.
 - The development proposed is change of use of existing Uckfield Methodist Church, refurbishment and first-floor extension to convert into 3 high quality, low energy flats.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use of existing Uckfield Methodist Church, refurbishment and first-floor extension to convert into 3 high quality, low energy flats at Uckfield Methodist Church, Framfield Road, Uckfield TN22 5AJ, in accordance with the application Ref: WD/2019/2715/F, dated 19 December 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years after the date of this decision.
 - 2) The development hereby permitted shall be implemented in accordance with the following approved plans: 625_(P)_100_A, 625_(P)_103_A, 625_(P)_104_A,
 - 3) No development on the extension hereby approved shall begin until details of the materials to be used in the construction of the external surfaces have been submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No occupation of any of the flats hereby permitted shall take place unless and until secure and covered spaces to accommodate 4 bicycles has been provided in accordance with details which have previously been agreed in writing by the local planning authority. The secure and covered cycle storage shall be retained thereafter for its designated purpose.

Preliminary Matters

2. The appeal site is within 7km of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC), which are European Designated Sites. The Conservation of Species and Habitats Regulations 2017 (as amended) (the Habitats Regulations) requires the decision maker to consider whether or not the proposal could adversely affect the integrity of these sites.

Main Issues

3. The main issues are therefore the effects of the proposal on:

- a) highway safety;
- b) the integrity of the Ashdown Forest SPA/SAC.

Reasons

Highway safety

- 4. The appeal site is on the corner of Framfield Road and Alexandra Road. It is occupied by a small, former church building and its associated hall. The proposal seeks permission to refurbish the church and extend the hall to provide three new dwellings. The County Council's adopted parking standards require the development to have 3 parking spaces. However, due to the constraints of the existing building and its site, there is no space for any on-site parking.
- 5. The B2102, Framfield Road, is a well-used route linking Uckfield with the A275 at Cross-in-Hand via the villages of Framfield and Blackboys. It varies in width and is characterised by a mix of residential and commercial activities. Yellow lines prohibit on-street parking near the junctions. Some limited waiting is permitted elsewhere to meet the needs of short-term visitors to the shops, take-away restaurants and other businesses. Occasional congestion and conflicts occur along it. However, there was no substantive evidence to indicate that there have been crashes or injuries in the last few years.
- 6. There is no on-street parking immediately outside the appeal site due to the parking regulations along Framfield Road and surrounding the junction with Alexandra Road. The latter is a narrow street characterised by small terraced dwellings. Nearly all the houses have turned their front gardens into parking areas. There is already overspill parking on the street which straddles the pavement and some illegal parking takes place near the junction. Residents already experience a degree of inconvenience due to the limited parking capacity in the vicinity. Alexandra Road does not have spare capacity to accommodate additional vehicles from a development on the appeal site.
- 7. Some other nearby streets are also subject to parking restrictions. However, the appellant's parking survey found that there is on-street capacity within 2-3 minutes' walk of the site which could accommodate the additional demand from the proposal. Having considered this information and walked around the area, I see no reason to disagree with this assessment. I am satisfied that any additional vehicles associated with the development could be parked safely and legally nearby with the current restrictions in place. Occasional deliveries to the flats would not be a justification for preventing a development that was otherwise acceptable. I therefore do not consider that the proposal would result in additional parking on Framfield Road or make the existing parking situation on the surrounding streets significantly worse.
- 8. A development of 3 flats would only generate a small number of additional vehicular trips. Consequently, it would not give rise to a significant increase in traffic flows or adversely affect safety on either Framfield Road or its side streets.

9. In any event, the appeal site is conveniently located in relation to the facilities of Uckfield. It is only a 5-minute walk to the station and just beyond that is the town centre with two supermarkets and an extensive range of shops. Bus services also operate from the town centre. No future resident would need to depend on a car and they could choose to live without one. This could reduce the number of additional vehicles that the proposal would introduce into the area. I note that the highway authority has requested that covered and secure cycle parking for 4 bicycles should be provided. This would encourage the use of sustainable modes of transport and is a matter that can be secured through a planning condition.
10. I therefore conclude that the proposal would not result in any unacceptable impact on highway safety. Neither would it result in unacceptable inconvenience for local residents arising from increased competition for on-street parking spaces. The proposal would comply with saved Policy UC5 of the Wealden Local Plan (Local Plan) which states that proposals which result in a material increase in traffic generation or any increase in on-street parking or on-street servicing along Framfield Road will not be permitted.

Ashdown Forest

11. Ashdown Forest has been designated as an SPA to protect its populations of the Dartford warbler and European nightjar. The qualifying features of the SAC are the presence of European dry heath, North Atlantic wet heath and great crested newts.
12. The SPA is likely to be adversely affected as a consequence of additional recreational activities associated with a net increase in the population living within the zone of influence of the protected area. The SAC is vulnerable to atmospheric pollution from additional vehicles associated with new development. In this case, Natural England (NE) were satisfied that there would be no likely significant effect from pollution but, when considered in combination with other plans and projects, there would be a likely significant effect on the SPA as a consequence of future residents undertaking recreational visits to Ashdown Forest.
13. In order to address these effects a mitigation strategy has been developed. This includes the provision of a Suitable Alternative Natural Greenspace (SANG) which is intended to displace trips from Ashdown Forest to one of two SANGS in the District. The one serving Uckfield at Horsted Green Park is already operational and is within a reasonable distance of the appeal site.
14. In addition, a Strategic Access Management and Monitoring (SAMM) scheme has been developed which aims to work with the public to reduce harm from recreational activities and to encourage compliance with codes of good practice for walkers, particular those with dogs. This is an approach supported by NE who have confirmed that these mitigation measures would be effective in addressing the likely significant effects arising from the development of this site when considered in combination with other planned development. I see no reason to reach a different conclusion.
15. The Council has developed a tariff-based approach which requires all new residential development to make a financial contribution towards the implementation of the mitigation measures. In this case the amount would be £6170, comprising £5000 towards the SANG and £1170 towards the SAMM.

The appellant was given an opportunity during the appeal process to submit a Unilateral Undertaking (UU) which would secure this contribution. This was provided and NE have confirmed that a suitably executed UU would be sufficient to avoid an adverse impact on the integrity of the European Site and its relevant features. I am content that the submitted UU is robust and have taken it into account in reaching my decision.

16. This has enabled me to complete my Appropriate Assessment and to conclude that the proposal would not adversely affect the integrity of the Ashdown Forest SPA. The scheme would comply with the Habitats Regulations.

Planning Balance

17. The government is seeking to significantly boost the supply of housing. The proposal would provide 3 additional homes in a location where there is a high level of accessibility to a range of services and a genuine choice of transport modes. It would deliver a small, but nevertheless valuable, contribution towards the district's housing supply. It would do so by refurbishing and extending an existing building which is no longer required for its previous community use. These are all significant factors in the scheme's favour, regardless of the Council's housing land supply.
18. There was no substantive evidence that the proposal would cause unacceptable danger for road users in the vicinity. Although competition for existing parking spaces can cause inconvenience for residents, the additional demand from the proposal is likely to be small and an insufficient reason for the scheme to fail. Furthermore, taking account of the submitted UU, I can be certain that the proposal would not adversely affect the integrity of the SPA. There is therefore no justification for withholding planning permission.

Conditions

19. In the event that the appeal was allowed, the Council suggested conditions relating to the plans and materials in addition to the standard time limit. These are justified in the interests of certainty and the appearance of the development. The highway authority requested a condition to ensure provision of secure and covered storage for 4 bicycles on the site. This is necessary to encourage modal choice and I have imposed it accordingly.

Conclusion

20. I have concluded that the proposal complies with the development plan. There are no other considerations that cause me to find that a decision should be made other than in accordance with the development plan.
21. For this reason, the appeal is allowed, subject to conditions.

Sheila Holden

INSPECTOR