



The Planning  
Inspectorate

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# **Report to Wealden District Council and the South Downs National Park Authority**

**by Mike Moore BA(Hons) MRTPI CMILT MCIHT**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 30<sup>th</sup> October 2012**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

## **REPORT ON THE EXAMINATION INTO WEALDEN DISTRICT (INCORPORATING PART OF THE SOUTH DOWNS NATIONAL PARK) CORE STRATEGY DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 3 August 2011

Examination hearings held between 17 January and 2 February 2012 and on  
6 September 2012

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## Abbreviations Used in this Report

AA	Appropriate Assessment
AONB	Area of Outstanding Natural Beauty
BP	Background Paper
CIL	Community Infrastructure Levy
CLG	Department for Communities and Local Government
CS	Core Strategy
DMRB	Design Manual for Roads and Bridges
DPD	Development Plan Document
EA	Environment Agency
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NPA	South Downs National Park Authority
ONS	Office for National Statistics
PTW	Package Sewage Treatment Works
RS	Regional Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SDA	Strategic Development Area
SEP	South East Plan
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPA	Special Protection Area
WWTW	Waste Water Treatment Works

## **Non-Technical Summary**

This report concludes that the Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Development Plan Document provides an appropriate basis for the planning of the District and the relevant part of the National Park Authority area over the next 15 years providing a number of modifications are made to the plan. The Council and National Park Authority have specifically requested that I recommend any modifications necessary to enable them to adopt the Plan. Many of the modifications to address this were proposed by the Council and National Park Authority and I have recommended their inclusion after full consideration of the representations from other parties.

The modifications can be summarised as follows:

- Bring forward the end date of the plan from 2030 to 2027.
- Clarify that the Core Strategy does not provide a demographic-based case for departing from housing provision in the South East Plan.
- Clarify that the phasing of housing development is linked to infrastructure provision.
- Introduce a clear commitment to an early review of the Core Strategy which will include an assessment of current and future levels of need and demand for housing.
- Add reference to the Council being proactive in identifying Suitable Alternative Natural Green Space and on-site management measures at Ashdown Forest.
- Add reference to the Council being proactive in addressing nitrogen deposition issues at Ashdown Forest.
- Move some text from reasoned justification to policy so that the overall development intentions at each of the Strategic Development Areas are clear.
- Delete SD11 in Heathfield but the Council to consider the identification of housing sites in the town in the context of national policy as part of a subsequent DPD. Any sites identified as a result of this would be in addition to the total provision made in the Core Strategy.
- Delete the contingency site at Crowborough.
- Include changes relating to previously developed land, affordable housing, travellers and open space provision to bring in line with national policy.
- Clarify the approach to dealing with infrastructure providers.
- Include a policy on the presumption in favour of sustainable development.

## Introduction

1. This report contains my assessment of the Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Development Plan Document (DPD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the DPD is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework ('the Framework') (paragraph 182) makes clear that to be sound, a DPD should be positively prepared, justified, effective and consistent with national policy.
2. On 1 April 2011 the South Downs National Park Authority became the local planning authority for that part of Wealden District that falls within the National Park boundary. Prior to that point the Core Strategy (CS) had been taken forward by Wealden District Council. The Council and the National Park Authority (NPA) have agreed a Memorandum of Understanding whereby the CS has been submitted for examination as a Joint Core Strategy. The NPA has endorsed the Council's approved Local Development Scheme and Statement of Community Involvement. On this basis the CS has been considered as a Joint Core Strategy and my report is to both planning authorities. For the purposes of this report all references to the Council should be taken as including the NPA.
3. The starting point for the examination is the assumption that the Council and the NPA have submitted what they consider to be a sound plan. The basis for my examination is the Core Strategy Submission Document (August 2011). This is the same as the Proposed Submission Core Strategy, published for consultation in February 2011, except for the incorporation of minor changes that were previously set out in a Schedule of Changes on which consultation had taken place.
4. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council and the NPA requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix. I have not included one of the Council's suggested main modifications as this is not necessary to make the plan sound.
5. The main modifications that go to soundness have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken the consultation responses into account in writing this report.
6. The new Section 33A of the 2004 Act as introduced by Section 110 of the Localism Act 2011 includes a duty to co-operate. The CS was submitted for examination prior to this duty coming into force. As the duty cannot be applied with retrospective effect it does not apply in this case and the examination has taken place on that basis.

## Assessment of Soundness

### Preamble

7. During the course of the examination, but after the main hearings were held, the Government published the National Planning Policy Framework (the Framework) and Planning Policy on Traveller Sites. The views of respondents were sought and have been taken into account in my conclusions in this report. An additional hearing session was held for those respondents who raised new issues relating to the Framework.

### Main Issues

8. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 10 main issues upon which the soundness of the Plan depends. This includes combining consideration of the various area strategies and Strategic Development Areas (SDAs), which were dealt with as separate issues at the hearings. I have also merged other issues, particularly relating to the overall scale of development, in order to give the report greater clarity and focus. Matters relating to the Framework, including those discussed at the additional hearing, have been dealt with as appropriate under the main issue headings. The number of issues and their numbering in this report are therefore different to those used during the examination.
9. The Framework requires that local plans should be based upon and reflect a presumption in favour of sustainable development. They should contain clear policies that will guide how the presumption should be applied locally. In this context, the Council has proposed a main modification that, with a minor change, would incorporate into the CS a new national model policy that would ensure that the presumption was taken forward in the plan. Having regard to the comments made as a result of consultation I consider that the new policy modification (**MM67**) is necessary for the plan to be consistent with national policy. Unless otherwise indicated in this report, the objectives of the CS and its supporting evidence are indicative that the plan has been positively prepared and is in compliance with the Framework in that respect.

### **Issue 1 – Whether the Core Strategy is in general conformity with the South East Plan, and whether the scale and distribution of housing provision has been justified and is consistent with the Framework.**

#### *Housing requirements*

10. The Framework requires that local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as it is consistent with the policies set out in the Framework. There is a requirement to identify the scale and mix of housing which meets household and population projections and caters for housing demand and the scale of housing supply necessary to meet that demand.

11. The Government has announced an intention to revoke the South East Plan (SEP). It nonetheless remains part of the development plan and the CS should be in general conformity with it. Policy H1 of the SEP provides for total net dwelling completions of some 11,000 dwellings in Wealden District between 2006 and 2026, an annual rate of 550. The SEP subdivides these figures between that part of the District that falls within the Sussex Coast Sub Region (7,000 dwellings or 350 per year – Policy SCT5) and the rest of the District (4,000 dwellings or 200 per year – Policy APSR5). The CS provides for 9,600 dwellings over the period 2006 to 2030, four years longer than the RS plan period, and at an annual average of 400 dwellings. On the basis of the additional evidence provided by the Council on the potential for non-delivery of housing sites regarded as commitments, the approach to the calculation of the total provision in the CS is justified and acceptable.
12. The Council helpfully provided some figures, based on the CS housing trajectory so that a direct comparison could be made between the provisions in the two plans for the period 2006 to 2026:

Area	Total provision		Annual provision		CS as % of SEP
	SEP	CS	SEP	CS	
District total	11,000	8,189	550	410	74.5%
Sussex Coast Sub Region (South Wealden)	7,000	4,382	350	220	62.6%
Rest of Wealden (North Wealden)	4,000	3,807	200	190	95.2%

13. The different official household projections for Wealden (all 2006 to 2026) can be summarised as follows:
- ONS/CLG (2004) – 14,100
  - ONS/CLG (2008) – 12,218
  - East Sussex County Council (ESCC) migration-led variant (2008) – 11,543
  - Wealden District Council extrapolation based on previous trends – 8,312
14. The SEP housing provision relates to the highest of these projections with the others being published more recently. Some respondents to the CS consultation have put forward alternatives to these. The CS identifies affordable housing need alone as 812 homes per annum, although this would in part be met by measures other than new dwellings. The Council considers that the ONS/CLG household projections are a maximum and least likely to reflect local circumstances. Its preference is to use a range based on the ESCC variant and the mid point between the Wealden extrapolation and the ESCC variant. When converted to housing requirements these give ranges of 8,837 to 10,452 (2006-2026) and 10,521 to 12,121 (2006-2030).
15. The Council's trend-based projection is significantly lower than those produced nationally or by the county council. It is not clear how it relates to wider assumptions about national and international migration and potential implications for other areas and has not been the result of joint working with

other authorities. Even if the ranges are the most appropriate, they are still in excess of the CS housing provision for these periods (8,189 and 9,600 respectively). They show requirements in north Wealden that are significantly greater than provided for in the SEP while those in south Wealden are significantly less. Although the assumptions of housing need underpinning the RS are somewhat dated, overall, I consider that the Council's projections do not provide a robust demographic basis that would justify departing from the housing provision in the SEP. In the light of these factors it has also not been demonstrated that they amount to the full, objectively assessed needs for market and affordable housing as required by the Framework. For the CS to be justified a modification (**MM4**) is necessary to explain that this is the case. The justification for the CS provision must therefore rely on other factors in terms of both SEP policy and the other policies in the Framework.

16. In accordance with the judgement in *Persimmon Homes (Thames Valley) v Stevenage Borough Council* 'general conformity' leaves some scope for flexibility. Nonetheless, the difference between the levels of housing provision is so significant that on the face of it the legal test would not be satisfied. However, the SEP does provide for circumstances in which its housing provision would not be met.
17. SEP Policy NRM5 indicates that when deciding on the distribution of housing allocations local planning authorities should consider a range of alternative distributions within their area and should distribute an allocation in such a way that it avoids adversely affecting the integrity of European sites. In the event that the planning authority concludes that it cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European site. The supporting text states that where provision is less than in the RS the Council will need to demonstrate at independent examination that this is the only means of avoiding or mitigating any adverse impacts on European sites. This will involve clearly showing that they have attempted to avoid adverse effects through testing different distribution options and that the mitigation of impacts would be similarly ineffective.
18. Policy NRM5 therefore places the onus on the local planning authority to show that there are circumstances that mean that the RS provision cannot be met. As such, if the Council can demonstrate that the approach in the policy has been achieved, the CS would be in general conformity with the SEP in this respect. In this context, the Council has sought to justify the lower level of provision principally on the basis that in its view:
  - In south Wealden there is an infrastructure constraint relating to the capacity of the Hailsham North and Hailsham South waste water treatment works (WWTWs) which discharge into the Pevensy Levels – a Ramsar Site and candidate Special Area of Conservation (cSAC). These currently operate to the highest environmental standards and cannot be improved. Accordingly development above the existing limited headroom for these

works cannot be accommodated until a new solution has been devised. While there are various options, the work to explore these has only just commenced. Such an approach is supported by other SEP policies, such as CC7 which indicates that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development.

- In north Wealden levels of development beyond those proposed would have a significant effect on the Ashdown Forest SAC in terms of nitrogen deposition.
19. The presumption in favour of sustainable development in the Framework does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. The Framework cross refers to the guidance on the statutory obligations for biodiversity set out in Circular 06/2005 with the greatest protection being given to designations of international importance. In that context, the factors relevant to SEP Policy NRM5 are also those that in terms of the Framework may lead to housing provision being restricted against the assessed needs.

#### *Waste Water Treatment*

20. Different views were expressed about the amount of headroom available at the 2 WWTWs, particularly in the light of the possible effect of water efficiency measures and water metering in new development. However, I am satisfied that the evidence is not available that would support different assumptions being made to those used by the Council, the Environment Agency (EA) and Southern Water. Until the capacity issue is resolved I consider that there is a limit on the scale of development in south Wealden that can be served by these works.
21. Southern Water is commencing a study into the options for overcoming the headroom constraints with a preferred option being identified by 2015. The likely solutions are (i) a new WWTW discharging to the Cuckmere River, (ii) extending and upgrading Eastbourne WWTW for discharge at sea and (iii) a new discharge point to the sea with a new WWTW and pipeline. During the hearings it was evident that any capacity at Eastbourne would be taken up by development that would come forward in the Eastbourne CS which has recently been submitted for examination and which, I was informed, has made provision for its SEP housing allocation.
22. The delivery of the preferred solution would be possible between 2015 and 2020 but subject to Ofwat funding approval, EA environmental permits, planning permission and available land. No party was willing to attach cost estimates to any of the options. The EA is currently undertaking a review of discharge consents to the Pevensey Levels which could affect the two WWTWs and is working in the context of the Water Framework Directive which seeks to achieve good ecological status for all waterbodies and not allow any deterioration in status. It considers that there would need to be more certainty about the solution before a policy linking development above the

headroom level to the resolution of the WWTWs problem would be environmentally acceptable.

23. While not favoured by the EA in sewered areas, there are examples of on site package sewage treatment works (PTWs) being used elsewhere. Under Circular 03/99 the first presumption must always be to provide a system of foul drainage discharging into a public sewer. However, PTWs should be considered where connection to a public sewer is not feasible. In a recent appeal decision an Inspector was satisfied that this would be a technical solution if issues of connection to the existing foul sewer network could not be resolved. That example did not involve possible discharges affecting a European site. Other parties have promoted their use as a solution in Wealden in relation to specific locations for inclusion in the CS but there is insufficient evidence at this point to be confident that in those cases they would be acceptable in terms of their environmental impacts or effects on flood risk. In this context, I consider that at this point PTWs should not be seen as a long term planned approach for the CS.
24. The SEP recognises that the limitations of the WWTWs may require the phasing of housing delivery. Nonetheless, there is sufficient uncertainty over the deliverability of development beyond the headroom level for the CS not to commit at this stage to further housing in south Wealden over that limit. The strategic locations identified in south Wealden in the CS would be able to progress without undue delay and contribute to the supply of housing. However, in the context of the Framework every effort should be made objectively to identify and meet the housing needs of the area in the medium to longer term.
25. For the plan to be justified and accord with the Framework and the SEP there must be a commitment to a review at the earliest opportunity once sufficient progress has been made towards identifying a solution to the WWTWs issue (by 2015 at the latest). I am including a modification to achieve this (**MM14**). Working collaboratively with neighbouring authorities, the review should meet the requirements of the Framework in terms of assessing full housing needs. It should include an assessment of current and future levels of need and demand for housing in a revised Strategic Housing Market Assessment (SHMA). If needs are not being met in one local authority area it should show how it is proposed that they are being addressed in another, consistent with achieving sustainable development. The review would have implications for other aspects of the CS that are linked to population growth and new housing.

#### *Nitrogen deposition*

26. Nitrogen emissions from traffic can increase acid deposition and eutrophication, potentially to the detriment of the Ashdown Forest and Lewes Downs SACs. The Design Manual for Roads and Bridges (DMRB) provides a methodology for a scoping assessment for air quality. This initially requires the identification of roads which are likely to be affected by development proposals. There are several criteria that are used to identify an affected road

but the key one here is whether traffic flows will change by 1,000 AADT (annual average daily traffic flow) or more. As applied by the Council in its Habitats Regulations Assessment (HRA) the DMRB shows no roads in the Ashdown Forest SAC (or Lewes Downs SAC) that would be affected by the development proposed in the CS. This conclusion is supported by Natural England (NE).

27. I am satisfied that the DMRB methodology is the correct approach to a scoping assessment of air quality and that, as concluded in the HRA, the scale and distribution of development proposed in the CS is acceptable in this regard.
28. Based on the DMRB results, one section of the A26 would have an additional AADT of 950, indicating very little headroom for development beyond that proposed without further assessment to determine whether there would be a likely significant effect on the Ashdown Forest SAC. This work has not been done. However, the best available evidence on the existing nitrogen deposition load toward the centre of the SAC is that it significantly exceeds the ability of habitats to withstand deleterious effects. Deposition is likely to be more severe close to road corridors. Furthermore, I am mindful that the traffic modelling does not take account of possible traffic impacts of growth in neighbouring authorities. Although heathland management may have some part to play in mitigating the effects of nitrogen deposition, in the context of these other factors there is sufficient evidence at this point on a precautionary basis to restrict further development in north Wealden beyond that in the CS. On this basis there is not the scope to transfer SEP housing provision from the Sussex Coast Sub Region in the context of SEP Policy SCT5.
29. It has been concluded that in relation to the WWTWs issue an early review of the plan is required. Air pollution relating to Ashdown Forest SAC could in the future restrict further planned development which might otherwise be acceptable. To ensure that the housing and other needs of the area are being addressed in the context of the Framework, for the review it would be important to establish more accurately the current extent and impact of nitrogen deposition at Ashdown Forest, the potential effects of additional development on the SAC and the possibility of mitigation if required, working collaboratively with other affected authorities. I therefore include an appropriate modification to this effect (**MM63**).
30. While the strategic development proposed in the CS would be achievable, concern has been expressed during the examination that windfall developments which might otherwise be acceptable in planning terms are being refused on the basis of the nitrogen deposition concern. The Framework requires that local planning authorities should look for solutions rather than problems and work proactively to secure developments that improve the economic, social and environmental conditions of the area. It supports economic growth in rural areas. In this context, the Council should not await the commencement of the formal review before beginning the more detailed investigation of this matter.

### *Phasing and the supply of housing land*

31. The Framework requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5%, or 20% where there has been persistent under delivery of housing. While there has been under delivery in the past in Wealden, in more recent years there has been a significant improvement with completions in the last two recorded years exceeding the SEP annual rate and for the last five having an annual average in excess of the submitted CS. On that basis the under delivery cannot be described as persistent and accordingly it is the 5% buffer that the CS must assist in addressing. Where there is compelling evidence that windfall sites have consistently become available and will continue to provide a reliable source of supply, these can be taken into account in the 5-year supply. The CS makes no allowance for windfall sites but there is evidence of them coming forward in the past. Provided that the requirements of national policy are met, these may assist in achieving the necessary supply of sites.
32. Through Policy WCS5, the housing trajectory and supporting text the CS sets out its approach to phasing and managing the release of housing land. As submitted the basis for the commencement dates of the development of the main Strategic Development Areas (SDAs) has not been clearly demonstrated. As such, the Council has clarified the approach to phasing with a series of suggested modifications to the plan, linking phasing directly to the provision of infrastructure (**MM25, MM26, MM28, MM29, MM31, MM34, MM37, MM38, MM41, MM46 to MM48, MM57, MM69 to MM73**). These are necessary for the plan to be justified and effective. They should ensure that new housing can be brought forward once infrastructure matters are resolved and assist in providing an adequate housing land supply in terms of the Framework. In general terms, in the context of the level of housing need, while lead times will vary the SDAs could come forward and be developed more quickly than suggested by the housing trajectory. If it became apparent that any of the SDAs could not achieve the rate of development necessary due to infrastructure or market constraints then the strategy could be adjusted at the early review.

### *Previously developed land*

33. The Framework encourages the effective use of land that has been previously developed, provided that it is not of high environmental value, and local authorities may set a target for this purpose. The CS indicates that the contribution from brownfield sites will be about 35%, although the Implementation and Monitoring Framework has a District target of 60%. The housing trajectory shows that most of these sites will be developed in the early part of the plan period. Wealden is a rural district with a limited supply of previously developed land. Sustainable urban extensions which would be largely on greenfield sites are a key component of the new housing provision. The CS includes an objective to maximise the use of previously developed land and the Council has proposed a modification (**MM20**) which indicates

that policies to support this will be brought forward in subsequent DPDs. In this context, the approach to previously developed land in the CS would be justified and in accordance with national policy.

#### *Conclusions on the amount and distribution of housing development*

34. The CS has not established the full, objectively assessed housing needs of the District but it has demonstrated on the currently available evidence that there are at present restrictions on the overall scale of housing development that can be accommodated. However, the CS should be positively prepared and every effort made to meet the housing needs of an area. The Framework aims to boost significantly the supply of housing. It is therefore important to ensure that new homes are brought forward as quickly as possible.
35. The CS should make provision up to the level closest to its original SEP allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European site. The proposed phasing modifications and the level of housing need mean that development could come forward more quickly than anticipated in the CS, providing greater flexibility in the land supply. The Framework indicates that local plans should be drawn up over an appropriate timescale, preferably a 15-year time horizon, taking account of longer term requirements. In this case, having regard to the significant infrastructure and environmental uncertainties beyond the scale of growth proposed by the Council, I consider that the plan period should be limited to 15 years, bringing the end date forward from 2030 to 2027 and the rate of new housing development closer to that in the SEP. There is insufficient evidence on the rate at which the SDAs could be delivered to justify bringing the end date even further forward.
36. If the CS provision of 9,600 dwellings related to the period 2006 to 2027 this would amount to an annual average of about 460 – some 17% short of the RS requirement. The deletion of the SDA at Heathfield (see below) would reduce this provision by 160 to 9,440 or an annual average of about 450 new homes between 2006 and 2027. Based on the distribution provided by the Council at paragraph 12, the SEP housing provision for the 'Rest of Wealden' would be achieved but that for the 'Sussex Coast Sub Region' would still be some 29% short, giving an overall District shortfall of over 18% compared with the RS. A series of modifications are necessary to achieve these changes to the time period and amount of new housing (**MM1, MM3, MM7 to MM13, MM15, MM16, MM18, MM19, MM22 to MM24, MM27, MM54**). Taken with the earlier modifications on phasing they would enable provision to the level closest to the SEP requirement having particular regard to the waste water infrastructure issues in the south of the District.

#### *Overall conclusion*

37. In the light of the above considerations and modifications I conclude that the CS is in general conformity with the SEP and that the scale and distribution of housing provision has been justified and is consistent with the Framework. The CS is therefore both sound and legally compliant in this regard.

## **Issue 2 - Whether the overall spatial strategy is soundly based, presenting a clear spatial vision for the District in accordance with national and regional policies.**

38. The CS contains a vision for the District and a series of spatial planning objectives. The spatial strategy derives from and broadly reflects the vision and objectives. In turn, subject to specific concerns and main modifications identified and discussed elsewhere in this report, the CS policies also broadly reflect the vision and objectives.
39. The methodology and process by which the CS has been produced is recorded in Background Paper 1: Development of the Core Strategy (BP1) and the consultation process in the Council's Regulation 30(1)(d) Statement – BP8. Initial consultation took place on issues and options in 2007 which embraced consideration of alternative locations for development. In 2009 there was further consultation on the vision and the strategic spatial housing and employment options. The Strategic Housing Land Availability Assessment (SHLAA) was used to identify potential housing sites which were assessed in accordance with sustainability objectives.
40. BP10: Sustainability Appraisal of the Core Strategy (SA) includes consideration of both the strategic options and the alternative broad locations for growth at the main settlements. In the light of the High Court judgement on *Save Historic Newmarket Ltd and Others v Forest Heath District Council and Others (2011)* the Council has indicated that it is satisfied that the sustainability appraisal undertaken adequately assesses alternatives and sets out the reasons why they were rejected. The alternative growth locations are considered in more detail below. However, overall, reasonable alternatives to the spatial strategy have been considered and the audit trail by which it has been arrived at, as set out in the evidence base, is sufficiently clear.
41. Having regard to my conclusions on the scale of development in the first main issue and the main modifications recommended elsewhere in this report, I conclude that the overall spatial strategy is soundly based, presenting a clear spatial vision for the District in accordance with national and regional policies.

## **Issue 3 – Whether the settlement hierarchy and strategy for rural areas are soundly based**

42. The CS contains a settlement hierarchy which sensibly sets the range of settlements in the district in the context of larger towns in adjoining authorities such as Eastbourne, Tunbridge Wells, East Grinstead and Lewes. Within the District settlements are identified as District Centres, Service Centres, Local Service Centres, Neighbourhood Centres or Other Unclassified Settlements. The categories are based on accessibility and self sufficiency criteria and are explained in BP1.
43. Concern has been expressed that a settlement hierarchy approach to rural development is not sufficiently flexible, allowing for change over time so that appropriate development can assist in improving the sustainability of settlements. To promote sustainable development in rural areas, the

Framework requires that housing should be located where it will enhance or maintain the vitality of rural communities. The Taylor Report – Living Working Countryside refers to the problems that result from the inflexible application of sustainability criteria. However, the settlement hierarchy approach has been considered in the SA which concludes that on balance it represents a broadly appropriate ranking of settlements when the issues of environment, social and economic factors are considered holistically. It is considered to be an appropriate way of categorising settlements as broadly more or less sustainable and therefore appropriate in terms of directing levels of growth. The CS has not adopted a rigidly hierarchical approach to the scale of growth in each settlement, having regard to the constraints and opportunities in that location. As such, the categories in the settlement hierarchy are appropriate and justified.

44. The evidence base in BP1 sets out an objective and consistent basis for determining the position of individual settlements within the settlement hierarchy. A case has been put forward for some particular settlements to be categorised differently. In some instances there have been changes in circumstances since the Council undertook its assessment of settlements. For example, subject to a legal agreement planning permission has been granted for an employment area at Maresfield. However, taking into account all the factors that affect the categorisation, the evidence on the position of the settlements at issue is not so persuasive that the CS would be unsound in this regard.
45. While the identification of sites is a matter for a subsequent DPD, CS Policy WCS6 sets out the scale of new allocations proposed in individual rural settlements in the context of an overall provision of at least 455 new dwellings in the period to 2030 in addition to existing commitments (this would be to 2027 in the context of the main modifications proposed above). This total provision reflects the emphasis on sustainable urban extensions to the towns in accordance with the SEP rather than a more dispersed pattern of growth. Some of the allocations proposed for particular settlements are small in the context of a CS (10 units). However, the individual settlement provision is based on the results of the SHLAA exercise, the aspirations of local communities and local constraints. Taken in the round, the overall scale of provision and that for particular places are both justified and deliverable.
46. Policy WCS6 proposes the deletion of development boundaries as shown in the adopted Wealden Local Plan for settlements now defined as Neighbourhood Centres or Unclassified Settlements. The Proposals Map would be amended to reflect this. It is appropriate for the CS to consider where policies for the protection of the countryside should apply and where development boundaries should be retained and in principle development would be acceptable. The approach proposed would carry forward CS objectives SP07 and SP08 and supporting justification is provided in BP1. The deletion of a development boundary would not preclude the production of a Neighbourhood Plan for a village and the provision of affordable housing could take place in the context of Policy WCS9. The CS provides for some housing allocations in some

villages where there would be no boundary. In this context, the approach to development boundaries has been justified by the evidence base.

47. I have had regard to all the representations that were made in relation to individual settlements. Taking all the above matters into account, I conclude that the settlement hierarchy and strategy for rural areas are soundly based.

**Issue 4 – *Whether the Core Strategy would help to sustain and strengthen the local economy and would provide a sound basis for retail development.***

48. The Framework attaches significant weight on the need to support economic growth through the planning system. The earlier Ministerial Statement on Planning for Growth (2011) had identified the top priority of promoting sustainable economic growth and jobs. CS Policies WCS1 and WCS3 set out the scale and distribution of new employment and retail allocations during the plan period in the context of the overall vision for the District and strategic objective SPO6.
49. The Council has not reviewed the CS employment land requirements in the light of the Ministerial Statement or the Framework. However, in addition to meeting the job growth resulting from population increase, the amount of additional employment land proposed in the CS is also proactively seeking to achieve a moderate step change in reducing the gap in employment activity rates and unemployment rates between Wealden and the South East generally. The basis for this is set out in BP3: The Economy and Provision of Jobs and the report on Revised Floor Space Calculations for Employment Land Provision. They provide a realistic and appropriate justification for the approach taken and the CS generally accords with national policy in this regard. The Council is producing its local plan in parts and criteria-based policies for considering planning applications for employment-related development or extensions to existing sites outside the SDAs are proposed in a subsequent DPD. The CS is therefore not unsound by omitting such policies.
50. The main strategic provision of additional employment land is at Uckfield, Hailsham/Hellingly and Polegate. This reflects the principal areas of new housing as well as the emphasis on the south of the District as an area for regeneration. The scale and distribution of employment growth has been justified by the evidence base and provides an appropriate balance in relation to the additional housing proposed.
51. The main growth in retail provision is proposed at Uckfield and Hailsham/Hellingly. While the shopping study that underpins the CS was undertaken in 2008, this has been updated by a 2010 addendum and these provide adequate guidance on the retail growth requirements of the District and justification for the scale and location of new retail floorspace. More detailed policy guidance can be dealt with in subsequent DPDs as appropriate.

52. The bringing forward of the end date of the plan as a result of my conclusions on Issue 1 also potentially affects the scale of employment and retail allocations. However, these are in part related to the population change associated with the amount of new housing. In the context also of the economic aims of the Framework, the size of these allocations should remain the same over the shorter plan period. My overall conclusion on this main issue is that the CS helps to sustain and strengthen the local economy and provides a sound basis for retail development.

**Issue 5 - Whether the Core Strategy makes appropriate provision for the protection of the natural environment and other environmental assets and for sustainable construction.**

*Ashdown Forest Special Protection Area*

53. The HRA has addressed the impacts of possible additional disturbance and urbanising effects from residential development on the Ashdown Forest Special Protection Area (SPA) where there are breeding populations of Dartford warbler and nightjar. It indicates that it cannot be concluded that the CS would not lead to adverse effects on the ecological integrity of the SPA. Avoidance and mitigation measures are required including a 400m zone around the SPA where residential development will not be permitted, a 7km zone where new residential development will be required to contribute to Suitable Alternative Natural Greenspaces (SANGs), an access strategy for the Forest and a programme of monitoring and research. The measures are regarded as critical infrastructure in the Infrastructure Delivery Plan (IDP). This approach is supported by Natural England (NE). I am satisfied that it is justified by the evidence base, including the 7km zone which is broader than those used elsewhere but supported by local factors, including the distance visitors to the Forest are willing to travel.
54. The main impact of these measures would be on the towns of Crowborough and Uckfield and villages and rural areas within the buffer zones. I have seen evidence that there is a reasonable expectation that suitable SANGs could be provided relating to the SDAs at the towns. There is a large supply of open spaces within the District, many under the ownership or management of town or parish councils. NE is confident that SANGs can be delivered. However, for windfall planning applications and smaller sites where SANGs cannot be provided on site there is the possibility that otherwise acceptable development might be delayed while suitable SANGs are identified and brought forward.
55. The CS does not refer to these measures in a policy but includes text suggested in the HRA in supporting justification. The Council has proposed a modification (**MM62**) to the plan that would include a policy reference to them being taken forward in subsequent DPDs. The Strategic Sites DPD is not expected to be adopted until Summer 2014 and the Delivery and Site Allocations DPD in Autumn 2015. To avoid otherwise acceptable development being delayed it is important that, with appropriate partners, the Council proactively identifies suitable SANGs and develops an on-site management strategy for the Forest as soon as possible in accordance with the conclusions

of the HRA. While accepting the general thrust of the Council's approach, for the CS to be effective I am including a further modification to the policy to reflect this (**MM63**).

#### *Climate change and sustainable construction*

56. When setting any local requirement for a building's sustainability, the Framework indicates that this should be done in a way consistent with the Government's zero carbon buildings policy and adopting nationally described standards. The CS does not include a policy on climate change and sustainable construction, indicating that it is not necessary to duplicate national requirements for carbon emission reductions proposed through revisions to the Building Regulations. However, it does refer to the possibility of more rapid implementation in the supporting text. The Framework requires that careful attention is paid to viability which could be affected by accelerated implementation. In the absence of specific viability evidence on this, the Council has proposed a modification would delete the reference (**MM65**). I include this on the basis of consistency with national policy. Any local targets for decentralised renewable energy or carbon reduction can be dealt with on the basis of individual sites in subsequent DPDs in accordance with Framework policy.
57. The pattern of development proposed by the CS would be compatible with sustainable waste objectives. Having regard to my earlier conclusions on the impacts of the CS on the Ashdown Forest SAC and the Pevensey Levels cSAC, I conclude that, subject to the above modifications, the CS makes appropriate provision for the protection of the natural environment and other environmental assets and for sustainable construction.

#### ***Issue 6 - Whether the infrastructure requirements for the Core Strategy are soundly based and deliverable?***

58. The Framework indicates that local planning authorities should work with others to assess the quality and capacity of infrastructure and its ability to meet forecast demands. Policy WCS7 sets out in general terms the CS's approach to the provision of infrastructure. This is supported by the Infrastructure Delivery Plan (IDP) which identifies those elements that are critical to the delivery of the CS and includes details of providers and timescales. The Council's proposed modifications to the CS which I have previously endorsed clearly link the phasing of the development of the SDAs to the provision of infrastructure.
59. Mitigation measures for the Ashdown Forest SPA and the approach to waste water treatment in south Wealden have already been considered in relation to earlier issues in this report. The District is within a water stress area. Representations have been made seeking more guidance on water efficiency in new development and on the potential enlargement of Bewl reservoir. The Council has suggested some modifications to the CS (**MM55, MM56, MM66**) which are intended to clarify how it would deal with infrastructure providers in general as well as the water companies in particular. These changes are

necessary for the CS to be effective and provide adequate guidance in the context that more policy detail would be appropriate to other DPDs.

60. The other main elements of critical infrastructure are transport matters and education. In both these areas the Council identifies s106 agreements with developers, and in due course the Community Infrastructure Levy (CIL), as a key funding stream for the necessary enhancements. In terms of the effect of this on the viability of development, the Council's evidence relating to affordable housing has factored in estimates of s106 agreement costs in general terms.
61. In south Wealden the transport implications of the CS have been considered through the South Wealden and Eastbourne Transport Study (SWETS). This provides the basis for, amongst other things, a series of junction improvements and public transport measures. The Highways Agency is concerned that there is not an up to date costing for the schemes that are necessary to address the impact of the CS development in south Wealden on the A27 which is part of the strategic road network. The Agency does not have funding for these measures. However, there are significant financial contributions that are part of existing s106 agreements that would contribute to the SWETS schemes, including those affecting the trunk road.
62. The Council is intending to adopt a CIL Charging Schedule by March 2014. As the schemes are worked up their costs would become clearer, but there is sufficient evidence at this stage that the order of magnitude would not be prohibitive. SWETS does not suggest that any significant new road schemes would be necessary. In the light of these factors and subject to the more detailed considerations in Issue 7, below, there is sufficient evidence that the SWETS measures and the other elements of transport infrastructure identified in the IDP relating to north Wealden and on which the CS is critically dependent are deliverable. Although the CS does not include a specific policy on sustainable transport it is clear that this has been a key factor in the proposed distribution of development.
63. In terms of education, there is a robust pupil forecasting methodology employed by the local education authority and the implications of the CS have been correctly identified on the basis of current evidence. There is a reasonable prospect that, through the planning process of the local education authority and appropriate developer contributions via s106 or CIL, the necessary education facilities would be provided.
64. The Council's proposed modification to Policy WCS13 (**MM64**) clarifies the position on contributions to the provision of new or enhanced open space. The modification brings the policy into line with the tests in the CIL Regulations and is therefore necessary for the CS to accord with national policy in this regard.
65. The CS makes no site specific allocations, the SDAs and other sites being subject to detailed definition through subsequent DPDs. I am satisfied that in strategic terms there is an adequate evidence base to support the

infrastructure priorities and there is an appropriate level of detail available at this stage on deliverability. I conclude that, with the modifications identified above, the infrastructure requirements for the CS are soundly based and deliverable.

### **Issue 7 – Whether the area strategies, including the Strategic Development Areas, are soundly based and deliverable**

66. The CS has identified local spatial implications for each of its towns, described in the document as area strategies. Key components of these are the 12 SDAs, which are broad locations for growth shown indicatively on the Key Diagram. The detailed form of these developments and their precise boundaries will be defined in a subsequent DPD.
67. While Policies WCS2 and WCS3 indicate the scale of development at each main settlement they do not provide details for each SDA. Policy WCS4 only lists the SDAs, with the strategic guidance on what is intended in each case being set out in supporting text in section 6 of the document which reads as policy. The Council has proposed modifications to Policy WCS4 and other parts of the plan in order to provide certainty over what the CS is proposing at each SDA with the policy aspects clearly identified. These modifications are necessary for the CS to be clear and effective in providing a lead for the detailed allocations in a subsequent DPD and I include them on that basis (**MM21, MM32, MM33, MM35, MM36, MM39, MM40, MM43, MM45, MM51**).
68. Alternative growth locations relating to each of these main settlements were identified and evaluated in the 2007 issues and options consultation document. Masterplanning exercises of various kinds which have been undertaken by the relevant Town and Parish Councils have been taken into account. The SHLAA exercise has assisted in the evaluation of housing sites. The SA includes objectives for each of the towns and summarises the broad locations for growth and the reasons why the identified options were selected or not taken forward. Other than where indicated below, the evidence base shows that reasonable alternatives were considered and there is a sufficiently clear audit trail showing how the locations for growth were arrived at. In the light of my conclusions on the first main issue there is no general case for additional growth areas to be identified based on the scale of development required.

#### *Uckfield Area Strategy*

69. The key feature of the strategy for Uckfield is an urban extension (SD1) to the west of the town providing for 1,000 dwellings, some 12,650sqm of employment floorspace and education provision. There would also be over 10,000sqm additional retail floorspace in the town centre. The focus for development at the town accords with the important role in supporting its wider hinterland identified in the SEP.
70. While the strategy is dependent on a single large site, this is in a single ownership with a developer involved. It is a large enough area to

accommodate a SANG, provide land for a new primary school, allow for a buffer zone adjacent to the neighbouring waste water treatment works, provide appropriate landscaping and secure the development proposed. A strategy towards contributing to other SANGs in the locality has been agreed between the prospective developer and NE.

71. Pedestrian and cycle links to the town centre can be provided and on the available evidence acceptable access to the local highway network, including to the A22, is achievable. There are traffic congestion issues in the town centre and the IDP states that improvements to the town centre road network are critical for planned development. An action plan to produce transport solutions is in preparation and the Council already has s106 agreement contributions from other developments that would assist in funding. I have seen no evidence that would suggest that SD1 cannot make an appropriate contribution to these matters. Overall, SD1 is a justified and deliverable SDA.
72. Other potentially suitable sites have been promoted which were identified in the SHLAA, including to the west and south of the town. The process by which SD1 has been selected is robust and the case for it to be replaced or added to by other options has not been justified.

#### *Hailsham and Hellingly Area Strategy*

73. The CS identifies two SDAs at Hailsham. Around 600 homes would be provided in an urban extension to the east of Hailsham (SD2). To the north of the town in Hellingly there would be an extension to the urban area providing around 700 homes, 8,650sqm employment floorspace, 300sqm retail floorspace and education provision (SD3). Further retail provision would be made in the town centre. The promotion of 2 SDAs provides a potential degree of flexibility in terms of delivering the strategy.
74. In addition to the capacity of the two WWTWs, which has been considered above, the other critical infrastructure in Hailsham and Hellingly relates to transport and education. The transport implications of the strategy are in the first instance identified in SWETS and include effects on town centre congestion and accessibility, junctions on the A22 and various issues on the A271. A transport masterplan for Hailsham is in preparation to identify the necessary improvements but from the evidence of SWETS these are unlikely to involve major new infrastructure. The Council has existing s106 contributions that are likely to contribute to the schemes and appropriate contributions or CIL funding will be provided from the two SDAs. The transport effects of the strategy for Hailsham and Hellingly are therefore capable of being addressed and there is reasonable certainty that the solutions will be deliverable. In terms of education, while there is a concern that funding from developers or CIL could be used in adjoining areas this is a matter for the Council and the local education authority to resolve and does not make the CS unsound.
75. The exact extent of the SDAs is a matter for a subsequent DPD, the symbols on the Key Diagram being diagrammatic and therefore to be interpreted in the

light of the further information that would be available at that stage. As alternatives to SD2 and SD3, sites have been put forward for consideration to the south and south-east of Hailsham. Both SD2 and SD3 have been justified by the evidence base and are deliverable. While the alternative locations have some benefits, these do not amount to a justification for their designation for development.

*Polegate and Willingdon and Stone Cross Area Strategy*

76. To the south of Polegate and east of Willingdon the CS proposes around 700 dwellings, 8,600sqm of employment floorspace and other facilities (SD4). A further 8,290sqm of employment floorspace would be provided on land south of Dittons Road (SD5). 650 dwellings are proposed at Stone Cross in two areas – SD6 and SD7. The CS proposes flexibility between the latter SDAs but indicates 220 homes at SD6 and around 430 at SD7.
77. Development at Polegate, Willingdon and Stone Cross is critically affected by the capacities of the two Hailsham WWTWs and the implications of that have been assessed in relation to Issue 1. Transport implications have been addressed through SWETS which in strategic terms has been considered under Issue 6. Education provision is the other area of critical infrastructure and on the submitted evidence there is a reasonable prospect that this would be delivered.
78. The scale of development proposed at SD4 is such that this could be achieved without unacceptable further visual coalescence between Polegate and Willingdon.
79. The employment provision at SD5 would be well related to an existing area of business development on Dittons Road and is both supported by the evidence base and deliverable. Alternative employment sites have been put forward at Bramley Farm and Mountney Bridge. Taking account of the economic objectives in the Framework but also my modifications to the time frame for the plan, there is no strategic case for additional employment land. The intensification or expansion of the existing Mountney Bridge industrial estate could be considered under existing local plan policies or, in due course, in a subsequent DPD.
80. Amongst the alternative growth locations promoted are land to the north of Polegate and land to the west of the A27 at Polegate. The land to the west was not included in the 2007 issues and options consultation. The site is considered to be unsuitable in the SHLAA. There has been a planning application for up to 520 houses and other development here which was subject to an appeal that was dismissed by the Secretary of State in 2011. Amongst other things, he concluded that notwithstanding the use of bridges the A27 trunk road provided a significant barrier to movement between the site and the main part of Polegate. Crossing at grade is now being proposed with improved pedestrian and cycle provision in relation to a smaller scheme. However, the Highways Agency has unresolved highway safety and pedestrian/cycle facility concerns and in my view severance by the A27

remains a substantial issue. In any event, in the context of the WWTW constraint there is no current basis for increasing the scale of development in south Wealden.

81. In part, it has been suggested that the land to the north and west of Polegate would be preferable to SD6 and SD7 at Stone Cross. The sites to the south of Hailsham have been promoted in part as alternatives to development at Stone Cross in that the infrastructure implications, including on the WWTWs, would be similar. However, the SDAs have been selected as a result of a robust process. The specific sites to be selected in these general areas, shown diagrammatically on the Key Diagram, will be a matter for the Strategic Sites DPD.

#### *Heathfield Area Strategy*

82. Heathfield is surrounded by the High Weald Area of Outstanding Natural Beauty (AONB). The CS proposes an SDA (SD11) which would take the form of an urban extension of around 160 dwellings but shown indicatively on the Key Diagram. It is possible that part of the SDA could be outside the AONB but the Council has assessed it on the basis that it is within its boundary and it is likely that a significant part of the development would fall within the designation.
83. The Framework gives great weight to conserving the landscape and scenic beauty of AONBs. Major developments should not take place in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest. The Council considers that in national policy terms the SDA would constitute a minor development. However, AONBs are areas of countryside and attractive landscape. In this context, a residential development of the scale proposed, considered by the Council to be a strategic provision, must be regarded as major. While the criteria for consideration of major development in the Framework are expressed in terms of applying to planning applications they must logically also relate to proposals in plans. There are other settlements within the AONB where the CS proposes further development but that is not on the same scale as that proposed here.
84. Additional evidence was submitted in response to proposed main modifications relating to SD11. This demonstrates a significant need for affordable housing in the town, which would be provided as a proportion of the SD11 development in accordance with Policy WCS8, and there would be benefits to the local economy, particularly in terms of its proximity to the town centre. While the SDA is in a location sloping down from a ridge towards the countryside beyond, development here would be seen in the context of existing properties that are in a more elevated position. The backdrop of the town means that it occupies a less scenic part of the AONB.
85. The AONB boundary has been tightly drawn around the town. The SDA has been identified through the SHLAA process as a result of which it has been selected over other sites identified as potentially suitable which are also all in

the AONB. It has advantages over these other sites, including in its relationship with the town centre. The Parish Council is supportive of development here. However, the Framework requires that the cost of and scope for developing outside the designated area or meeting the need some other way must be assessed. While the SHLAA is a thorough document, it is largely dependent on those with an interest in land promoting their sites. In this instance, to ensure that the requirements of national policy on AONBs are being met, the Council should undertake a more proactive search for any redevelopment opportunities within the urban area. This would include considerations of the viability of development on any alternative sites against SD11 in terms of delivering affordable housing needs.

86. On the current evidence SD11 is not consistent with the Framework and should not therefore be included in the plan. However, every effort should be made to meet the development needs of an area and if it can be shown that SD11 meets the national requirements as a result of further investigation, or that an alternative location would be appropriate, then this should be brought forward at the earliest opportunity in a subsequent DPD. To bring the CS into line with national policy I therefore include modifications to this effect (**MM2, MM5, MM6, MM17, MM21, MM27, MM30, MM52, MM53, MM68**) with any housing areas that are identified as a result of that process being additional to the overall CS District dwelling provision.

#### *Crowborough Area Strategy*

87. The main features of the strategy for Crowborough are the provision of around 140 dwellings on sites within the urban area at Pine Grove (SD8) and Jarvis Brook (SD9). There would also be an urban extension of some 160 dwellings to the south-east of the town (SD10). The town is surrounded by the AONB but the SDA development could be accommodated outside the boundaries of the designated area.
88. The critical infrastructure identified in the IDP includes the provision of SANGs related to the Ashdown Forest SPA but there is evidence that there is a reasonable prospect that those required could be delivered. There are highway capacity and traffic-related issues in and around Western Road which could particularly affect the development of SD10. Developers associated with SD10 have put forward traffic management proposals, which the highway authority has not endorsed but it has also not raised an objection in principle to this SDA. In the context of the limited scale of development proposed in the CS there is a reasonable likelihood that an acceptable solution can be achieved.
89. The Framework seeks to proactively drive and support sustainable economic development. The Employment Land Review concluded that there was limited potential for employment space in Crowborough and a lack of suitable land. Nonetheless, SD8 and SD9 could involve the loss of some employment land. However, while the Council is in any event moving from its offices at Pine Grove, commercial uses are being considered and there is potentially other land that could be part of SD8. There is flexibility in the housing allocation between the two locations and the CS is supportive of further office and

commercial premises in the town. The CS provides for Uckfield, where there is also a much more significant housing allocation proposed, to be the focus for additional employment floorspace in north Wealden. In this context, the Council's approach to SD8 and SD9 is justified.

90. Other sites have been promoted as alternatives to the SDAs, including to the south and north-east of the town. Some of these would be within the AONB. The process by which the Crowborough SDAs have been selected is robust and the case for these to be replaced or added to by other options has not been justified.
91. While not referred to in a policy, the CS identifies a contingency site at Crowborough in supporting text and on the Key Diagram, which is in the AONB. For similar reasons to those at Heathfield, above, and having regard to the potential scale of the development, the AONB location has not been justified at this stage. If the site were to be brought forward it would have to be assessed on the basis of the approach in national policy. In any event, there is evidence that there is a reasonable prospect that the traffic implications of the development envisaged in Crowborough, which were the main reason for the contingency site, can be satisfactorily addressed in terms of the scale of development currently proposed. For these reasons modifications are included that would delete references to the contingency site (**MM42, MM44, MM49, MM50, MM68**). This area has not been included in the CS housing provision figures and therefore its deletion has no effect on them.

*Strategic Development Area adjacent to Tunbridge Wells, in the Parish of Frant*

92. A SDA (SD12) has been identified in the Parish of Frant but on the edge of the town of Tunbridge Wells which is in a neighbouring district. This provides for 120 dwellings. Much of the SDA is greenfield whereas the Tunbridge Wells Core Strategy prioritises previously developed land. However, the dwellings proposed at the SDA are intended to address the housing requirements of Wealden rather than Tunbridge Wells. The rural northern part of Wealden inevitably looks to the town for employment, services and facilities. A location close to the town is in that sense a sustainable solution which would also reflect some aims of the adopted Tunbridge Wells Core Strategy as well as the RS.
93. Although some land at the SDA is a Site of Nature Conservation Importance and there is a former landfill site, there is sufficient for the scale of development proposed to be accommodated. The IDP identifies early years and primary education and waste water capacity as critical infrastructure. These matters may take some time to address and will need to take account of development in Tunbridge Wells, the location of which has not been finally established in DPDs subsequent to the CS. However, on the evidence provided they should be capable of resolution, in collaboration with Tunbridge Wells Borough Council, Kent County Council and other infrastructure providers. Other sites have been considered through the Council's SHLAA process but a number of these are in the AONB. In the light of my earlier

conclusions on the scale of housing provision and its distribution, a case for additional or replacement SDAs in the Tunbridge Wells fringe has not been substantiated.

*Overall conclusion*

94. With the main modifications that have been referred to above I conclude that the area strategies, including the Strategic Development Areas (other than SD11), are soundly based and deliverable.

**Issue 8 – Whether the Core Strategy makes appropriate provision for affordable housing**

95. Policy WCS8 contains a target percentage for the provision of affordable housing and the site size threshold at which this would apply. The evidence base, particularly the Housing Viability Assessment and its Supplementary Report, provides a robust basis for these. The Council's suggested modifications to both the policy and its supporting text (**MM58, MM59**) clarify the position where it can be demonstrated that the provision of affordable housing in accordance with these requirements would not be economically viable.
96. The Framework indicates that policies on affordable housing should be sufficiently flexible to take account of changing market conditions over time and there is a general need to pay careful attention to viability and costs in plan-making. These modifications are therefore included in order for the CS to be deliverable and in accordance with national policy. Policy WCS8 allows for the possibility of potentially higher affordable housing provision on allocated sites. The inclusion of this reference does not make the plan unsound as it would be for the Council to demonstrate the acceptability of this in the context of a subsequent DPD and it would be read with the proposed economic viability modifications.
97. Amongst other things, the Framework includes a requirement for local authorities to identify the tenure of housing in particular locations. In this case Policy WCS8 indicates that the Council will negotiate the exact tenure split on each site. There is a presumption in the policy that around 80% of the total number of affordable homes will be social-rented, which is based on the conclusions of the Housing Needs Assessment. However, given the flexibility within the policy this would not amount to rigid prescription and the approach is both justified and deliverable. The Council has indicated that the amended definition of affordable housing that was included in PPS3: Housing in 2011 (a more concise version of which is now in the Framework) does not affect the CS.
98. Policy WCS9 provides for rural exceptions affordable housing. It sets out criteria by which sustainable sites could be identified and limits their use to identified local housing needs. The Framework supports such sites where appropriate but also requires Councils to consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs. The CS policy would replace a more

detailed and restrictive one in the adopted Local Plan. There is no longer a requirement for subsequent DPDs to conform to the CS and the Council could examine the case for some market housing and potentially replacing Policy WCS9 in a subsequent DPD. As such, the plan would not be unsound by retaining the policy. Overall, I conclude that with the main modifications identified above the Core Strategy makes appropriate provision for affordable housing.

**Issue 9 – Whether the Core Strategy has adequately addressed the accommodation needs of the travelling community in accordance with national policy.**

99. National policy in Planning Policy for Traveller Sites requires that there should be a robust evidence base to establish accommodation needs. Pitch targets should be set for gypsies and plot targets for travelling showpeople. In producing the local plan, local planning authorities should identify a 5-year supply of specific, deliverable sites. For years 6 to 10 and, where possible, for years 11 to 15 they should identify a supply of specific, deliverable sites or broad locations for growth.
100. Policy WCS10 sets out the numbers of pitches required to meet the needs of gypsies and travellers but only covers the period 2006-2016. The unfinished Panel Report for the Partial Review of the South East Plan showed 33 pitches for gypsies and travellers and 1 plot for travelling showpeople over this period. The CS provides for 32 pitches for gypsies and travellers but no plots for travelling showpeople. The Council's Background Paper 4 sets out the basis for the Council's figures, derived from a Gypsy and Traveller Accommodation Needs Assessment jointly undertaken with other authorities in 2005 but updated and recalculated in various respects on the basis of new information and changes to methodology. There is overall a robust basis for the number of pitches proposed.
101. For travelling showpeople there is no evidence of additional demand beyond existing provision. The CS does not include the site allocation aspect of national policy as Policy WCS10 indicates that this will take place in the Delivery and Site Allocations DPD. The Council has stated that its intention in the light of Planning Policy for Traveller Sites is to plan positively for the later years of the CS and deal with other parts of national policy in this DPD. In that context, the plan as a whole would address the national requirements in this regard.
102. Policy WCS11 contains criteria against which the suitability of sites would be assessed. With some exceptions the criteria are not unduly restrictive in the context of national policy and include an appropriate element of flexibility. The main modifications proposed by the Council relating to residential amenity and environmental designations (**MM60, MM61**) are necessary for consistency with national policy and to provide an effective basis for future site provision. My conclusion is that, subject to these main modifications, identified above, the CS has adequately addressed the accommodation needs of the travelling community in accordance with national policy.

## **Issue 10 – Whether the Core Strategy has clear mechanisms for delivery, implementation and monitoring.**

103. Section 8 of the CS set out the approach to delivery, implementation and monitoring in general terms. The main detail is included in subsidiary documents, including the IDP and BP13: Implementation and Monitoring Framework. There is a well established annual monitoring process and report (AMR). BP13 contains a series of indicators and targets against each of the CS's strategic objectives. For some of the key indicators such as house completions and gypsy and travellers pitches the AMR identifies trigger points at which some remedial action would be required. The AMR will no doubt be refined through experience. It is important to ensure that there are sufficient milestones against which progress can be measured and that the trigger points are sufficiently early that there is time for the corrective measures to be undertaken. However, the supporting documents provide a satisfactory basis for me to conclude that CS is sound in terms of providing clear mechanisms for delivery, implementation and monitoring.

## **Assessment of Legal Compliance**

104. My examination of the compliance of the Core Strategy with the legal requirements is summarised in the table below. I conclude that the Core Strategy meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Core Strategy is identified within the approved LDS, November 2011 which sets out an expected adoption date of June 2012. The Council has resolved to update the LDS to reflect an extended time line as a result of the anticipated delivery date of this report. This is acceptable in the light of the local circumstances of the time taken for the examination. The Core Strategy's content is compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2007 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Appropriate Assessment (August 2011) concludes that any adverse effects of the Core Strategy can be overcome provided an avoidance and mitigation package is adopted and implemented. The Core Strategy takes forward this package.

National Policy	The Core Strategy complies with national policy except where indicated and modifications are recommended.
Regional Strategy (RS)	The Core Strategy is in general conformity with the RS.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act and Regulations (as amended)	The Core Strategy complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**105. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

**106. The Council and National Park Authority have requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Wealden District (Incorporating Part of the South Downs National Park) Core Strategy DPD satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

*M J Moore*

Inspector

This report is accompanied by the Appendix containing the Main Modifications

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	iii	Summary	<i>2<sup>nd</sup> para - last sentence "...runs until <del>2030</del> <u>2027</u> and aims to deliver some <del>400</del> <u>450</u> homes per annum..."</i>
MM2	iii	Summary	<i>4<sup>th</sup> para - delete "...and Heathfield (160 dwellings)..."</i>
MM3	1	1.1	<i>First sentence - delete "<del>2030</del>" and insert "<u>2027</u>"</i>
MM4	13	3.10	<i>Insert new sentence after "...Wealden." and before "To meet...": "<u>However, it has not been demonstrated that there is a demographic basis to support lower housing provision than that in the South East Plan (11,000 dwellings or 550 dwellings per annum between 2006 and 2026).</u>"</i>
MM5	13	3.11	<i>Last sentence - delete "<del>4230</del>" and insert "<u>4070</u>" - delete "<del>Heathfield,</del>" - delete "<del>9600 dwellings between 2006 and 2030</del>" and insert "<u>9440 dwellings between 2006 and 2027</u>"</i>
MM6	14	3.13	<i>Last sentence "...and can accommodate an additional 300 <del>and 160</del> dwellings at Crowborough <del>and Heathfield respectively.</del>"</i>
MM7	21	4.1	<i>Amend box following paragraph as follows: "Our vision is that: By <del>2030</del> <u>2027</u> Wealden..."</i>
MM8	22	SPO3	<i>1<sup>st</sup> and 2<sup>nd</sup> sentences "To help address the need for homes, to ensure the economic prosperity of the District and to support its residents and the changing requirements of residents in terms of size, type, tenure and location of homes, whilst protecting our valued environment we will provide for at least <del>9600</del> <u>9440</u> homes within Wealden from 2006 to <del>2030</del> <u>2027</u>. The <del>phased</del> delivery of on average <del>400</del> <u>450</u> dwellings per annum <del>across the 24 year period of the strategy</del> provides a realistic timeframe for the market to deliver the housing, <del>and is a rate that allows our communities to adjust to the growth and create mixed and balanced communities. This timescale and</del> also better provides for the timely delivery of necessary</i>

Ref	Page	Policy/ Paragraph	Main Modification
			infrastructure...."
MM9	25	5.1	<i>Second sentence – delete "2030" and insert "2027"</i>
MM10	25	5.3	<i>Amend as follows: "...land for at least <del>4685</del> <u>4525</u> additional dwellings over the period April 2010 – March <del>2030</del> <u>2027</u>."</i>
MM11	25	WCS1	<i>Title: "Provision of Homes and Jobs 2006-<del>2030</del> <u>2027</u>"</i>
MM12	25	WCS1	<i>1<sup>st</sup> para "...the provision of some <del>4685</del> <u>4525</u> net additional dwellings in Wealden District to provide for <del>9600</del> <u>9440</u> dwellings over the period 2006-<del>2030</del> <u>2027</u>."</i>
MM13	25	WCS1	<i>2<sup>nd</sup> para "...over the period 2006-<del>2030</del> <u>2027</u>."</i>
MM14	25	WCS1	<i>Add 3<sup>rd</sup> para "<u>The strategy shall be reviewed in 2015 or when a preferred solution to the capacity issues associated with Hailsham North and Hailsham South Wastewater Treatment Works has been identified, whichever is the earlier, in order to ensure that there is an adequate supply of development land in the longer term. The review shall include an assessment of current and future levels of need and demand for housing to provide an appropriate basis for longer term housing provision.</u>"</i>
MM15	26	WCS2	<i>Title: "Distribution of Housing Growth 2006-<del>2030</del> <u>2027</u>."</i>
MM16	26	WCS2	<i>Table, heading to final column "Total dwellings (2006-<del>2030</del> <u>2027</u>)"</i>
MM17	26	WCS2	<i>Table, Heathfield and Waldron row - under "New allocations (dwellings)" delete "<del>160</del>" and insert "<u>To be determined in a subsequent DPD</u>". Under 'Total dwellings' delete "<del>452</del>" and insert "<u>292</u>"</i>
MM18	26	WCS2	<i>Table, Total Wealden row – under "New allocations (dwellings)" delete "<del>4685</del>" and insert "<u>4525</u>"; under 'Total dwellings' delete "<del>9574</del>" and insert "<u>9414</u>"</i>
MM19	27	5.7	<i>Final sentence "...the period from 2010-<del>2030</del> <u>2027</u>..."</i>
MM20	27	5.8	<i>"...it is inevitable that there will have to be a substantial use of greenfield land to meet existing and future housing needs. <u>However, in order to maximise the use of previously developed land we will provide policies to support appropriate brownfield development as part of the Site Allocation DPDs.</u>"</i>
MM21	29	WCS4	<i>"The following strategic development areas are the locations that are considered critical to the delivery of the overall strategy <u>and provide for the new</u></i>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>housing, employment and community facilities as follows:</u></p> <p>SD1: Land at West Uckfield - <u>provision of around 1,000 dwellings, 12,650 square metres net employment floorspace and education provision</u></p> <p>SD2: Land at East Hailsham - <u>provision of around 600 dwellings</u></p> <p>SD3: Land at North Hailsham - <u>provision of around 700 dwellings, 8650 square metres net employment floorspace, 300 square metres retail floor space and education provision</u></p> <p>SD4: Land at South Polegate - <u>provision of around 700 dwellings, 8,600 square metres net employment floorspace, leisure, recreation and community facilities</u></p> <p>SD5: Land at Dittons Road, Polegate - <u>provision of around 8,290 square metres net employment floorspace</u></p> <p>SD6: Land at East and South East of Stone Cross - <u>provision of around 220 dwellings with flexibility between SD6 and SD7</u></p> <p>SD7: Land at North Stone Cross - <u>provision of around 430 dwellings with flexibility between SD6 and SD7</u></p> <p>SD8: Land at Pine Grove, Crowborough <u>and</u></p> <p>SD9: Land at Jarvis Brook, Crowborough - <u>provision of around 140 dwellings</u></p> <p>SD10: Land at South East Crowborough - <u>provision of around 160 dwellings</u></p> <p><del>SD11: Land at North West Heathfield</del></p> <p>SD11: Land adjacent to Tunbridge Wells, in the Parish of Frant - <u>provision of around 120 dwellings</u></p> <p><u>The Strategic Development Areas are provided in the Key Diagram and allocation of sites and specific policies, including phasing where necessary, will be provided in the Strategic Sites Development Plan Document."</u></p>
MM22	29	5.13	<p><i>Delete first 3 sentences from "Over the last 21 years..." to "...timely provision of infrastructure."</i></p> <p><i>4<sup>th</sup> sentence "...future housing delivery until <del>2030</del> 2027."</i></p>
MM23	29	5.14	<p><i>Amend to read: "...the plan period to <del>2030</del> 2027 to ensure that sufficient housing is provided to meet the housing provision target of <del>9600</del> 9440 dwellings to <del>2030</del> 2027."</i></p>

Ref	Page	Policy/ Paragraph	Main Modification
MM24	30	Figure 4	<i>Amend housing trajectory to reflect change to plan period, modified Figure 5 (see below) and deletion of SD11</i>
MM25	30	5.16	<i>Last sentence: <u>The following phasing will apply. Figure 5 provides an indication of delivery of Strategic Development Areas, which provides a basis of the housing trajectory. The delivery of housing will be subject to the delivery of infrastructure in accordance with WCS7, as part of the Site Allocation DPDs, and the provisions of WCS5 in terms of managing the delivery of housing along with the timely provision of infrastructure.</u></i>
MM26	31	Figure 5	<i>Amend Title: "Figure 5 <del>Phasing of Development</del> <u>Indicative Delivery of Housing Development</u>"</i>
MM27	31	Figure 5	<i>Table to be amended in accordance with revised Figure 5 attached to this schedule.</i>
MM28	31	Figure 5	<i>Add to bottom of table: <u>Development will be subject to the provisions of WCS5 and WCS7 in terms of infrastructure provision. The following matters are of relevance to the delivery of housing:</u> <u>Development in the catchment areas of Hailsham North and Hailsham South Waste Water Treatment Works will be subject to the consented capacity constraints of the respective treatment works until such time as an appropriate alternative discharge location and all attendant infrastructure is delivered.</u> <u>Development in the Hailsham, Hellingly, Stone Cross, Polegate and Willingdon area will be subject to the delivery of transport mitigation measures required to resolve capacity and safety constraints at the appropriate time.</u> <u>Development within 7 kilometres of the Ashdown Forest will be required to provide for mitigation measures, including the provision of Suitable Alternative Natural Green Space prior to the occupation of development.</u> <u>Development at the Tunbridge Wells urban extension (within Frant Parish) will be subject to there being enough capacity within the relevant Waste Water Treatment Works in combination with development arising from the Tunbridge Wells Local</u></i>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>Development Framework.</u>
MM29	32	5.16	<p><u>Paragraph to be added after paragraph 5.16 and subsequent paragraph numbers changed as appropriate:</u></p> <p><u>5.17 The indicative delivery of housing shown in Figure 5 is based upon the following:</u></p> <ul style="list-style-type: none"> <li>• Development at land west of Uckfield (SD1) will require significant preparation work for infrastructure delivery and in order to allow the market to deliver on the large single site housing will be built out over the long term.</li> <li>• Development <del>at</del> <u>will commence early in the Plan period at strategic allocations at Stone Cross,</u> but will be phased to provide a steady supply of housing, to ensure integration in this relatively small community and allow for <u>will be subject to the provision</u> of necessary transport infrastructure enhancements in south Wealden.</li> <li>• Development of SD2 to the east of Hailsham <del>will be phased to commence from 2017.</del> This will <del>enable</del> <u>require prior</u> studies to be carried out concerning potential odour control issues at the wastewater treatment works at east Hailsham <u>in order to protect the amenities of the occupants of new dwellings. Any necessary mitigation measures will need to be in place prior to occupation. Development at east Hailsham (SD2) and north Hailsham (SD3) will be subject to the resolution of</u> and also ensure that highway infrastructure issues can be resolved. <del>Development of land at north Hailsham (SD3) will be phased to commence from 2021 to enable highway infrastructure capacity and safety issues, to be resolved.</del></li> <li>• Development at south Polegate and east Willingdon (SD4) will be <del>phased to commence from 2019 to enable integration of development in relation to</del> <u>contingent upon</u> transport infrastructure requirements and interventions in south Wealden.</li> <li>• <del>Development at Heathfield (SD11) will be phased for early in the plan period, and this will enable much needed social housing to be provided. (See below)</del></li> <li>• Development on land within Frant Parish adjacent to the boundary with Tunbridge Wells</li> </ul>

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			<p>(SD12) will be phased to commence from 2026. This will enable <u>require</u> resolution of infrastructure capacity issues, in particular waste water treatment capacity at Tunbridge Wells, <u>prior to development taking place.</u></p> <ul style="list-style-type: none"> <li>• Development of south east Crowborough (SD10) will be phased to commence from 2024. This will enable <u>require</u> highway issues to be addressed at Western Road. In the event of these issues not being resolved then a contingency site to the north of the town west of the A26 will be brought forward.</li> <li>• New housing growth is being proposed at 13 villages throughout the District and amounts to 455 dwellings. For the purposes of the housing trajectory it is assumed that these developments will take place at an even rate throughout the Plan period. In reality development is unlikely to be at an even rate and some developments may come forward earlier in the plan period.</li> <li>• <del>In order to deliver affordable housing, a key infrastructure requirement within Wealden, the Council will consider bringing forward sites identified in the Core Strategy that meet the affordable housing criteria in advance of sites phased earlier in the plan period, where developers indicate they are not able to achieve stated requirements.</del></li> </ul>
MM30	32	5.16	<p><i>Amend existing 5<sup>th</sup> bullet point to new para 5.17, above: "Development at Heathfield (SD11) will be phased for early in the plan period and this will enable much need social housing to be provided <u>consideration will be given in a subsequent DPD to the identification of housing sites having regard to national policy on AONBs and any opportunities for redevelopment within the town. Any housing land identified will be in addition to the overall District provision of 9440 dwellings."</u></i></p>
MM31	33	WCS5	<p>"The release of land for housing will be managed so that it will deliver the level and broad distribution of development set out in Policy WCS2 <del>and the rate set out in the housing trajectory.</del> The release of land will be dependant on the timely provision of infrastructure necessary to deliver housing, including affordable housing. The adequacy of housing land supply will be assessed regularly through reviews of the Strategic Housing Land Availability Assessment, the Infrastructure Delivery</p>

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			Plan and through regular housing land availability monitoring. <del>Depending on the results of monitoring, it may be necessary to adjust the pace of housing delivery by encouraging, or holding back, new development.</del> <u>Monitoring will allow effective cohesion between housing delivery and the provision of infrastructure."</u>
MM32	36	6.11	<i>First sentence:</i> The strategy <u>provides the context for the development of future policies in the Site Allocation DPDs and seeks....</u>
MM33	37	6.11	<i>Sub section 3, 2nd bullet point, add second sentence:</i> <u>Policy WCS4 provides the detail concerning the delivery of development in the urban extension SD1.</u>
MM34	38	Figure 6	"Urban extension west of Uckfield (SD1) (residential, employment and potential education provision) <del>commencement around 2016"</del>
MM35	40	6.19	<i>First sentence</i> The strategy <u>provides the context for the development of future policies in the Site Allocation DPDs and seeks....</u>
MM36	40	6.19	<i>Sub section 3, 1st paragraph, add to end of 1st sentence:</i> <u>"around 1300 dwellings, in accordance with WCS4."</u>
MM37	42	Figure 7	"Urban extension north Hailsham (SD3) (residential/ employment & primary school provision) <del>commencement around 2024</del>
MM38	42	Figure 7	Urban extension east of Hailsham (SD2) (residential provision) <del>commencement around 2017"</del>
MM39	44	6.31	<i>First sentence</i> "The strategy <u>provides the context for the development of future policies in the Site Allocation DPDs and seeks...."</u>
MM40	45	6.31	<i>Sub section 3, 1st paragraph, add to end of 1st sentence</i> <u>"Polegate and Willingdon area, in accordance with WCS4."</u>
MM41	46	Figure 8	<del>SD6 &amp; SD7 phased from around 2015 to 2027</del>
MM42	47	6.36	<i>Delete last sentence:</i> "A reserve location.... <del>would be required."</del>

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MM43	47	6.38	<i>First sentence:</i> The strategy <u>provides the context for the development of future policies in the Site Allocation DPDs and seeks....</u>
MM44	48	6.38	<i>Sub paragraph 4, delete last bullet point:</i> "Potentially, if required, provision of dwellings... <del>broad locations listed above</del> );"
MM45	48	6.38	<i>Sub section 4, 1st paragraph, add to end of 1st sentence:</i> <u>"300 homes, in SD8, SD9 and SD10 in accordance with WCS4."</u>
MM46	49	Figure 9	"Crowborough Town Centre with Pine Grove redevelopment (SD8) <del>commencement around 2015</del> "
MM47	49	Figure 9	"Infill at Jarvis Brook (SD9) (residential provision) <del>commencement around 2015</del> "
MM48	49	Figure 9	"Urban extension south east (SD10) (residential provision) <del>commencement around 2024</del> "
MM49	49	Figure 9	<i>Delete notation and reference to contingency urban extension north of A26</i>
MM50	50	6.41	<i>Delete paragraph and renumber subsequent paragraphs</i>
MM51	50	6.42	<i>First sentence:</i> "The strategy <u>provides the context for the development of future policies in the Site Allocation DPDs and seeks....</u> "
MM52	50	6.42	<i>Sub paragraph 3</i> "meeting the housing and community needs of Heathfield by <u>seeking to identify appropriate allocating deliverable housing sites for around 160 homes on land adjacent to the urban area to the north west of Heathfield (SD11)</u> . <del>Ssites for housing development within this broad location will be identified and phased through the Site Allocation DPDs."</del>
MM53	51	Figure 10	<i>Delete notation and references to SD11</i>
MM54	55	WCS6	<i>Final para:</i> "...housing development to be allocated up until <del>2030</del> <u>2027</u> ."
MM55	57	7.4	"Where infrastructure deficiencies exist the Council will seek a consistent and coordinated approach to meeting these needs through partnership working. Throughout this process it will be important to be able to demonstrate that development makes the most effective use of existing infrastructure, and

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			<p>that there are reliable mechanisms in place to ensure that any new infrastructure is provided, maintained and will continue to serve its purpose in the future. <u>We will work in partnership with all infrastructure providers in order to support their work in determining the most appropriate approach to deal with infrastructure deficiencies and the necessary delivery mechanisms. This includes the infrastructure issues of water supply, sewerage infrastructure, transport, education provision, health care and other community facilities.</u> Developers who are required to provide or contribute to infrastructure will need to engage with the Council and with the range of delivery agencies, to ensure compliance with the approach in this strategy."</p>
MM56	57	7.6	<p>"We will seek through policies contained within the Delivery and Site Allocations DPD to identify and protect appropriate <u>infrastructure and essential community services/facilities located within the District which are required</u> to ensure the delivery of the spatial strategy in Wealden <u>and help meet the requirements of the region where appropriate e.g in the provision of water supply. We will also provide support through policies contained within the Delivery and Site Allocations DPD for appropriate new infrastructure required to meet the needs of the District and that of the region.</u>"</p>
MM57	59	7.13	<p><del>"The Council has identified that the provision of affordable housing is a high priority policy objective. However, we recognise that site and market conditions can vary both between sites and in certain circumstances, particularly where abnormal costs or other circumstances apply, it is possible that there may be viability issues on specific sites. <u>Where we have a proven five year housing land supply of deliverable sites, and applications come forward for sites that are allocated in the overall land supply, but which are not yet in the up to date five year supply, we would consider whether granting permission would undermine achievement of policy objectives. This includes the provision of affordable housing at the requirements stated in policy WCS 8 or any site specific policy contained within the following Site Allocation DPDs. In doing so the Council will consider bringing forward sites identified in the Core Strategy that meet the affordable housing criteria in advance of sites phased earlier in the</u></del></p>

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			<del>plan period and therefore defer in our phasing programme sites where developers indicate they are not able to achieve stated requirements. When considering windfalls more local policy objectives for example regeneration would have to be considered and balanced at this stage of decision making."</del>
MM58	60	7.14	<i>Delete paragraph number and add to paragraph 7.13. Renumber subsequent paragraphs as appropriate</i> <del>"However, in circumstances where deliverable sites are required to maintain our five year housing land supply and</del> <u>Where it can be proven that affordable housing cannot be achieved, due to economic viability, we are</u> <del>would</del> <u>required to be flexible</u> <del>ity</del> in terms of meeting stated targets. In such exceptional circumstances, it will be the responsibility of the developer to provide substantial and verifiable evidence to demonstrate that the requirements of Policy WCS8 cannot be met. This will need to be tested by means of a rigorous site specific economic viability assessment based on an "open book" approach and used to determine a revised appropriate level of provision."
MM59	60	WCS8	<i>Add below third paragraph of policy to create new 4th paragraph:</i> <del>"Where it can be proven that affordable housing cannot be achieved, due to economic viability, there will be flexibility in meeting stated targets. In such exceptional circumstances, it will be the responsibility of the applicant to demonstrate that the requirements of the policy cannot be met and the closest alternative target that can be achieved taking into account viability and need."</del>
MM60	62	WCS11	<i>Amend text at bullet point 3:</i> <del>"Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby-. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on and not lead to a reduction in the residential amenity of the neighbouring dwellings;"</del>
MM61	62	WCS11	<i>Amend text at bullet point 4:</i> <del>"Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protections, including the</del>

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			South Downs National Park and High Weald Area of Outstanding Natural Beauty. Ashdown Forest Special Area of Conservation and Special Protection area, and the Pevensey Levels Ramsar site should be avoided as potential locations;”
MM62	64	WCS12	<p><i>Add as paragraph 3:</i></p> <p><u>“In order to avoid the adverse effect on the integrity of the Ashdown Forest Special Protection Area and Special Area of Conservation it is the Council's intention to reduce the recreational impact of visitors resulting from new housing development within 7 kilometres of Ashdown Forest by creating an exclusion zone of 400 metres for net increases in dwellings in the Delivery and Site Allocations Development Plan Document and requiring provision of Suitable Alternative Natural Green Space and contributions to on-site visitor management measures as part of policies required as a result of development at SD1, SD8, SD9 and SD10 in the Strategic Sites Development Plan Document. Mitigation measures within 7 kilometres of Ashdown Forest for windfall development, including provision of Suitable Alternative Natural Green Space and on-site visitor management measures will be contained within the Delivery and Sites Allocation Development Plan Document and will be associated with the implementation of the integrated green network strategy.”</u></p>
MM63	64	WCS12	<p><i>Add to amended paragraph 3, above:</i></p> <p><u>“...integrated green network strategy. In the meantime the Council will work with appropriate partners to identify Suitable Alternative Natural Green Space and on-site management measures at Ashdown Forest so that otherwise acceptable development is not prevented from coming forward by the absence of acceptable mitigation.</u></p> <p><u>The Council will also undertake further investigation of the impacts of nitrogen deposition on the Ashdown Forest Special Area of Conservation so that its effects on development can be more fully understood and mitigated if appropriate. ”</u></p>
MM64	65	WCS13	<p><i>Paragraph 3:</i></p> <p><u>“All new residential development will be required to contribute to the green infrastructure network and where appropriate to make provision for new or enhancement of existing open space.”</u></p>

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MM65	68	7.29	<i>Fourth sentence:</i> "Therefore it will not be necessary to duplicate a similar provision, <del>albeit more rapidly implemented,</del> in the Core Strategy."
MM66	68	7.30	<i>Add to end of paragraph:</i> <u>"We will work with both Southern Water and South East Water to assist in meeting the objectives of the respective water resources management plans, including supporting the delivery of appropriate water supply and sewerage infrastructure."</u>
MM67	68	7.31	<i>Add new section after paragraph 7.31.:</i>  <u>Sustainable development</u>  <u>7.32 The National Planning Policy Framework confirms that there should be a presumption in favour of sustainable development and that all plans should be based upon and reflect this presumption with clear policies to guide how the presumption will be applied locally. The Framework also confirms that there are three clear dimensions to sustainable development, economic, social and environmental. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. In order to meet this requirement the following policy will be applied.</u>  <u>Policy WCS 14 Presumption in Favour of Sustainable Development</u>  <u>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies</u>

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			<p><u>relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</u></p> <ul style="list-style-type: none"> <li>• <u>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</u></li> <li>• <u>Specific policies in that Framework indicate that development should be restricted.</u></li> </ul>
MM68		Key Diagram	<i>Delete notations and references to SD11 at Heathfield and to contingency urban extension north of A26 at Crowborough</i>
MM69		Key Diagram	<i>Tunbridge Wells (edge of Frant) Insert Map: "Urban extension to Tunbridge Wells (Parish of Frant) (SD11) (residential provision) commencement around 2026"</i>
MM70		Key Diagram	<p><i>Crowborough Insert Map</i></p> <p>"Crowborough Town Centre with Pine Grove redevelopment (SD8) commencement around 2015</p> <p>Infill at Jarvis Brook (SD9) (residential provision) commencement around 2015</p> <p>Urban extension south east (SD10) (residential provision) commencement around 2024"</p>
MM71		Key Diagram	<p><i>Uckfield Insert Map</i></p> <p>Urban extension west of Uckfield (SD1) (residential, employment and potential education provision) commencement around 2016"</p>
MM72		Key Diagram	<p><i>Hailsham Insert Map</i></p> <p>"Urban extension north Hailsham (SD3) (residential/ employment &amp; primary school provision) commencement around 2024</p> <p>Urban extension east of Hailsham (SD2) (residential provision) commencement around 2017"</p>
MM73		Key Diagram	<i>Polegate, Willingdon and Stone Cross Insert Map: "SD6 &amp; SD7 phased from around 2015 to 2027"</i>

Figure 5

	First Five Years from adoption of Core Strategy (0 to 5 years)						Six to Fifteen Years from adoption of Core Strategy (6 to 15 years)													
	2010 /11	2011 /12	2012 /13	2013 /14	2014 /15	2015 /16	2016 /17	2017 /18	2018 /19	2019 /20	2020 /21	2021 /22	2022 /23	2023 /24	2024 /25	2025 /26	2026 /27			
<b>Projected completions</b>	■		■					■											c.3558	
<b>Uckfield urban extension (SD1)</b>						■		■											c.1000	
<b>East Hailsham urban extension (SD2) &amp; North Hailsham urban extension (SD3)</b>								■											c.1300	
<b>Crowborough - urban area (SD8 - SD9) &amp; South East Crowborough urban extension (SD10)</b>					■		■											c.300		
<b>Land at South Polegate and East Willingdon (SD4)</b>									■											c.700
<b>Stone Cross urban extensions (SD6 - SD7)</b>				■			■											c.650		
<b>Tunbridge Wells urban extension (within Frant Parish SD11)</b>								■											c.120	
<b>Villages</b>				■			■											c.455		