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1.0 Introduction

1.1 As part of a local authority’s plan preparation, legislation and national policy requires constructive and active engagement with relevant bodies as part of an ongoing process. This is referred to as ‘duty to cooperate’. The aim of this duty is to maximise effective working on the preparation of Local Plans in relation to strategic cross boundary matters.

1.2 The actions of people, businesses and services extend beyond administrative boundaries and the duty to cooperate is considered to be the mechanism by which strategic issues are planned for at a local level in the absence of higher level strategic plans.

1.3 The Government’s National Planning Policy Framework (NPPF) March 2012 and July 2018, National Planning Policy Guidance (NPPG) and the examination of other local planning authorities’ Local Plans emphasise the importance of the duty. The NPPG includes detailed advice on the Duty. In particular, the following key messages are identified below:

- The duty is not a process driven ‘tick box’ exercise. Instead, local planning authorities should focus on the outcomes and maximising the effectiveness of their plans;
- The duty extends to the preparation of all evidence base documents which support the Local Plan – not just the plan itself;
- Consultation alone is not sufficient, and a lack of response to a statutory consultation should not automatically be taken as another local authority or prescribed body agreeing that there are no strategic matters or that they have been sufficiently addressed;
- The duty is a legal requirement throughout the Local Plan preparation process. Once submitted the preparation of the plan formally stops. The duty cannot be applied retrospectively;
- The requirement for constructive and effective engagement also applies beyond the process of preparing a Local Plan, e.g. the requirement for monitoring and continued joint working should be identified and implemented; and
- Having an adopted Local Plan is not sufficient justification for a local authority to refuse to work with and engage constructively with another local authority, particularly where there is evidence to suggest that a strategic matter exists.

1.4 In practice, a Local Plan Planning Inspector in a letter to a District Council on the matter of the duty to cooperate itemised the following elements as being essential:

- Has engagement been constructive?

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2 Letter from Inspector to Mid Sussex District Council dated 2nd December 2013.
• Has engagement been active?
• Has engagement been ongoing?
• Has engagement been collaborative?
• Has engagement been diligent?
• Has engagement been of mutual benefit (the broad outcomes)?

1.5 Government guidance recommends that local planning authorities ‘scope’ the strategic matters of the Local Plan at the beginning of the preparation process taking into account the ‘functional geography’ of the specific matter and identify those local authorities and prescribed bodies that need to be engaged. Guidance also recommends that consideration is given to preparing joint evidence base documents, Local Development Documents and aligning the examination of Local Plan documents.

1.6 Importantly the duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. If another authority will not cooperate this should not prevent the authority bringing forward a Local Plan from submitting it for examination.
2.0 The Purpose of this Document

2.1 This document provides a background to the work that has been carried out as part of duty to cooperate to support the Wealden Local Plan.
3.0 Legislative Framework & National Guidance

3.1 Section 110 of the Localism Act 2011 made a number of amendments to the Planning and Compulsory Purchase Act 2004. The principal change is the placing of a legal duty on local planning authorities to cooperate with one another, county councils and other prescribed bodies to maximise the effectiveness within which certain activities are undertaken as far as they relate to a ‘strategic matter’.

3.2 Paragraph 33A of the Planning and Compulsory Purchase Act (as amended) states that ‘certain activities’ include:

- The preparation of development plan documents;
- The preparation of other local development documents; and
- Activities that can reasonably be considered to prepare the way for the preparation of the above two points.

3.3 For the purpose of the duty to cooperate, ‘strategic matters’ relate to sustainable development or the use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas. Strategic matters also include where land use is a county matter, e.g. minerals, waste, education, or where land has, or would have, a significant impact on a county matter.

3.4 The duty imposed on local planning authorities requires the Council to engage constructively, actively, and on an ongoing basis in any process by means of which the activities listed above are undertaken. The engagement required by local authorities will vary depending on the nature of the issues being addressed. These can range from consulting on an issue through to the development of a joint local development document.

3.5 Strategic priorities which local planning authorities should seek to deliver as part of the Local Plan are:

- Homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure, and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

3.6 As part of the examination process of a plan, local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for strategic issues with cross boundary impacts. This could be a way of plans or policies prepared as part of a joint committee, a memorandum of
understanding, or a jointly prepared strategy which is presented as evidence of an agreed position. The NPPF published in July 2018 requires that in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.

3.7 Failure to meet the duty to cooperate will:

- Lead to sustainable development and/ or plans being found ‘unsound’;
- Reduce the ability to deliver infrastructure and inward investment; and
- Undermine confidence in the ability of councils to deliver growth and development.

3.8 The duty to cooperate is the first thing that the Planning Inspectorate (PINS) will look at during the examination of the Local Plan. The Inspector will need to see sufficient evidence to demonstrate that the duty has been undertaken appropriately for the plan being examined.
4.0 Wealden District in Context

4.1 Wealden District is located within East Sussex in the South East of England. The district is bounded by six different boroughs and district authorities, and whilst within the County of East Sussex, it is bounded by the counties of Kent and West Sussex. On its southern boundary is coastline.

Figure 1: Wealden’s adjoining authorities

4.2 Covering 323 square miles Wealden is the largest district in East Sussex, with some 148,900 residents. Half of the population lives within the five main towns: Crowborough; Hailsham; Heathfield; Polegate and Willingdon, and Uckfield. Unlike other districts, Wealden is not dominated by any one of its towns, and overall it is a district of many centres. The towns generally serve the local populations with interactions between smaller settlements and towns and between towns themselves. Given its location, environmental attributes, infrastructure, and the close proximity to larger towns/cities including Brighton and Hove, Eastbourne, Tunbridge Wells, and Crawley/Gatwick, Wealden’s towns have not grown to be significant centres in the South East. The larger settlements outside the district exert a significant influence in terms of providing jobs, health care, leisure, further education, and shopping.

4.3 Around two thirds of the District is covered by the national landscape designation of the High Weald Area of Outstanding Natural Beauty (AONB) and South Downs National Park (SDNP). Within the District there are two areas of European and national importance in relation to ecological conservation at Ashdown Forest and Pevensey Levels. Ashdown Forest is a European Site designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC) as well as a Site of Special Scientific Interest.
Pevensey Levels is a European Site (SAC) and is also recognised as a site of international importance (Ramsar Site) as well as a SSSI and National Nature Reserve (NNR). Both sites require specific consideration in relation to ecological impacts from development. In addition, there is a need to consider any likely significant effects from development proposed within the Wealden Local Plan on European Sites outside of its borders.

4.4 Wealden District is part of three tiers of local government. East Sussex County Council provide public services in relation to county matters (including Waste and Minerals Planning), waste management, social care, education and highways. Wealden District Council covers such issues as planning, environmental health, waste collection, and housing. An additional 42 parish/town councils/meetings deal with more local issues.
5.0 Evidence

5.1 As part of the development of the Wealden Local Plan a number of studies have been undertaken to better understand the situation at Wealden District. A number of these studies have included input from neighbouring local authorities and East Sussex County Council and have resulted in a better understanding of the cross boundary strategic issues. The studies undertaken for the Wealden Local Plan include:

- Strategic Housing Market Assessment (SHMA) and associated documents;
- Strategic Housing and Employment Land Availability Assessment (SHELAA);
- Gypsy and Traveller Accommodation Assessment;
- Functional Economic Market Area Assessment;
- Strategic Flood Risk Assessment;
- Green Infrastructure Study;
- Site ecological and landscape studies;
- Open Space Study;
- Wealden Local Plan Transport Model;
- Retail Study;
- Viability Study;
- Cemetery/ burial ground study;
- Infrastructure Delivery Plan (IDP); and
- Habitats Regulation Assessment (HRA) and associated documents.
6.0 Wealden's Duty to Cooperate Bodies

Local Planning Authorities

6.1 In order to maximise the effectiveness of its plan making, the Localism Act 2011 places a duty on the Council to cooperate with other Local Planning Authorities on cross boundary strategic planning issues that could significantly impact on both their planning areas.

6.2 In this regard Wealden District Council has engaged with:

- Eastbourne Borough Council
- Rother District Council
- Tunbridge Wells Borough Council
- Tandridge District Council
- Mid Sussex District Council
- Sevenoaks District Council
- Lewes District Council
- Hastings Borough Council
- Brighton and Hove City Council
- South Downs National Park Authority

6.3 Wealden District has also been in liaison with East Sussex County Council over a number of matters relevant to the local plan.

Prescribed bodies

6.4 Other public bodies, in addition to local planning authorities, are subject to the duty to cooperate. These include:

- the Environment Agency;
- the Historic Buildings and Monuments Commission for England (known as Historic England);
- Natural England;
- the Civil Aviation Authority;
- the Homes and Communities Agency;
- each clinical commissioning group established under section 14D of the National Health Service Act 2006;
- the National Health Service Commissioning Board;
- the Office of Rail Regulation;
- the Highways Authority;
- the Highways Agency; and
- the Marine Management Organisation.

6.5 In addition to those planning authorities and prescribed bodies listed above, the Council is required to proactively engage with other partnerships as part of the preparation of the Wealden Local Plan. These include:

- Local Enterprise Partnership – South East LEP
- Local Nature Partnership
7.0 Local Enterprise Partnerships

7.1 The Wealden District falls entirely within the South East Local Enterprise Partnership (LEP) which is the largest LEP outside London, covering Essex, Southend, Kent, Thurrock, East Sussex and Medway. The area has a population over 3.9 million people. There are more than 130,000 businesses and contributes £63 billion to the UK economy each year.

7.2 The map below shows the South East LEP area.

**Figure 2: South East Local Enterprise Partnership (LEP) authorities**

7.3 Due to the size of the LEP it operates under a federated approach with an East Sussex group – Team East Sussex (TES). TES meets on a quarterly basis and is attended by a range of stakeholders that includes those from the private sector, government, education, health and cultural sectors. Wealden
District Council attends at Member and officer level and actively participates including regular updates on the Wealden Local Plan.

7.3 The Council also attends and actively participates in a number of TES sub groups:

- Developers East Sussex (DES) – which includes developers, agents, consultants, central and local government bodies with the objective of working together to identify and remove barriers to development, Wealden District Council was instrumental in the formation of this group based on a similar approach in Kent and has also been instrumental in progressing the Planning Protocol agreement across East Sussex, again based on the Kent model.
- Skills East Sussex (SES) – which includes representatives from a range of educational organisations and private and public sector employees with the objective of identifying the skills required for sustained growth and facilitating the delivery of these.
- Culture East Sussex (CES) – which includes a range of cultural venue and provider organisations, Arts Council and local government bodies with the objective of developing and promoting a wide range of cultural activities within East Sussex to aid growth and development.

7.4 The Council’s involvement with these groups informs input to a range of policies within the Wealden Local Plan.
8.0 Mechanisms for Engagement

8.1 Wealden District Council has a strong history of engagement and partnership working with other authorities, stakeholders and public bodies. It is presently involved with several working groups and partnerships, some of which were established before the formal duty to cooperate came into existence through the Localism Act 2011.

8.2 Partnership working and cooperation on key issues is embedded in the way plans are prepared by Wealden and across East Sussex. There are a range of strategic partnerships and working groups in operation that provide the necessary forums for discussion on strategic matters and issues of duty to cooperate. These include:

- East Sussex Strategic Planning Members Group
- East Sussex Local Plan Managers Group (including Brighton and Hove)
- East Sussex County Council Green Infrastructure Working Group
- East Sussex County Council Landscape and Biodiversity Working Group
- South Downs National Park Green Infrastructure Working Group
- Sussex Biodiversity Record Centre Steering Group
- Cuckmere and Pevensey Levels Catchment Partnership
- Infrastructure Road Map Meetings
- Team East Sussex and associated working groups including:
  - Developers East Sussex
  - Culture East Sussex
  - Skills East Sussex
- SAMM Partnership
- Ashdown Forest Officer Group

8.3 Wealden District has also undertaken individual meetings with the Local Authorities identified in paragraph 6.2. Direct meetings have been limited with Hastings Borough as it is not a neighbouring authority and is not contained within the Housing Market Area. It is through these meetings, as well as the other forums identified in 8.2, that cross boundary issues have been identified. Where possible, areas of agreement and solutions to issues have been sought, which has resulted in the Plan that has been prepared.
9.0 East Sussex Strategic Planning Members Group

9.1 Authorities within East Sussex have recognised the need for joint working across the County through the Duty to Cooperate. An East Sussex Strategic Planning Members Group was set up in 2013 and is comprised of all the Planning Members of each of the East Sussex Authorities (Wealden District, Lewes District, Rother District, Hastings Borough and Eastbourne Borough) together with the South Downs National Park Authority and East Sussex County Council.

9.2 This group was set up to boost the political dimension of cooperation which was prudent in light of the requirements of the Localism Act. The group’s intention is to create an environment which encourages the development of collaborative, constructive solutions to some of the county’s most challenging strategic cross boundary development issues. A Memorandum of Understanding was signed which clarifies the primary activities of the group:

- To raise awareness in general about current and future activity and issues; and
- To explore key matters of concern to understand how these are affecting development and/or delivery of plans.

9.3 At the meeting of the East Sussex Strategic Planning Members Group in September 2013, the East Sussex Local Plan Managers identified three areas of work to help meet the requirements of duty to cooperate. From the meeting, the three main suggested work areas and objectives include:

- Managing housing requirements; in order to provide a sound basis for longer-term sustainable growth across East Sussex and the respective housing market areas;
- Supporting strategic infrastructure provision; to provide a framework for ensuring that the key infrastructure to support sustainable growth in East Sussex is available in a timely manner; and
- Common policy issues; to achieve a common evidence base and policy direction in relation to topics for which detailed policies are needed, where this would improve effectiveness and efficiency.

9.4 There has also been a focus on the Wealden Local Plan as part of the meetings. The minutes of the meetings and the subject areas covered are provided at Appendix 1.
10.0 Strategic Matters and Cross Boundary Implications

10.1 The following section provides a detailed assessment of each of the strategic matters addressed in the Wealden Local Plan.
11.0 Housing

The Housing Market

11.1 The SHMA identifies that the Wealden District Council Housing Market Area (HMA) includes: Wealden District, Eastbourne Borough, Tunbridge Wells Borough, Rother District, Lewes District and Mid Sussex District. The HMA incorporates those local authorities which have the strongest and most consistent migration and commuting relationships with Wealden as well as linkages in house prices, rate of change, and affordability levels.

11.2 As part of the Issues, Options and Recommendations Consultation Paper, the Council published its Housing Market Position Statement3. This identifies the HMA, the relationship with Wealden District and the outcome of the duty to cooperate meetings. Subsequent meetings and correspondence has confirmed that all relevant authorities remain in agreement with the HMA with the exception of Rother District, which maintains its position that it does not form part of the HMA. Whilst Wealden District understands this position it is considers that it does not materially affect the outcome of the Wealden Local Plan because Rother District remains a neighbouring authority and therefore in terms of housing, their needs should be considered. Eastbourne Borough Council considers that although it forms part of the HMA it has a discrete HMA with South Wealden, based on its own evidence base. Wealden District has confirmed that there are internal moves within Wealden District (Data from the 2011 Census shows that in the 12 months to the census there were around 6,800 internal moves within the District, representing over half (50.4%) of all moves originating from Wealden) and therefore together with internal employment markets it is unable to distinguish an internal market area between north and south Wealden. Having said this in terms of outcome it is agreed that if Wealden District were to meet any under supply from Eastbourne, this should be in the South Wealden area only.

Housing Demand and Supply

11.3 The objectively assessed housing need of the District is 950 dwellings per annum (2013 to 2028) for the Proposed Submission Wealden Local Plan (August, 2018) or 1,130 dwellings per annum using the new Government methodology. The Government has not published further District/Borough level OAHNs as part of the revised NPPF, although this is anticipated later this calendar year, so will be updated prior to submission. The OAHN or Local Housing Need figures that were used in the Government’s consultation for ‘planning for the right homes in the right places’ (published 14th September 2017) within the HMA is shown below.

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3 http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Wealden_Local_Plan/PPolicy_WLP_IssuesOptionsRecommendations.aspx
Eastbourne Borough: 336 dwellings per annum

Mid Sussex: 1,016 dwellings per annum

Lewes District: 483 dwellings per annum

Rother District: 469 dwellings per annum

Tunbridge Wells: 692 dwellings per annum

South Downs National Park: The Pre-Submission Version of the South Downs Local Plan (September, 2017) states that the annualised OAHN within the South Downs National Park would be 447 (net) dwellings. The new Government methodology for Local Housing Need does not separate the South Downs National Park from the Districts and Boroughs it accommodates and is therefore the most-up-date figure for the SDNP.

11.4 In total, the Districts and Boroughs within the HMA were considered to require at least 4,126 dwellings per annum if the standardised housing formula proposed in September 2017 was applied (this would exclude the SDNP as these numbers have been incorporated within the Government’s figures via the Districts and Boroughs).

11.5 Within the Housing Market Area Plans are being progressed at different rates. The current status of each Planning Authority is identified as:

**Wealden District:** The Wealden Core Strategy Local Plan (adopted February 2013) is the main strategic planning policy document for the District that sets out how the places and communities within the Wealden change up until 2027. The Wealden Core Strategy planned to provide for 9,440 dwellings over the period 2006-2027 (or 450 dwellings per annum). As discussed above, the Wealden Core Strategy Local Plan is due to be replaced by the new Wealden Local Plan in 2019 that currently proposes 14,228 (net) dwellings to be delivered between 2013 and 2028 (equating to 950 dwellings per annum).

**Eastbourne Borough:** The Eastbourne Core Strategy Local Plan (adopted February, 2013) sets out the Council’s spatial vision for Eastbourne up to 2027 and the primary land-use policies to deliver it. The Eastbourne Core Strategy states that a minimum of 5,022 (net) dwellings will be delivered by 2027 within the built-up area boundary of Eastbourne. The latest Local Development Scheme (LDS) for Eastbourne Borough Council (February, 2016) confirms that a review of the Core Strategy is in its early stage.

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4 Please note that the Eastbourne Core Strategy was adopted (at the time of writing) over 5 years ago and therefore, the indicative assessment of housing need will be substantially higher when assessed at the end of the calendar year.

5 Please note that Rother District Council’s Core Strategy will be considered ‘out of date’ for the purposes of assessing housing need by September 2019.
Mid Sussex: The Mid Sussex District Plan (adopted March, 2018) seeks to provide a minimum of 16,390 dwellings between 2014 and 2031 within the District. The Plan is to deliver an average of 876 dwellings per annum (dpa) until 2023/24. Thereafter, an average of 1,090 dpa will be delivered between 2024/25 and 2030/31, subject to there being no further harm to the integrity of European Habitat Sites in Ashdown Forest.

Lewes District: The Lewes District Local Plan: Part 1 (adopted May, 2016) is the main strategic planning document for the area, which covers the whole Lewes District (including the SDNP) and has been prepared to guide new development and change in the District for the period up to 2030. It states that a minimum of 6,900 (net) additional dwellings will be provided between 2010 and 2030 in the District (an average of 345 dwellings per annum). The LDS (November, 2017) for Lewes District Council confirms that the Council is undertaking a Local Plan Part 2: Site Allocations and Development Management Policies, that allocates land for housing and is anticipated to be adopted in 2019. A review of the current Local Plan: Part 1 has not yet been worked upon, but is anticipated to be adopted in the autumn of 2022.

Rother District: The Rother Core Strategy (adopted September, 2014) sets out the Council’s vision and objectives that will guide the future pattern and form of development within the district over the Plan period up until 2028. The Rother Core Strategy planned for at least 5,700 dwellings (net) and it is envisaged that 3,100 dwellings at will be located in/around Bexhill. The LDS for Rother District Council (May, 2018) confirms that a review of the current Core Strategy is expected to be finalised by the end of 2020.

Tunbridge Wells: The Tunbridge Wells Borough Core Strategy (adopted June 2010) is to guide new development and change in the district for the period up to 2026. This planned for at least 6,000 dwellings to be provided in the borough in the period 2006 to 2026. A review of the Core Strategy is underway and the LDS (February, 2018) anticipates the document to be adopted by the end of 2019.

South Downs National Park: The Pre-Submission South Downs Local Plan (September, 2017) sets out the vision and policies for the South Downs National Park Area and will cover the time period 2014 to 2033. The draft policies within the pre-submission version of the Plan will not have ‘full weight’ in terms of planning decisions until its adoption. However, the draft plan does confirm that it will make overall provision for 4,750 (net) additional dwellings between 2014 and 2033 within the SDNP. This is the first development plan document published by the SDNP.

11.6 From discussions, only Eastbourne Borough has identified a need for Wealden District to meet a shortfall. This relies upon the poor delivery rates against the Eastbourne Core Strategy, the increased OAHN compared to the Core Strategy and lack of land within the geographical area. Eastbourne Borough identifies an undersupply through their SHELAA 2017. This document has not been through a consultation process with Wealden District. Notwithstanding this, the Issues, Options and Recommendations Consultation
document for the Wealden District did identify that where there was an
oversupply within Wealden District and where development was mainly
focussed to the south of the District that Wealden District would seek to help
meet Eastbourne’s need if Eastbourne Borough could prove that they had
sought, but could not meet, their own need. However, within the Wealden
Local Plan there is not a surplus of development (i.e. it is a supply-led figure)
and therefore Wealden District cannot currently meet any shortfall from
Eastbourne Borough. Eastbourne Borough has suggested that Wealden
District increase its supply in the South Wealden area to meet the need from
Eastbourne Borough. Through the work on the Wealden Transport Model, it
has been identified that a grade separated junction improvement is required
for development within Wealden District post 2028 which, if funded, would not
be anticipated until at least 2030. Notwithstanding this and any other planning
issues (such as air quality at the relevant SACs or waste water capacity) then
provision beyond 2028 would first meet the needs of Wealden District, which
is significantly greater than the need identified by Eastbourne Borough.

11.7 In order to assist Eastbourne Borough and to reflect future planning
requirements, the Council has included within the Wealden Local Plan specific
scenarios where a review of the local plan will be triggered. This allows for
opportunities to look at the needs of Eastbourne Borough if certain
infrastructure and environmental constraints can be resolved.

11.8 In terms of other authorities within the HMA, at this time it is not
considered that Wealden District will need to meet any needs of Lewes
District, Tunbridge Wells Borough or Mid Sussex District. Owing to the way in
which the OAHN has been calculated for the Wealden District, then the
Wealden District already considers the housing needs of the South Downs
National Park have been accounted for. Rother District has yet to confirm its
position.

11.9 Wealden District currently has a statement of common ground
regarding housing with the South Downs National Park and is intending to
undertake similar work with other local authorities within the HMA.

11.10 In terms of neighbouring authorities outside of the HMA it is understood
that Tandridge District considers it is unable to meet its own need. Tandridge
District Plan is at a similar stage to the Wealden Local Plan and it is confirmed
that Wealden District cannot meet the housing need of the Tandridge District.

11.11 Wealden District Council has not requested other Local Authorities to
meet its need as it is considered that it is meeting its own need within the Plan
period specified.

Housing Supply – East Sussex and Prescribed Bodies

11.12 The ability of the Plan to meet need and demand has been dependent
upon the input from a number of other duty to cooperate bodies particularly in
relation to environmental and infrastructure constraints. This has resulted in
engagement with:
- Highways Authority;
- Southern Water;
- Environment Agency; and
- Natural England.

11.13 Engagement with these bodies is identified elsewhere within this paper.
12.0 Gypsy and Traveller Provision

12.1 In accordance with the NPPF and Planning Policy for Traveller Sites (March 2012 and August, 2015 respectively), the Council is required as part of its plan making process to assess and plan for the needs of the Gypsy and Traveller community.

12.2 Government guidance states that working collaboratively with neighbouring authorities pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople which addresses the likely permanent and transit site accommodation needs in their area should be set. Paragraph 9(b) of the Government’s Planning Policy for Travellers Sites document emphasises the duty to cooperate on planning issues that cross administrative boundaries.

12.3 In December 2013, the South Downs National Park Authority (in consultation with Brighton & Hove City Council and the East Sussex District Councils) commissioned the Salford Housing & Urban Studies Unit (SHUSU) at the University of Salford to produce an objective assessment of Gypsy and Traveller accommodation needs for Brighton & Hove, Eastbourne Borough, Hastings Borough, Lewes District, Rother District, Wealden District and the South Downs National Park.

12.4 The assessment concluded that there was a nil need for additional yard-based accommodation from Travelling Showpeople households. Owing to the change in definition of Gypsies and Travellers, the Council consulted with the other local authorities in relation to updating the evidence base. It was considered that Wealden District would progress to update the evidence for its area alone, but in the knowledge of the other local authorities.

12.5 In November 2016, the Council produced an objective assessment of Gypsy and Traveller accommodation need for the District over the plan period to 2037/38. The study identified a net current need of 9 pitches and a future need of 12 pitches making a total of 21 pitches required to 2037/38. An annualised average of this requirement is included in the Wealden Local Plan.

12.6 Apart from Tandridge District, it is not clear as to how any need is being addressed within other local authority areas. Wealden District can meet its own need within the Plan period and is not reliant upon other Local Authorities. Owing to the need for flexibility it is unable to meet the needs of other Local Authorities, if this issue should arise.
13.0 Employment and Retail Land Provision

13.1 As part of the evidence base for the Wealden Local Plan the Council has undertaken a retail and economy study.

13.2 The South East Local Economic Partnership has set out details of the area-based Growth Deals within the broader partnership boundary. Wealden falls within the East Sussex Growth deal. The boundary includes parts of Rother District Council, Brighton & Hove Council, Lewes District Council, Hastings Borough Council, Eastbourne Borough Council, Mid Sussex District Council and Tunbridge Wells Borough Council. It is considered that each of these authorities engage and cooperate with regard to employment land provision.

13.3 The District’s five towns; Crowborough, Uckfield, Heathfield, Hailsham and Polegate generally serve the shopping, service, and employment needs of their local resident populations. However, they have not grown to be significant centres in the South East. This is mainly explained by the proximity to a number of higher order shopping, service, and employment centres on the edge of the District, principally Eastbourne to the south and Tunbridge Wells to the north.

13.4 None of the main towns are considered to be a significant comparison goods retailing destination which reflects the function of the size of the various centres and their proximity to higher order centres such as Eastbourne and Tunbridge Wells which attract the overwhelming majority of Wealden’s comparison goods expenditure. One of the issues the Wealden Local Plan has addressed is what retail capacity is required over the plan period.

13.5 Wealden has undertaken an economy study and retail study. In retail terms Wealden relies upon other centres outside of the District, but other settlements outside of the District do not rely upon Wealden District’s centres. In this regard, Wealden District Plans do not impact upon other local authority areas. As part of the Economy Study a Functional Economic Market Area was established which closely related to the Housing Market Area. Therefore, in relation to the economy, there are cross boundary relationships. In this regard a Duty to Cooperate Statement was produced and published.

13.6 Since the publication we have become aware of issues within Eastbourne Borough in terms of future undersupply of some employment provision within their local authority boundary, particularly in relation to B8 (Storage or distribution). Although Wealden District cannot meet this need directly it has provided flexibility in land allocations to help meet needs if it is able to do so.
14.0 Infrastructure

14.1 One of the key strategic matters that the Council has considered is Cross Boundary strategic infrastructure.

14.2 Establishing the likely new demand on the infrastructure network as a result of additional development has been undertaken by the Council since 2007. As part of the preparation of the Core Strategy and CIL, the Council produced an Infrastructure Delivery Plan (IDP) setting out the details of the infrastructure identified by the Council and other service providers as being needed to support the delivery of new development across the District. This work is ongoing and dialogue has continued throughout the production of the Wealden Local Plan.

14.3 Critical pieces of infrastructure identified as being essential to support new development include additional education provision, transport improvements and health provision.

14.4 In addition to the collaborative approach to infrastructure planning, the Council has also been in continuous discussion regarding the delivery of infrastructure. This includes the Infrastructure Road Map. The Infrastructure Road Map is a collaborative piece of work between Wealden District Council and East Sussex County Council. The Road map identifies critical pieces of infrastructure in relation to transport and education and maps the delivery. This allows for a discussion between East Sussex County Council and Wealden District regarding removing obstacles for delivery. The delivery of these key pieces of infrastructure has implications for other areas which rely upon infrastructure delivery within Wealden District (such as cross boundary school catchment areas and strategic transport improvements in south Wealden).

14.5 The Council has worked with Duty to Cooperate Bodies to inform policies within the Local Plan, and the Infrastructure Delivery Plan in relation to the following:

- Transport
  - Strategic/non-strategic road network
  - Rail services
  - Bus services
  - Walking and cycling
- Education
  - Early years
  - Primary
  - Secondary
  - Further education
  - Specialist schools
- Health care
  - Local hospitals
  - GPs
- Emergency Services
14.6 Due to the themes identified the Council has proactively engaged with the following bodies:

- East Sussex County Council as Highways Authority and Highways Agency via East Sussex County Council
- Brighton and Sussex University Hospitals NHS Trust
- Maidstone & Tunbridge Wells NHS Trust
- High Weald, Lewes and Havens CCG
- Eastbourne, Hailsham and Seaford CCG
- Southern Water
- South East Water
- Sussex Police
- East Sussex Fire and Rescue
- South East Coast Ambulance Service NHS Trust
- National Grid

14.7 It is acknowledged that some of these bodies are not a ‘Prescribed Body’ for the purposes of the Duty to Cooperate, but the NPPF (July 2018) does acknowledge the need to work with infrastructure providers in this regard.

**Transport**

14.8 Wealden District has worked with East Sussex County Council in commissioning a Transport Study showing the impacts of growth on the South Wealden area. This model follows on from an earlier South Wealden and Eastbourne Transport Study and shows, at strategic level, impacts upon Eastbourne junctions from development. The model considers the impacts of wider growth from other local authority areas. As a result of this work, East Sussex County Council has directly contributed to the evidence base underpinning the Wealden Local Plan. East Sussex County Council has also directly contributed to the text in the Plan with regards to transport.

14.9 At present Wealden District is also working with East Sussex County Council on a Housing Infrastructure Fund (HIF) bid in order to facilitate growth associated with the County Councils transport and education functions. This bid, from the Forward Funding element of the HIF, has three interlinked elements: the development and provision of air quality mitigation measures in relation to the Ashdown Forest Special Area of Conservation; the implementation of a range of highways improvements and sustainable
transport facilities; and the provision of a new school. The bid will support additional development in the south of the district.

Education

14.10 Wealden District Council has worked with and relied upon the advice of East Sussex County Council in relation to education requirements. East Sussex County Council provides the strategic role in relation to forecasting facilitating service provision. This means that cross boundary matters are dealt with at a more strategic level. The distribution of growth within the District means that cross boundary matters in terms of education are focussed on the East Sussex area.

Health Care

14.11 Work has been undertaken with the CCGs to better understand the future needs of services in the area. CCGs work on a cross boundary basis but usually the GP provision is locally derived. The discussions have directly resulted in policies for provision contained within the Wealden Local Plan.

Utilities

14.12 Wealden District Council has been in liaison with Southern Water and South East Water with regards to water and waste water provision. In terms of waste water, the only cross boundary issue is the flow of waste water from Stone Cross to Eastbourne Waste Water Treatment Works. Eastbourne Borough has been made aware of the situation and has been advised to speak to Southern Water, although it is not within the remit of the District to determine where flows should take place.

14.13 South East Water has considered, through their own processes, the need for additional capacity for water holding facilities for the purposes of supply. Wealden District has facilitated the approach that they are seeking by safeguarding an additional facility at Arlington Reservoir.

Emergency Services

14.14 Owing to the strategic nature of the emergency services any cross boundary strategic issues are considered to be dealt with through liaison on the infrastructure delivery plan.
15.0 Flooding

15.1 Wealden has a significant flood context with several water courses running through the area. The main river catchments within the study area are:

- The Cuckmere River;
- The River Ouse;
- The River Medway;
- Watercourses on the Pevensey Levels;
- Watercourses on the Willingdon Levels; and
- Wallers Haven.

15.2 The southern extent of the study area is bounded by the English Channel. This presents a tidal flood risk to parts of Eastbourne, the Pevensey Levels, and the Cuckmere Estuary. The Cuckmere River is the only estuary in the study area. All the other watercourses are “closed” to the sea and discharge via a series of tide flaps and pumps. These watercourses will therefore become tide locked during periods of high tide, which could result in fluvial flooding if channel capacity is exceeded. The areas identified as at risk from tidal flooding in the Cuckmere and Sussex Havens Catchment Flood Management Plan (CFMP) include the Cuckmere Estuary, the eastern half of Eastbourne, and the area of the Pevensey Levels bounded by the sea.

15.3 The Council undertook Level 1 and Level 2 Strategic Flood Risk Assessments (SFRA) in 2008, 2009 and 2010 to support the work of the Core Strategy. Part of this work was jointly commissioned with Eastbourne Borough Council. A further study has been undertaken and Eastbourne Borough was also included in this commission.

15.4 The Environment Agency and East Sussex County Council, as Lead Local Flood Authority, was involved in the consideration of the study prior to publication. Both bodies agreed with content of the study.

15.5 Wealden District also has issues with regards to surface water and ground water flooding. The Council has supported the Lead Local Flood Authority in surface water management plans and also is contributing to a groundwater study that is currently being undertaken.

15.6 The Wealden Local Plan policy in relation to flood risk has been reviewed by East Sussex County Council as Lead Local Flood Authority and the need to avoid flood risk elsewhere has been included.

15.7 The Council has been in discussion with flood storage issues within Eastbourne as a result of development within the Willingdon catchment area. As a result of this discussion policy has been included in the Wealden Local Plan which acknowledges this issue and seeks to ensure that development within Wealden District considers its impact upon the flood storage area.
16.0 Habitats Regulations Assessment

16.1 European Sites are protected under European Legislation, namely the Habitats and Wild Birds Directives. The European Directives are transposed into UK law through the provision of the ‘The Conservation of Habitats and Species Regulations 2017’, known as the Habitats Regulations. Under the Habitats Regulations, the Council, in undertaking its duties, must identify any likely significant effect alone and in combination with any other plans or projects. If there is a likely significant effect the Council must undertake an appropriate assessment of the implications for the site in view of that site’s conservation objectives. The Plan may only progress after having ascertained that it will not adversely affect the integrity of the European site. This may require avoidance and mitigation measures.

Ashdown Forest SPA

16.2 Ashdown Forest SPA is located within Wealden District. The Ashdown Forest SPA is protected due to the presence of breeding Dartford warblers and nightjars. Both species are considered to be rare and vulnerable birds. The Council originally worked with Mid Sussex District Council during the preparation of the Core Strategy to better understand recreational impact upon the SPA together with Natural England. After the adoption of the Core Strategy, which provided policies concerning mitigation, and a subsequent High Court and Court of Appeal Challenge, other local authorities became involved in the work being undertaken. These include:

- Mid Sussex District Council
- Lewes District Council
- Tunbridge Wells borough Council
- Tandridge District Council
- Sevenoaks Borough Council

16.3 As a result, a Strategic Access Management and Monitoring (SAMM) group was formed and a joint visitor study was funded by the local authorities in 2016. Wealden District is the lead authority and is currently completing a legal agreement with the Conservators of Ashdown Forest to deliver SAMM measures which will be jointly funded, though development, by the local authorities within the SAMM group. The purpose of this group is to agree SAMM measures and monitor implementation with the assistance of Natural England.

16.4 A joint statement of common ground is currently being undertaken by the local authorities concerned, which primarily relates to the zones relevant to the mitigation strategy. This reflects policies contained within the Wealden Local Plan in relation to Ashdown Forest SPA.

Air Quality and Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC
16.5 In 2011, Wealden District identified issues with regard to the impact of air quality from traffic on Ashdown Forest SAC. Ashdown Forest was designated a Special Area of Conservation (SAC) in 2005. The SAC status was awarded because it contains one of the largest single continuous blocks of lowland heath in the South-East of England with both European dry heaths (14.8% cover) and, in a larger proportion, North Atlantic wet heath (44.51% cover). The SAC designation covers an overall area of 2,729 hectares. As a result of the examination of the Core Strategy the Planning Inspector required that the Council insert into Policy WCS 12 “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 in the longer term can be more fully understood and mitigated if appropriate.”

16.6 The Inspectors Report (Paragraph 29, Appendix 2) states: 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.

16.7 From the Inspectors consideration it was clear that this issue is a cross boundary strategic issue. As a result, Wealden District procured a number of specialists to undertake this work. At this time it was the opinion of Natural England that in combination assessments were not required if individually a Local Plan was considered not to have a likely significant effect. As a result of Judgment in Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351 (Admin) this advice was amended.

16.8 The South Downs National Park Authority instigated the Ashdown Forest Officers Group in 2017, initially in order to undertake a Statement of Common Ground for the production of their Local Plan. A number of meetings were held, the minutes of which are attached to a Statement of Common Ground⁶ that can be found as part of the South Downs National Park Authority evidence base. Wealden District participated, when invited, in these meetings. The statement of common ground as discussed at these meeting related, to a certain extent, to methodology and interpretation of legislation and case law. A Site Nitrogen Action Plan as well as mitigation was discussed in principle. There are fundamental differences of opinion in the methodology in relation to technical work, interpretation of legislation and the need for mitigation between Wealden District and a number of other authorities.

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16.9 During this process, the Wealden District were carrying out testing of various iterations of the Plan and the methodology of the technical work was adapted taking into account the work being undertaken on Ashdown Forest, discussions with Natural England and a result of the Group discussions. Wealden District also obtained advice through Natural England’s Discretionary Advice Service (DAS) during this process.

16.10 Wealden District Council provided text for the drafts of the Statement of Common Ground. Wealden District advised that they could not sign the Statement of Common Ground within the timeframe specified. When Wealden District advised that they were in a position to sign, that opportunity was denied owing to timescales. References to Wealden District Council were removed from the published statement of common ground.

16.10 The in combination assessment of the Wealden Local Plan has taken into account growth as identified by the bodies which formed part of the group.

16.11 Notwithstanding this, work progressed on the appropriate assessment which identified the need for mitigation measures. Wealden District Council are currently working with East Sussex County Council to submit a bid for Government funding through the Housing Infrastructure Fund to fund a low emission strategy, which forms part of mitigation measures. In addition to this, the Wealden Local Plan also identifies that the mitigation measures may also form part of the Site Nitrogen Action Plan that is required as part of the Site Improvement Plan, which is a key Natural England document.

16.12 The Council acknowledges the right of a competent authority to undertake an assessment of a plan or project as they consider appropriate.

16.13 Wealden District Council is supportive of other bodies being involved in the mitigation strategy moving forward, regardless as to whether they consider that is necessary through their own assessments, and is now starting a programme for this to take place.

16.14 During the completion of the Habitats Regulations Assessment it came to the Council’s attention that there were issues in relation to Lewes Downs SAC and Pevensey SAC in relation to air quality. In relation to Lewes Downs SAC, this situation was different to that originally provided to Natural England through the Discretionary Advice Service. The mitigation package is now relevant to these areas and will form part of a wider mitigation strategy moving forward.

16.15 Natural England will be providing formal advice through the Regulation 19 representations process, which the Council will consider prior to submission of the Local Plan.
Pevensey Levels

16.15 The Pevensey Levels, between Eastbourne and Bexhill, is one of the largest and least fragmented lowland wet grassland systems in southeast England. It is a designated a Ramsar site for the outstanding assemblage of ditch flora and fauna supporting wetland plants, invertebrates (including the rare Fen Raft Spider), aquatic beetles, and dragonflies, amongst others.

16.16 The Pevensey Levels are also a Special Area of Conservation (SAC) designated for the presence of the Ramshorn snail, which can be found here in both a wide spatial distribution and in good population densities. They are also designated as a Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR), and need to be protected from any development impacts that may affect its European and national designations.

16.17 In addition to air quality, identified above, Pevensey Levels is also subject to hydrological and water quality constraints. In terms of water quality, there is a recognised issue with regards to the discharge of treated effluent from waste water into the Pevensey Levels SAC and Ramsar Site. Although this is an issue, it is not a cross boundary issue.

16.18 The council already works closely with local authorities around the Pevensey Levels and other partners including the Cuckmere and Pevensey Levels Catchment Partnership. The Council has recognised that new development within the catchment area can have a likely significant effect on the Conservation Objectives of the Pevensey Levels and as a result has site specific mitigation measures identified in the Local Plan. However, it is also aware of the ambition of Natural England, and other partners within the catchment, to have implemented sustainable drainage systems and has supported this approach within the Plan.
17.0 Green Infrastructure and landscape

17.1 Green Infrastructure, as defined in the National Planning Policy Framework (NPPF), is:

'A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local Communities'.

17.2 Wealden’s existing Green Infrastructure network provides an interconnecting system of multifunctional green spaces, landscapes and natural environments in both the urban and rural areas. The Green Infrastructure network is used for recreation, biodiversity, food production and water management. It supports natural, cultural and ecological processes, supports economic growth and delivers multiple benefits for people, wildlife and places. Cross boundary green infrastructure is dealt with on a policy and site basis to ensure a coherent network beyond administrative borders.

17.3 To inform the Wealden Local Plan, the Council has undertaken the following studies to update the evidence base with regard to green infrastructure:

- Green Infrastructure Study
- Biodiversity study
- Site ecological studies
- Open Space, sport and recreation study
- Playing Pitch Strategy

17.4 With regard to landscape, approximately a third of the northern part of the District falls within the High Weald Area of Outstanding Beauty (AONB) which covers 1461km² and extends into Kent, East Sussex and Surrey. The High Weald AONB Management Plan sets out long term objectives for conserving this nationally important landscape and the local authorities’ ambitions for how the High Weald will be looked after for the next 5 years. Local authorities with land in an AONB are legally obliged under the Countryside and Rights of Way Act 2000 to produce an AONB Management Plan, and the Plan is formally adopted by the relevant local authorities as their policy for the management of the AONB and how they carry out their functions in relation to it. The Management Plan has been prepared by the High Weald Joint Advisory Committee which includes representatives of all 15 local authorities with land in the AONB and Government bodies responsible for protected landscapes in England. The latest Management Plan covers the period 2014 – 2019 and is currently under review.

17.5 Wealden District Council contributes to the Joint Advisory Committee (JAC) and the Officer Steering Group (OSG). It also provides officer resources to a group that is tasked to consider duty to cooperate issues across the wider area.
17.6 As part of this joint working, Wealden District Council produced a technical paper analysing the approaches being taken by different local authorities and through the planning appeals process to development within the AONB and the tests within the National Planning Policy Framework and guidance. This paper highlighted that there is no one size fits all approach to this and that decisions on what constitutes ‘major’ development in the AONB and ‘exceptional circumstances’ is a matter for professional judgement and some subjectivity. This paper was adopted by the Officer Steering Group and JAC.

17.6 Wealden District Council also contributed to a recent AONB project that seeks to address matters of colour within developments in the AONB to better integrate new development within the AONB landscape and context. This has resulted in a ‘Colours of The Weald’ design guide that is available to local authorities and other parties to use. The Council is also involved in joint working on producing a specific design guide for development in the AONB, in partnership with the OSG and JAC.
18.0 Other Common Policy Areas

18.1 In addition to the work of East Sussex Strategic Planning Members Group, there is joint work on common policy areas which cross local authority boundaries that includes older people's housing. This is currently being considered across the County by East Sussex County Council and in collaboration with other Local Authorities through the Local Plan Managers Group.
19.0 Conclusion

Wealden District has been working in partnership on a number of cross boundary matters prior to and during the preparation of the Wealden Local Plan. A number of meetings have been held on different topic areas and those meetings and discussions have shaped policies within the Local Plan. Whilst there are areas where agreement has not been reached, solutions have been sought in order to help meet the objectives of all parties.
APPENDIX ONE: EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of the meeting held on Monday, 21st July, 2014 in Civic Community Hall, Vicarage Lane, Hailsham BN27 2AX (3.30 p.m. to 4.50 p.m.).

PRESENT:

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<tr>
<th>Authority:</th>
<th>Members of the Group:</th>
<th>Supporting Officers:</th>
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<tr>
<td>Wealden District Council</td>
<td>Cllr (Host Chairman)</td>
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<td>Eastbourne Borough Council</td>
<td>Cllr</td>
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<td>East Sussex County Council</td>
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<td>South Downs National Park Authority</td>
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Other Attendees: of Brighton and Hove City Council also attended the meeting.

APOLOGIES: Apologies for absence were received from and

14/8. WELCOME AND INTRODUCTIONS

Councillor welcomed participants to the meeting. She emphasised the importance of this Group and working together for meeting Duty to Cooperate requirements, in particular in the light of the emphasis placed on this in the Examination in Public for the Wealden Strategic Sites Local Plan she had attended in the last few days.

14/9. NOTES OF THE LAST MEETING

The notes of the meeting held on 2nd April 2014 were agreed subject to a correction to Minute 14/3 (Paragraph 4) to state that a bid had been 'submitted' by Team East Sussex for the local growth fund. Councillor confirmed that a proportion of the funds bid for had been achieved.
14/10. **HOUSING PROVISIONS – UPDATE**

[Presented the report updating the Group on the workstream on planning for sustainable housing growth areas across the County, and including information on recent planning inspectorate decisions in this area and potential implications.]

It was noted that since the agreement at the last meeting to work together wherever possible in relation to housing assessments, there had been several examples of joint work. Wealden Council had commissioned GVA to undertake a strategic housing market assessment to its review of its Core Strategy, and given assurances that the other Planning Authorities would be engaged as part of the process, and this was welcomed. Lewes Council in partnership with Coast West Sussex Authorities and Brighton and Hove City Council had published its housing development needs assessment.

The report provided an update for each Authority in relation their progress on local plans and housing delivery. [Advised that since the report had been written the Inspector on Rother’s Local Plan Strategy had found it sound, subject to minor amendments. In addition provided an update in relation to the National Park Authority. In particular, it had been advised that the Authority would have to have a Housing Market Assessment in relation to each area within its area that cross another Local Planning Authority, and this was a significant change.]

It was noted that Authorities were being required to keep up to date their estimates of overall housing need, normally through annual monitoring and based on the NPPG. However, recent case law showed that housing assessments were not rendered outdated automatically when new PPG was issued. In addition, Inspectors had accepted that an Authority did not have to show how it would meet all its assessed housing need, if there were recognised constraints for not doing so.

As agreed at the last meeting, a letter had been sent to the Greater London Authority, in conjunction with the Gatwick Diamond Local Authorities Group asking for an opportunity to input to the London Plan, due to concerns that south east authorities would be expected to take significant housing numbers from London without consultation. [Advised that Brighton had also written independently. A response had been received to the letter inviting a representative to the hearing sessions. An update would come back to this Group in due course on any progress.]

**The Group agreed to:**
1. Note the progress in relation to local plans and related housing work, as well as on housing delivery;
2. Request a future report on the implementations of housing projections when these are published; and
3. Note the implications of the key legal judgements referred to in the Report.

14/11. **DEFINITION OF STRATEGIC INFRASTRUCTURE**

Marina Brigginshaw introduced the report concerning the workstream on
strategic infrastructure. The Infrastructure Delivery Plan Group had put together a Discussion Paper to go out to providers and other stakeholders on the definition of strategic infrastructure.

The proposed Discussion Paper was attached at Appendix A of the report, and included a brief introduction to the Duty to Cooperate and why it was important to define ‘strategic infrastructure’. The Paper set out a number of questions regarding criteria to be used to enable an assessment of ‘significant impact’ for given priority to specific infrastructure. The Paper made it clear that this was not about consulting on funding or about specific schemes at this stage. In additional to feedback via the Discussion Paper, a workshop would be offered to providers in September 2014. The intention was that the Infrastructure Delivery Group would then review the feedback received and draw up a definition to be considered at the next meeting of this Group in November.

The Group gave consideration to the list of providers to be consulted, as set out at Appendix B. It was agreed that the list of consultees should be updated to include Team East Sussex and telecommunications providers. There was a discussion on whether the public and local communities should also be consulted at this stage. The majority view was that it was important not to dilute the response needed from providers, however Councils could individually advise their residents that the consultation was taking place via websites or newsletters, should they wish to do so.

The question was raised as to why the Local Nature Partnership was relatively unknown. It was noted that this was a body that was required to be consulted under the Local Plan process. confirmed that he sat on this body but that it was only just beginning locally, only having met three times, but that it would play a key role in giving a different perspective to development.

The Group agreed to:
1. Agree the proposed discussion paper (as set out at Report Appendix A);
2. Agree the list of key stakeholders (as set out in Report Appendix B), subject to the inclusion of Team East Sussex and representatives of the telecommunications industry; and
3. Agree the arrangements of consultation set out in the Report.

14/12. DEVELOPMENT OF A COMMON EVIDENCE BASE AND POLICY DIRECTION IN RELATION TO TOPIC-BASED POLICIES

introduced the report providing an update on the work on the development of a common evidence base and policy direction for local plans.

The report set out the work was progressing in the areas of a) development in the High Weald AONB, b) Biodiversity and Green Infrastructure, c) sustainable transport, e) renewable energy, f) community facilities, g) older persons housing, and h) tourism facilities and equestrian development. In some cases a single officer was leading on the work in dialogue with representatives from other Authorities, in other cases the work was being carried out via a small working group.

advised that the key findings had not yet come out of the
workstreams and he hoped to bring a fuller update to the next meeting.

**The Group agreed to:**

1. Note the progress of work on the development of a common evidence base and policy direction for local plans.

**14/13. DATE OF NEXT MEETING AND WORK PROGRAMME**

The agreed Work Programme was attached for information. It was agreed that in line with this the next meeting would take place in November 2014.

A discussion took place as to the fact the papers for the meeting were marked as ‘not for publication’. It was noted that Authorities were free to publish the minutes of the meetings and the work programme, as this had been agreed by the Group and was part of establishing evidence of compliance with Duty to Cooperate requirements for examinations. The agendas and meetings remained ‘not for publication’ to enable the meeting to have working discussions on issues without being held in public.

Councillor
Chairman

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EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of the meeting held on Wednesday, 2nd April, 2014 in Civic Community Hall, Vicarage Lane, Hailsham BN27 2AX (2.00 p.m. to 3.43 p.m.).

PRESENT:

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<th>Authority:</th>
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<th>Supporting Officers:</th>
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<td>Wealden District Council</td>
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<tr>
<td>South Downs National Park Authority</td>
<td>Cllr [Name]</td>
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Other Attendees: Councillor [Name] and [Name] of Brighton and Hove City Council also attended the meeting.

APOLOGIES: Apologies for absence were received from Councillors [Name] (Hastings Borough Council) and [Name] (Rother District Council).

14/1. WELCOME AND INTRODUCTIONS

Cllr [Name] welcomed participants to the meeting and in particular Cllr [Name] and [Name] from Brighton and Hove City Council. It had been agreed at the last meeting that representatives of different neighbouring authorities would be invited to each meeting, depending on the topic to be discussed, to enable wider co-operation, and Brighton and Hove was the first Authority to be invited.

It was noted that (Policy Officer, Wealden District Council) would be attending for Item 4 (Minute 14/3), as he was a lead officer on the Peer Challenge.
NOTES OF THE LAST MEETING

The notes of the meeting held on 26th September 2013 were agreed.

PRESENTATION ON EAST SUSSEX COUNCILS 'OPEN FOR GROWTH' PEER CHALLENGE

(Wealden District Council) gave a presentation on the inspectors’ high-level findings from the ‘Open for Growth’ Peer Challenge. It was noted that a draft report from the inspection would be made available for comments, before it was published in its final format. The existence of the Members Group and co-operation across Authorities was in particular praised by the Inspectors, and it was noted that it was ahead of some other areas.

highlighted that the presentation had focused in particular on the findings of the peer review in relation to the Duty to Co-operate, but it also raised a number of points in relation to economic development. The review had recognised that there were commonalities and differences across the Districts and the County Council, and the economic strategies in each area were addressing particular local opportunities and working with different sectors. For example, in relation to the Education Sector, it would be important to link the development of skills to economic development needs. It was confirmed that East Sussex County Council would be bringing forward a skills programme in May / June 2014, drawing upon best practice from other areas of the Country, and linked to European funding for 2015-2020. This was currently being consulted upon, with a particular focus on working with local businesses.

The minutes of this group had to date not been published to a wider audience, but it would be important for authorities to provide evidence to inspectors of the way in which they were co-operating. To this end, the Group agreed that the minutes of the meeting could be made public. The meetings and agenda papers would in general remain private for the time being to allow a freedom of discussion required to progress important issues. A report of this meetings activities would be made to the East Sussex Leaders’ Group and this also provided an important link into the LEP.

Cllr advised that a press release would be issued today to confirm that a bid for a local growth fund of around £149m (2015-2022) had been successful, which would enable leverage of further funding of £450m from public and private sector. This was a significant fund for Team East Sussex to direct in relation to local growth.

The Group thanked for his presentation and noted the key matters raised from the Investment (Open for Growth) Peer Challenge.

HOUSING PROVISIONS - FUTURE CO-OPERATION FOR CONSIDERATION OF GROWTH

presented a report on behalf of Local Plan Managers on proposals for co-operation between planning authorities on housing provision,
to provide for sustainable growth, and reduce the risk of local plans being found unsound. The Chair invited Authorities to advise on their progress in relation to plans for housing growth and to discuss the proposals for a co-ordinated approach.

It was recognised that the report expressed a sound principle of all local authorities co-ordinating future housing where possible. The fact that local plans were not all at the same stage and time frame made retaining a consistency of approach challenging. The recommendations of the report were focused on developing a mechanism for early engagement with all relevant authorities on Housing Market Assessments and, providing a consistency of boundaries and approach.

It was agreed that it was good for Authorities to consider housing and regeneration growth together, although historically the two have dealt with as separate issues.

Representatives of Brighton and Hove Council advised on its position in relation to the Duty to Cooperate. Inspectors had recognised that the Council had made every effort to work with other authorities to meet housing need, but neighbouring authorities had not been able to assist. The inspectors had stated that the Council must work with and put pressure on neighbouring authorities to meet this need. The implications were that in future both receptor and exporting authorities would have difficulty getting local plans through inspections unless these were met. A copy of the Inspector’s letter was circulated to the Group for information.

The Group noted that there were implications of the London Local Plan for South East authorities. It was concerning that London would not be meeting a significant part of its identified housing need and had made assumptions in relation to this being met by neighbouring authorities, which would have an impact on the housing market in the whole of the South East. London was not covered by the Duty to Cooperate, and it was important to establish a way in which the implications for the South East could be taken into account.

It was agreed that a letter should sent to the Central London Authority (CLA) to argue for South East Authorities to have the opportunity to make representations in relation to London Plan and its implications for infrastructure requirements. It was suggested that this letter could be co-ordinated with Authorities in the Members Strategic Planning Groups in Coastal East Sussex, Mid-Sussex and Surrey.

The Group agreed:

1. To note the progress of Local Plans, on-going work in and around the County in relation to housing needs and the new National Planning Practice Guidance as it relates to housing;

2. To urge the local planning authorities in East Sussex (including the South Downs National Park Authority) to:

   a) agree the principle of linked assessments of housing and employment
needs in future reviews for their market areas;

b) establish formal arrangements between all councils in relation to cooperation on the early definition of housing market areas within or overlapping the county;

c) ensure that the housing monitoring/reporting framework for housing market indicators is robust in line with NPPG

3. To write a joint letter to the Central London Authority (CLA), in conjunction with the strategic planning groups in Coastal West Sussex, Mid-Sussex and Surrey, arguing for the opportunity to make representations in relation to the London plan and for its implications for housing growth and infrastructure in the South East to be taken into account.

14/5. IDENTIFICATION AND DELIVERY OF STRATEGIC INFRASTRUCTURE

presented a report on behalf of Local Plan Managers setting out progress in relation to the infrastructure workstream agreed as part of the work programme.

It was recognised that each local plan had different infrastructure requirements and priorities. These had been approved by inspectors, and it was not intended to standardise them.

However, it was important to have a way of identifying the highest priorities of all the infrastructure projects. The proposal was to do this through the development of a countywide strategic infrastructure delivery plan (IDP). To develop the plan it would be important to define what was a significant impact and have agreed criteria. Examples of criteria which could be considered were set out in the report. However, it was intended to bring a further report back to a future meeting of this Group to agree the infrastructure criteria for the new strategic IDP, if agreed.

The Group discussed and endorsed this proposal. It was noted that the term ‘desirable’ infrastructure was currently used within IDPs, and it was suggested that this could be misleading in suggesting a lower priority. explained that the term ‘desirable’ had been used in IDPs for infrastructure that was required but not critical to immediate timescales in the context of establishing which infrastructure could be funded through CIL and which could not. IDPs were now having a wider role, and therefore would need to be developed and adapted for this purpose, with appropriate terminology. It was also noted that there could be a cumulative effect of development, where supporting infrastructure could move through stages from desirable to critical very quickly and this must be taken into account in any common approach.

Some examples of key priorities were discussed. The improvements to the A27 were a priority for the LEP and essential to support growth for Eastbourne and Wealden, and therefore would be a high priority in future IDPs. It was noted that Wealden Council had been working with East Sussex on the ‘road map’, to map highway requirements for planned developments, looking at both the finance currently available and then looking at identifying other funding
sources. This had demonstrated a number of funding gaps, and supported the need for a strategic approach to infrastructure development.

In addition, communication between Authorities, wider than county boundaries, would be critical for cross-border development.

Overall it was agreed that the new strategic IDP proposed sat squarely within the purpose of the Group. Identifying critical infrastructure requirements, would greatly assist each Authority’s planning and bidding process and the countywide IDP would give the Group a real focus, sitting above the individual Authority plans.

The Group agreed:
1. To note the findings of the review of Infrastructure Delivery Plans;
2. To support the creation of a County Wide Strategic Infrastructure Delivery Plan; and
3. To agree to a further report on the definition of Strategic Infrastructure in consultation with stakeholders.

14/6. DEVELOPMENT OF A COMMON EVIDENCE BASE AND POLICY DIRECTION IN RELATION TO TOPIC-BASED POLICIES

presented the report on behalf of the Local Plan Managers Group on the development of a common approach to policy direction. The report provided an update on progress to date. It was noted that much of the discussion around Duty to Co-operate requirements focused on housing areas and development needs, but that inspectors were increasingly also looking for joint work on areas of common policy concern.

The report highlighted four main areas of focus for development of common policy:
- Development in the High Weald AONB
- Biodiversity and Green Infrastructure
- Equestrian Development
- Older Persons Housing/Tourism/Sustainable Transport/Energy Developments/Community Facilities

It was recognised that some of these policies would be applicable to only a few authorities, whereas others would involve all. It was felt there was merit in the Group working together in relation to a common approach in these areas. Regular reports would come back to future meetings on the work being undertaken, and there could be other policy areas where further co-operation would be important.

Brighton and Hove advised that they were looking at City Status, and it was suggested that this could be an issue which would need to be taken into account in a number of policy areas, in terms of regional impact.

Representatives from the South Downs National Park Authority highlighted that the Authority supported the work in developing common policies, but that it would not always be able to be part of this as it had to have joint policies
across two other County areas as well. The Group confirmed that this position was understood.

It was agreed that the work on common policies was a very important area and should continue as presented.

**The Group agreed:**

To note the progress of work on the development of a common evidence base and policy direction for local plans.

**14/7. DATE OF NEXT MEETING AND WORK PROGRAMME**

The Group noted the Work Programme attached, which had been agreed by Authorities since the last meeting.

A copy of the Memorandum of Understanding was also attached and it was agreed that arrangements would be made to have this formally signed.

The Chair thanked all Authorities for attending, in particular representatives of Brighton and Hove City Council.

It was agreed that the next meeting should look to take place at the end of July if possible, and potential dates would be circulated.
EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of the meeting held on Monday, 8th December, 2014 in Civic Community Hall, Vicarage Lane, Hailsham BN27 2AX (1.00 p.m. to 2.32 p.m.)

PRESENT:

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<tr>
<th>Authority:</th>
<th>Members of the Group:</th>
<th>Supporting Officers:</th>
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<tr>
<td>Wealden District Council</td>
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Other Attendees: Councillor [redacted] and [redacted] of Brighton and Hove City Council.

APOLOGIES: Apologies for absence were received from Cllr [redacted] (Eastbourne), Cllr [redacted], Mr [redacted], Cllr [redacted], Cllr [redacted], Cllr [redacted], Cllr [redacted] and Mr [redacted] and Ms [redacted] (South Downs), and Mr [redacted] (Wealden).

14/14. WELCOME

Councillor [redacted] welcomed participants to the meeting.

14/15. NOTES OF THE LAST MEETING

The notes of the meeting held on 21 July 2014 were agreed.

14/16. DEVELOPMENT OF A COMMON EVIDENCE BASE AND POLICY DIRECTION IN RELATION TO TOPIC-BASED POLICIES

[redacted] presented the progress report on the common policy issues work programme. It was noted that none of the work areas had yet reached final recommendations. [redacted] highlighted the progress on each:

- **Development in the High Weald AONB** – guidance notes had been produced on a range of relevant matters.
- **Biodiversity / Green Infrastructure** – no further progress had been made since the production of a Green Infrastructure Study, but East Sussex was continued to work with individual authorities on green infrastructure requirements in relation to individual site allocations in local plans.
- **Renewable Energy** – due to the breadth of subject matter, the group had sub-divided the work into solar energy, wind energy and other renewable...
energy, and was producing guidance / issues papers on all areas.

- **Community Facilities** – the initial conclusion had been that as each Authority’s Core Strategy included a different definition, it would not be possible to come to a common policy on this issue.
- **Older People’s Housing** – work to date had shown that each Authority was likely to have a separate policy in relation to Older People’s housing. The County Council had provided detailed demand mapping work to each District / Borough and the National Park Authority, which would be required as an evidence base if Authorities wished to make accessible and adaptable housing a requirement of planning applications.
- **Tourism Facilities** – the initial scoping work had finished and existing policies and evidence base were identified. A meeting would be held early 2015 for all Authorities to review the findings and agree a way forward.
- **Equestrian Development** – the work had shown that most Authorities’ policies were aligned, but with some additional work required on interpretations of ‘small scale’ development, issues of adequate pasture, and policies for domestic and commercial properties.

confirmed that a further update and recommendations would be brought to a future meeting.

Members of the group confirmed that although this work was taking time, it had been worthwhile for building understanding of different Authorities’ approaches, for highlighting key issues across the County, and for assisting individual authorities to identify where their own evidence base should be strengthened.

**The Group agreed to** note the progress of the work on the development of a common evidence base and policy direction for local plans.

**14/17. HOUSING UPDATE**

introduced the report on housing provision issues across the wider region, and on the delivery of housing locally.

The Group discussed the representations being made to the Greater London Authority on the London Infrastructure Plan. Two letters had been written from the Group, highlighting the need for south east authorities to have an input into future plans for housing in the region, resulting from the Local Plan. Councillor had attended a meeting of South East England Councils (SEEC) and was on a task and finish group, and offered to circulate to other members of this group, the terms of reference. The intention was to present the task and finish group’s recommendations to the SEEC Board in March 2015.

In addition, there was an emerging officer group, and it was agreed it would be helpful for this to include an officer from one of the East Sussex Authorities. Councillor advised that Brighton and Hove Council, would be happy to assist with this matter. He confirmed that the Council was facing similar issues, with the requirement from inspectors to find additional housing land, whilst being prevented from using particular areas of land for development such as protected greenbelt. This was also an issue being raised by outer London boroughs, such as Bromley and Croydon. He confirmed that the Greater Brighton partnership group were in discussions with several
London Boroughs on these issues.

The Group agreed that it was important to work together to look at the issue, and that co-operation continued to be key.

The Group went on to discuss where different Authorities were with delivery of housing. It was recognised that there were housing targets in each of the respective local plans, with different start and end dates. **[tabulated a copy of a graph showing projected housing completions across East Sussex, and by authority area, up to 2027. The Group highlighted that completions would depend not only on land availability, but also whether developers could deliver that level of development, and funding availability, but this was not recognised by Inspectors for target setting. The projections would change when the South Downs National Park Authority’s count was included, but provided a useful background to strategic infrastructure plans.**

It was noted that Authorities were treating ‘windfall’ development in different ways, as to whether it counted against housing requirements. This was particularly difficult for Authorities without an adopted Core Strategy or Local Plan.

Of all the Authorities in East Sussex, Wealden District Council was the only one with a requirement for an early review of housing needs. Marina Brigginshaw advised on its work on strategic housing market assessments, in liaison with other Authorities. She confirmed that the majority of Wealden’s strategic site allocations already had consents, but were not yet built out.

Both Eastbourne and Brighton and Hove Council's highlighted the difficulties they had with land banks being held and not released by owners for development, due to lower land values, and that this could have an effect on housing delivery.

It was noted that the Government was due to issue information on commuting flows into the area, and this would have an impact on the assessment of housing market areas.

**The Group agreed to:**
1) Note and endorse the action taken in response to the emerging London Infrastructure Plan; and
2) Note the respective Local Plan Housing targets and the anticipated housing trajectories.

**14/18. DEVELOPMENT OF THE STRATEGIC INFRASTRUCTURE PLAN**

presented a report summarising the responses to the Group’s consultation regarding the definition of ‘strategic’ or ‘significant’, in relation to infrastructure planning.

The Group had agreed a discussion paper for consultation in July 2014, and this had been sent to all infrastructure providers and authorities for comment by the end of October, with a supporting workshop held on 30 September. The report summarised the responses received, and concluded that the same
criteria of ‘significant’ would not fit all organisations. Based on the responses, it was recommended that an approach was followed which acknowledged where issues were common and where the infrastructure required would support the development strategies of two or more areas it was to be defined as significant, taking into account a checklist of seven criteria set out at paragraph 6 of the report.

The next stage would be to create a draft Infrastructure plan, in consultation with all East Sussex Authorities and wider, and in discussion with all the infrastructure providers. It was recognised that identifying the resources for infrastructure development would be challenging. The intention was to produce the draft plan within 6 months.

Councillor [name] highlighted the key role that the Local Enterprise Partnerships (LEPs) provided to infrastructure development, and both he and [name] provided a link to the LEPs from this Group. It would be important to take into account infrastructure needs across borders. Councillor [name] advised that early indications were that all the major parties for the General Election were supporting the continuation of LEPs, although funding streams could well change.

[Name] advised that Wealden District Members were working with the Clinical Commissioning Groups regarding infrastructure needs and delivery, there was scope for employment land trajectory work, and there had been recent meetings between the Planning Managers and Economic Development Officers Group, and all this would contribute to the development of the draft infrastructure plan.

It was agreed that this was a really useful piece of work.

**The Group agreed to:**
1) Note the consultation responses;
2) Agree the proposal for the definition of significant impact; and
3) Agreed the arrangements for the development of the Strategic Infrastructure Plan.

**WEALDEN DISTRICT COUNCIL AFFORDABLE HOUSING DELIVERY LOCAL PLAN**

Members of the Group were invited to comment, without prejudice, on Wealden District Council's Proposed Submission Affordable Housing Delivery Local Plan.

It was noted that this had been developed as a single policy local plan, due to a delay in the Council's Strategic Sites Local Plan. It was recognised that the Government guidance issued in the last few days, might require the Council to go out for a further round of consultation.

The Group discussed the key questions raised for Wealden in relation to affordable housing thresholds, differing thresholds for urban and rural areas, and options for taking a commuted sum in place of provision from developers. [Name] [Name] highlighted similarities and differences for Rother District
Council’s approach.

It was suggested that a future area of joint work for this Group could be to look at policies on negotiating commuted sums methodology and calculations.

It was asked if social providers might prefer social rented provision. The Council advised that each calculation would be on a site by site basis on what was needed. The Council was achieving above 35% affordable housing on some existing sites, and the CIL viability would take into account higher levels. The key was to future-proof the policy, and therefore achieve affordable housing, but with a flexible approach.

The Group agreed to note the policy contained within the Wealden District Proposed Submission Affordable Housing Delivery Local Plan for comment.

14/20. DATE OF NEXT MEETING AND WORK PROGRAMME

It was agreed that the next meeting would be held in March, on a date to be identified.

The Local Plan Managers Group would update the Work Programme ahead of the next meeting, to include revised target dates for each of the workstreams.

Councillor Chairman
EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of the meeting held on Wednesday, 8th March, 2017 in Civic Community Hall, Vicarage Lane, Hailsham BN27 2AX (1.30 p.m. to 2.57 p.m.).

PRESENT:

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APOLOGIES: Apologies for absence were received from Councillors [redacted], Cllr [redacted], Cllr [redacted], Cllr [redacted], Cllr [redacted] and [redacted] and Officers [redacted] (Lewes District Council, [redacted] (South Downs National Park Authority) and [redacted] (Brighton and Hove City Council).

17/1 WELCOME AND INTRODUCTIONS

Councillor [redacted] welcomed participants to the meeting and invited all those present to introduce themselves.

17/2 DRAFT WEALDEN LOCAL PLAN UPDATE

[Wealden Director of Planning Policy and Economic Development] gave a presentation on the Wealden District Council Draft Local Plan Submission due to be considered by the Local Plan Sub-Committee, Joint Planning Committee and Full Council in the next two weeks, and confirmed why the review process was required and the anticipated timetable for adoption.

He confirmed that the Issues, Options and Recommendations document which was put out for consultation had had a preferred option for testing of up to 20,000 properties to be delivered by 2037 across the District, but focused in particular in South Wealden. The SHEELA process had identified land which could give up to 24,000 properties. However, the testing in relation to traffic flows, nitrogen deposition and ecological impact on the Ashdown Forest Special Area of Conservation (SAC) had shown that although the level of nitrogen across the SAC as a whole was acceptable, the levels alongside...
forest roads based on current commitments (of 7,400 properties) were above acceptable levels, and the preferred option for testing would result in deposits well above acceptable levels resulting in ecological damage.

It was recognised that the Council did need to allow growth across the District if at all possible, but that it was essential to get the balance between development and protecting the environment including the SAC and Forest. The proposals now coming forward were to reduce the length of the plan and the number of properties to set development across the district to a level which would ensure the integrity of the SAC was not damaged by excessive nitrogen deposition. In addition to deal with the high levels of nitrogen deposition alongside the roads by providing compensatory habitat having considered alternatives and maximised mitigation. Wealden Council was modelling effects in relation to the current committed and completed properties of 7,392, for up to 11,456 properties and for up to 14,101 properties, and with a plan period of 2013 to 2028, and would expect results back in the next few days. It was recognised that the impact being modelled was from a much wider area of the Wealden District and beyond than previously thought and the modelling was complex, with different impacts depending on location and traffic flow associated with development.

Outlined the reasons for reducing the plan period and advised that, in line with the proposals in the Housing and Planning White Paper, regular reviews were proposed which would be triggered by further nitrogen monitoring, Hailsham waste water treatment delivery and A27 upgrades.

He confirmed that the Objectively Assessed Housing Need (OAHN) had been revised based on new demographic data, giving a range of 895-968 (and median of 932) per annum. A 2013-2018 calculation had been commissioned, but it was anticipated that Wealden Council may no longer be able to meet its own Housing Need projections, or to provide any headway for neighbouring authorities, if the nitrogen modelling resulted in the lower end of the housing numbers being proposed.

It was recognised that this approach to the Forest would have implications for neighbouring authorities and their plans, and it was hoped that neighbouring authorities could work together under the Duty to Co-operate. Meetings were being held with a representative of Natural England, who had been positive informally about the approach being proposed, the Government Minister had also been briefed and a number of other discussions were taking place. It was confirmed that this new approach would mean that any new planning applications outside plan areas would need to be assessed as to their impact in terms of increased traffic flow and nitrogen deposition.

Councillor confirmed this was a very different approach from previously proposed by Wealden District Council and invited comments and questions from the representatives of neighbouring authorities present.

asked what the position was in term of unimplemented allocations in the Core Strategy in terms of assessing traffic flow impact. (Wealden Head of Planning Policy and Economic Development) advised that the number/locations of development
granted in the last few years had not been envisaged by the Core Strategy. The new Local Plan would effectively re-write the Core Strategy when adopted. Officers were relying on information on what were the implications of applications already committed, and any other applications would be assessed on a case by case base, as to their impact in terms of traffic flow and nitrogen deposition.

Councillor confirmed that there had been very good liaison and joint working to date between Wealden Council and the County Council on modelling of traffic flows, but that further was required in relation to the latest figures. In addition, he asked what accommodation has been made for jobs, types of jobs and deployment, noting that the growth in the economy in East Sussex was 5.2% above the national average of 2.9%. Councillor gave assurances that it was recognised that County Officers had not had a chance to provide additional modelling on the latest figures, and there would be further liaison on these matters. In relation to economic development, responded that there were area allocations identified in Hailsham and Polegate for enterprise, and it was recognised in the plan that there was a need for a distribution of jobs across the area close to housing, but these would need to use existing capacity rather than increase traffic movements, although the Ashdown Business Park and business site at Swallow Barn were already approved. In the previous plan there had been an identification of the quality and qualification of jobs required, but as Wealden Council had lost an appeal on this basis, the new proposed plan took a more general approach. There was an affordability issue in relation to housing in the area, so the plan was focussed on building smaller houses where possible. In addition, it was important to look at other ways to market Wealden as a place for business, to attract employment into specific areas, such as Hailsham.

(Tunbridge Wells) asked whether there was a particular distance from the Ashdown Forest that had been assessed as having an impact, and if the numbers in the plans of authorities such as Tunbridge Wells and Mid-Sussex which were close to the border had been considered. Marina Brigginshaw confirmed that Wealden Council had looked at its own growth and also included a level of background growth, which took into account growth in other Council areas in general. However, the intention was to work on a model that would allow inputs from other Authority’s local plans.

confirmed that the Mid-Sussex plan contained a 7km zone in relation to Ashdown Forest, which was in Wealden’s previous plan. It was noted that the outcome of the Wealden Judicial Reviews in relation to Lewes and South Downs National Park Authority were still awaited. confirmed that all parties would have to wait for the outcome of these. It was a difficult if all authorities were making calculations differently, although there seemed to be a common understanding on the need to protect the SPA in terms of recreational pressure. confirmed that it was not Wealden Council’s intention to be confrontational, but the Council had felt it had had to defend its position and approach. However, there had been good collaboration with neighbouring authorities in relation to SANGS and SAMMs and it was hoped that such joint working would continue.
Councillor [redacted] (Mid Sussex District Council) advised on the feedback received from its Plan Inspector to date and that at the moment the inspector was asking for the Mid Sussex Council to increase the number of properties. It was confirmed that Mid Sussex Council recognised Wealden Council’s constraints, but advised that Mid Sussex had to work within its own constraints.

Councillor [redacted], thanked Members of the Group for discussing the issues and confirmed that the Council would be looking to keep other Authorities updated and to work with them going forward.

17/3 OTHER DUTY TO CO-OPERATE ISSUES - DISCUSSION

A question was raised by [redacted] (Rother District Council) on the impact on the potential development of the A27 of the new proposals from Wealden Council. [redacted] confirmed that the County Council had yet to model its requirements on the new figures and whether these could be accommodated by the in line developments and junction changes already advertised by the Government or would still need a more substantial re-development of the A27.

It was commented that on one hand the lower numbers could mean there was less evidence to support the need for the more substantial development of the A27, on the other it could be argued that this would re-direct traffic flows and allow greater growth. In either case, it was unlikely that the full funding of the improvements would be made available from the Government.

Councillor [redacted] thanked everyone for attending the meeting.
EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of the meeting held on Tuesday, 23 February, 2016 in Conference Room Vicarage Lane, Hailsham BN27 2AX (10.00 a.m. to 11.50 a.m.).

PRESENT:

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<th>Authority:</th>
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APOLOGIES: Apologies for absence were received from Councillors Cllr [Name] (SDNPA), Cllr [Name] (Rother DC), Cllr [Name] (Lewes DC), Cllr [Name] (ESCC), Cllr [Name] (Eastbourne BC), Cllr [Name] (Tunbridge Wells BC) and Cllr [Name] (Brighton & Hove CC), and from Officers: [Name] (ESCC), [Name] (Lewes DC) and [Name] (Brighton & Hove CC).

16/1 WELCOME

Councillor [Name] welcomed participants to the meeting and invited all those present to introduce themselves.

16/2 NOTES OF THE LAST MEETING

The notes of the meeting held on 8 December 2014 were agreed.

16/3 WEALDEN LOCAL PLAN ISSUES, OPTIONS AND RECOMMENDATIONS

The Strategic Planning Manager for Wealden District Council [Name] gave a presentation, which set out the background to the development Wealden Local Plan and Hailsham Area Action Plan and the stages of production. She presented information on:

- the overlapping Housing Market Areas (HMAs) relevant to Wealden District HMA;
- the objectively assessed housing needs;
- the vision and strategy for the Wealden Local Plan;
- the options for testing which had gone out to consultation; and
- some of the infrastructure which would be needed and environmental...
challenges to be resolved if the numbers identified were to be delivered.

The presentation also summarised the differing responses to the consultation on the Local Plan from neighbouring authorities and statutory consultees, and the range of other plans and policies which would be written as part of development of the new Local Plan.

The key next step would be drafting the proposed submission document by September 2016. In order to inform this document a number of studies would be required and included:

- SFRA (joint with Eastbourne);
- Retail, Employment and Town Centre studies (to include duty to cooperate);
- Transport modelling;
- Conclude components of nitrogen deposition studies on Ashdown Forest;
- Undertake Ashdown Forest visitor survey, bird monitoring and analysis;
- Green Infrastructure study;
- Open space and leisure study;
- SHELAA; and
- Joint work on policies e.g. AONB.

The Group welcomed the presentation.

16/4 DISCUSSION ON KEY ISSUES AND NEXT STEPS (WEALDEN LOCAL PLAN ISSUES, OPTIONS AND RECOMMENDATIONS PRESENTATION)

The Group was invited to discuss the key issues raised from the presentation and whether these should be the main areas of focus and how all the Authorities concerned could ensure that the Duty to Cooperate requirements were met. The key issues to focus on as a group had been suggested as:

- Housing Market Areas (HMA)
- Road infrastructure
- Flood risk
- The economy
- Environmental issues

It was commented that this was a completely new Local Plan for Wealden, and that it was an incredibly challenging timetable to ensure that all cross-boundary issues were discussed. Councillor responded that it was a very tight timetable, but that the Council was currently vulnerable to applications being granted on appeal and in the wrong places, until it was able to show that it had plans in place to meet its objectively assessed housing need. In addition, Mr (Director of Planning Policy and Economic Development) highlighted that through the previous Local Plan development period the Council had found that the longer the plan took to prepare the more changes that arose in Government Policy requiring revisions. It had therefore been decided that it was best for the Council to pursue an expeditious process. advised that the Duty to Cooperate related to strategic cross-boundary matters, and this was particularly important with regard to discussions on meeting the Duty to Cooperate. However, WDC was looking for appropriate joint work and liaison on non-strategic cross-boundary issues.
and policies, and encouraged members of the Group to contact her if there were particular policies or discussion to which other Authorities would want to contribute. It was suggested that the Group could revisit the list previously discussed of matters which had to be dealt with as ‘Duty to Cooperate’ matters, in order to prioritise work.

There was a discussion on the extent to which the delivery of infrastructure would be a constraint on the plan. It was confirmed that the numbers of houses to be delivered and the timescales were fully reliant on infrastructure delivery. For example, the testing would involve determining the ‘criticality’ of improvements to the A27 related to mitigation for the Ashdown Forest. If such improvements did not enable the levels of traffic going either side of the forest on the A22 or A26 to decrease or remain the same in conjunction with planned development, then the numbers that were being tested in the south of the District might need to decrease. It was noted that the County Council was undertaking the transport study. It was agreed it would be helpful for this or the Planning Managers Group to receive a specific briefing on the study when complete and agreed to arrange this.

It was recognised that ‘landscape’ was a critical issue for a number of Authorities, in particular the South Downs National Park Authority, Lewes, Rother and Wealden. confirmed that this was within the heading of Environmental Issues in the presentation, but would be addressed individually in the Local Plan document. (Tunbridge Wells BC) asked if it was correct that Kent County Council had not responded to the plan consultation. confirmed that this was the case and agreed to follow up as to whether Kent CC wished to comment now and also West Kent CCG. advised that Tunbridge Wells Borough Council was just beginning its consideration of issues and options, and would be interested in what sites had been submitted on the border with Wealden, and on working jointly on the Tourism and Retail policy.

The Group discussed the level of work with Clinical Commissioning Groups (CCGs). advised that the local CCGs had asked to meet with a strategic group of Councils looking at housing, and it was agreed that this may be best as a sub-group of this Group or the Planning Managers Group.

The Group discussed in general the high level of dwellings identified in the plan, and whether these could be delivered physically in the timescales. It was confirmed that this was why the plan was being tested, but that all Authorities were under the duty to ‘positively prepare plans’ and that a plan that only considered and tested modest delivery would not be sound. However, if evidence showed that it was necessary to do so, the numbers could reduce.

It was asked why the 2,300 dwellings identified over and above Wealden’s objectively assessed housing need, had been provisionally placed as meeting Eastbourne’s housing need. It was confirmed that the additional numbers were located within the south of the District, close to Eastbourne and that with the strong relationship it was decided that Eastbourne’s undersupply (if proven) should be considered first. It was anticipated that there would be robust
challenges during the process of Local Plan preparation that the numbers with arguments that the numbers were both too high and too low and how they were assigned.

The Group had a discussion on the use of Neighbourhood Plans and the experience in each authority area. There was a variety of experience of their development, and it was recognised that there was a significant amount of work for both Parish and Town Councils and the Local Authority to enable a plan to be developed. Lewes DC and the National Park Authority had the most Neighbourhood Plans in place or being developed of the Authorities present. Wealden DC had a relatively low number in development, and confirmed that these were not expected to delay the timetable for the development of the Local Plan.

The Group agreed that this had been a useful discussion and reminded members of the Group to contact her if they wished to be involved in the development of specific underlying policies to the Wealden Local Plan.

16/5 ORAL UPDATE AND DISCUSSION ON LONDON DEVELOPMENT MATTERS

Cllr advised that she regularly attended meetings of SEEC (South East England Councils) as part of her role of the Chairman of this Group, although it was predominately comprised of Council Leaders in the South East. SEEC had set up a group to hold a dialogue with the Mayor of London’s Office of any implications of the London Plan on South East Authorities. The main contact for the group from the South East was Carol Paternoster of Aylesbury BC.

Councillor advised that the Mayor’s Office currently considered that London Assessed Housing Needs could be met within London. However, it was good to keep up a dialogue under the duty to co-operate to ensure that there was not an assumption made that the South East could deliver on any future under-provision. It was also an important route to highlight that if South East Authorities are to deliver on their own housing numbers then strategic infrastructure must be provided.

Cllr advised that local authorities represented in this Group could raise any local issues up to the Mayor’s Office via her and the SEEC group. It was yet to be seen if the Mayoral election later in the year would change the arrangements.

It was noted that the SEEC agendas and minutes were available on its website (www.secouncils.gov.uk).

16/6 DATE OF NEXT MEETING

The Local Plan Managers Group would identify the date for the next meeting.
EAST SUSSEX STRATEGIC PLANNING MEMBERS GROUP

Notes of meeting held on Thursday, 26th September, 2013 in Civic Community Hall, Vicarage Lane, Hailsham BN27 2AX (3.30 p.m. to 5.20 p.m.)

PRESENT:

Authority: Members: Officers:

Wealden District Council Cllr (Chairman) None

Eastbourne Borough Council Cllr None

East Sussex County Council Cllr None

Hastings Borough Council None

Lewes District Council Cllr None

Rother District Council Cllr None

South Downs National Park Authority Cllr None

APOLOGIES: Apologies for absence were received from Councillor Mr (Hastings Borough Council).

12/1 WELCOME AND INTRODUCTIONS

Cllr welcomed participants to the meeting and checked that they were happy that she acted as host Chairman. All participants introduced themselves.

(Wealden Council Chief Executive) advised on the background to how and why the Group was formed, following discussions by the East Sussex Chief Executives Group. He emphasised that it did not affect the rights of Authorities to come to their own views on strategic planning matters, but was an opportunity for discussion and a shared understanding under the Duty to Cooperate. It was not a formal or a public meeting. All the papers had been prepared by the East Sussex Local Plan (formerly LDF) Managers Group.

12/2 INTRODUCTORY REPORT: CO-OPERATION ON STRATEGIC PLANNING MATTERS

The Group received and discussed a report which set out its purpose, in the context of the working on co-operation on strategic planning matters.
Members agreed that Planning Inspectors were increasingly challenging Local Authorities (LAs) to show how they were discharging the ‘Duty to Co-operate’. Co-operation was taking place between all Local Development Managers, and with Members and Officers on specific pieces of work, but it was agreed it was important to have an East Sussex cross-boundary group at Executive Member level to show a greater and closer political engagement with the process.

Co-operation would also be needed beyond East Sussex boundaries, and how this should work would be discussed later on the agenda. However, this Group provided an important way of starting to facilitate and demonstrate co-operation in a consistent way.

The Group agreed to:
1. Note the reasons for the formation of the Group, its function and co-operative approach; and
2. Ask the East Sussex Local Plan Managers Group to propose a programme of work to align with and support Local Plan timetables within East Sussex and its neighbouring authorities for consideration at the next meeting.

12/3 LOCAL PLANS - POSITION REPORT

Representatives from each Authority advised on the position on their local plans and their particular experience of being challenged on the Duty to Co-operate. A summary of the progress of Local Plans in East Sussex was set out in the papers.

It was recognised that most of the Authorities in East Sussex, with the exception of the South Downs National Park Authority, were in a similar position in terms of having adopted plans or proposing to be adopting Local Plans in 2013 and 2014, and could share support and co-operate in joint work or procuring specialist advice. At the same time it would be appropriate to look at the medium / long term plans and the reviews of the various plans.

Although LAs would not always agree on their approach, it was felt that there was strength in having an agreed position wherever possible on strategic planning matters. This was helpful for when challenged at Examination In Public or at appeal, and when lobbying Government. Paragraph 14 of the report set out a number of areas on which the Group could give early consideration and it was agreed that these could be pursued further.

It was suggested a good example for group work could be developing consistent AONB (Area of Outstanding National Beauty) Policies and Evidence to support them.

The Group agreed to:
1. Note the position of each Local Planning Authority in relation to progress on plan making; and
2. Consider the implications of the respective timetables for the priorities for future co-operation.
HOUSING PROVISIONS - ISSUES AND POTENTIAL AREAS FOR CO-OPERATION

A report was circulated on the importance of discussions on housing areas in relation to the ‘Duty to Co-operate’. The Group reviewed the actual and projected housing needs and provision for each Authority area as set out in Appendix 1 to the report.

The question was asked whether it was possible that the Group could work on an agreed methodology for strategic housing market areas assessments.

It was suggested that a cross-boundary approach on housing numbers was imperative, given the challenges for LAs, but it was ‘how’ this might be done that would be most challenging. It was suggested that Officers could develop some potential options for a discussion to take place at the next meeting.

It was recognised that any discussion of housing numbers and location had to take into account the wider requirements of infrastructure, including roads, jobs, schools, hospital, and economic impacts. The South East Plan, which was no longer in place, had had positive and negative aspects for different authorities, but had given a more rounded understanding of the potential ‘carrying capacity’ of the area. It was felt that the Group could work on building a similar shared understanding of local constraint, capacity and infrastructure needs.

The Group agreed to:
1. Note the substantial difficulties in fully meeting housing needs within the County and the risks these create for the future adoption of Local Plans; and
2. Ask the respective Local Planning Authorities (LPAs), through the Local Plan Managers Group, to give further consideration to, if and how a cross-boundary approach may assist the LPAs in ensuring that a sustainable level of development is planned for.

FUNDING AND DELIVERY OF STRATEGIC INFRASTRUCTURE

The Group discussed the relationships between LAs in the funding and delivery of infrastructure, including Community Infrastructure Levy (CIL).

County Officers and Members were thanked for their work with District LAs on their Infrastructure Delivery Plans (IDP). It would be very important for LAs to come to a shared understanding of ranked priorities for the area to be included in the Plan, and of their interdependencies and appropriate sequence. This would strengthen any bids for additional funding to meet the shortfall in infrastructure funding. The LEP (Local Enterprise Partnership) would be an important partner in this process. It was suggested that developing a shared view could be a key task for this Group. This could include seeking a common approach by the District Councils as the Charging Authorities for CIL and on ‘Regulation 123 lists’.

Agreed that the Group -
1. Note the relationship in the funding and delivery of infrastructure across the County;
2. Work with the County Council and other relevant infrastructure providers to
identify and prioritise the delivery of strategic infrastructure across the County; and
3. Work together to identify opportunities for collaborative bids for funding.

12/6 FUTURE MEETINGS - DISCUSSION

The Group endorsed its Memorandum of Understanding. The South Downs National Park Authority representatives advised that they had not been party to the original development of the document, but were happy with the contents.

The Group noted the request from Brighton and Hove Unitary Authority to be part of the Group. It was agreed it was very important for there to be wider collaboration beyond the boundaries of East Sussex, however there was a potential case for each of the neighbouring authorities to be invited and that would make the Group too unwieldy. In addition, it was recognised that on some issues co-operation would need to go beyond even these Authorities. Instead it was suggested that neighbouring authorities should be invited to attend specific meetings, relevant to the particular topic of the meeting.

It had been agreed under Note 13/2 that a work programme for the Group would be developed by the Local Development Managers Group and this could identify the necessary frequency and attendees of each meeting.

Cllr (ESCC) highlighted the need for wider co-operation on all aspects of infrastructure and transport, and advised that there was a meeting hosted by BT on infrastructure for Openreach broadband taking place at Stansted Airport on 14th October and extended an invitation to Portfolio Holders and Officers to attend.

Cllr Chairman
APPENDIX TWO

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: 30th October 2012

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

File Ref: PINS/C1435/429/4
# Abbreviations Used in this Report

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

<table>
<thead>
<tr>
<th>Area</th>
<th>Total provision</th>
<th>Annual provision</th>
<th>CS as % of SEP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SEP</td>
<td>CS</td>
<td>SEP</td>
</tr>
<tr>
<td>District total</td>
<td>11,000</td>
<td>8,189</td>
<td>550</td>
</tr>
<tr>
<td>Sussex Coast Sub Region (South Wealden)</td>
<td>7,000</td>
<td>4,382</td>
<td>350</td>
</tr>
<tr>
<td>Rest of Wealden (North Wealden)</td>
<td>4,000</td>
<td>3,807</td>
<td>200</td>
</tr>
</tbody>
</table>

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 Pevensey 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.

<table>
<thead>
<tr>
<th>LEGAL REQUIREMENTS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Local Development Scheme (LDS)</td>
<td>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.</td>
</tr>
<tr>
<td>Statement of Community Involvement (SCI) and relevant regulations</td>
<td>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).</td>
</tr>
<tr>
<td>Sustainability Appraisal (SA)</td>
<td>SA has been carried out and is adequate.</td>
</tr>
<tr>
<td>Appropriate Assessment (AA)</td>
<td>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.</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Ref</th>
<th>Page</th>
<th>Policy/Paragraph</th>
<th>Main Modification</th>
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<tbody>
<tr>
<td>MM1</td>
<td>iii</td>
<td>Summary</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; <em>para</em> - <em>last sentence</em> “...runs until 2030 2027 and aims to deliver some 400 450 homes per annum...”</td>
</tr>
<tr>
<td>MM2</td>
<td>iii</td>
<td>Summary</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; <em>para</em> – <em>delete</em> “...and Heathfield (160 dwellings)...”</td>
</tr>
<tr>
<td>MM3</td>
<td>1</td>
<td>1.1</td>
<td><em>First sentence – delete</em> “2030” and insert “2027”</td>
</tr>
<tr>
<td>MM4</td>
<td>13</td>
<td>3.10</td>
<td><em>Insert new sentence after</em> “...Wealden.” and before “To meet...”: “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).”</td>
</tr>
<tr>
<td>MM5</td>
<td>13</td>
<td>3.11</td>
<td><em>Last sentence – delete</em> “4230” and insert “4070” - <em>delete</em> “Heathfield,” - <em>delete</em> “9600 dwellings between 2006 and 2030” and insert “9440 dwellings between 2006 and 2027”</td>
</tr>
<tr>
<td>MM6</td>
<td>14</td>
<td>3.13</td>
<td><em>Last sentence</em> “...and can accommodate an additional 300 and 160 dwellings at Crowborough and Heathfield respectively.”</td>
</tr>
<tr>
<td>MM7</td>
<td>21</td>
<td>4.1</td>
<td>*Amend box following paragraph as follows: “Our vision is that: By 2030 2027 Wealden...”</td>
</tr>
<tr>
<td>MM8</td>
<td>22</td>
<td>SPO3</td>
<td><em>1&lt;sup&gt;st&lt;/sup&gt; and 2&lt;sup&gt;nd&lt;/sup&gt; sentences</em> “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 9600 9440 homes within Wealden from 2006 to 2030-2027. The phased delivery of on average 400-450 dwellings per annum across the 24 year period of the strategy provides a realistic timeframe for the market to deliver the housing, and is a rate that allows our communities to adjust to the growth and create mixed and balanced communities. This timescale and also better provides for the timely delivery of necessary...”</td>
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<tr>
<td>MM9</td>
<td>25</td>
<td>5.1</td>
<td>Second sentence – delete “2030” and insert “2027”</td>
</tr>
<tr>
<td>MM10</td>
<td>25</td>
<td>5.3</td>
<td>Amend as follows: “...land for at least 4685 4525 additional dwellings over the period April 2010 – March 2030-2027.”</td>
</tr>
<tr>
<td>MM11</td>
<td>25</td>
<td>WCS1</td>
<td>Title: “Provision of Homes and Jobs 2006-2030 2027”</td>
</tr>
<tr>
<td>MM12</td>
<td>25</td>
<td>WCS1</td>
<td>1st para “…the provision of some 4685 4525 net additional dwellings in Wealden District to provide for 9600 9440 dwellings over the period 2006-2030 2027.”</td>
</tr>
<tr>
<td>MM13</td>
<td>25</td>
<td>WCS1</td>
<td>2nd para “…over the period 2006-2030 2027.”</td>
</tr>
<tr>
<td>MM14</td>
<td>25</td>
<td>WCS1</td>
<td>Add 3rd para “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.”</td>
</tr>
<tr>
<td>MM15</td>
<td>26</td>
<td>WCS2</td>
<td>Title: “Distribution of Housing Growth 2006-2030 2027,”</td>
</tr>
<tr>
<td>MM16</td>
<td>26</td>
<td>WCS2</td>
<td>Table, heading to final column “Total dwellings (2006-2030 2027)”</td>
</tr>
<tr>
<td>MM17</td>
<td>26</td>
<td>WCS2</td>
<td>Table, Heathfield and Waldron row - under “New allocations (dwellings)” delete “466” and insert “452” “To be determined in a subsequent DPD”. Under ‘Total dwellings’ delete “452” and insert “292”</td>
</tr>
<tr>
<td>MM18</td>
<td>26</td>
<td>WCS2</td>
<td>Table, Total Wealden row – under “New allocations (dwellings)” delete “4685” and insert “4525”; under ‘Total dwellings’ delete “9574” and insert “9414”</td>
</tr>
<tr>
<td>MM19</td>
<td>27</td>
<td>5.7</td>
<td>Final sentence “...the period from 2010-2030 2027...”</td>
</tr>
<tr>
<td>MM20</td>
<td>27</td>
<td>5.8</td>
<td>“…it is inevitable that there will have to be a substantial use of greenfield land to meet existing and future housing needs. 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.”</td>
</tr>
<tr>
<td>MM21</td>
<td>29</td>
<td>WCS4</td>
<td>“The following strategic development areas are the locations that are considered critical to the delivery of the overall strategy and provide for the new...”</td>
</tr>
</tbody>
</table>
housing, employment and community facilities as follows:
SD1: Land at West Uckfield - provision of around 1,000 dwellings, 12,650 square metres net employment floorspace and education provision
SD2: Land at East Hailsham - provision of around 600 dwellings
SD3: Land at North Hailsham - provision of around 700 dwellings, 8,650 square metres net employment floorspace, 300 square metres retail floor space and education provision
SD4: Land at South Polegate - provision of around 700 dwellings, 8,600 square metres net employment floorspace, leisure, recreation and community facilities
SD5: Land at Dittons Road, Polegate - provision of around 8,290 square metres net employment floorspace
SD6: Land at East and South East of Stone Cross - provision of around 220 dwellings with flexibility between SD6 and SD7
SD7: Land at North Stone Cross - provision of around 430 dwellings with flexibility between SD6 and SD7
SD8: Land at Pine Grove, Crowborough and SD9: Land at Jarvis Brook, Crowborough - provision of around 140 dwellings
SD10: Land at South East Crowborough - provision of around 160 dwellings
SD11: Land at North West Heathfield
SD11: Land adjacent to Tunbridge Wells, in the Parish of Frant - provision of around 120 dwellings

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.”

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<tr>
<th>Ref</th>
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<tbody>
<tr>
<td>MM22</td>
<td>29</td>
<td>5.13</td>
<td><em>Delete first 3 sentences from “Over the last 21 years…” to “…timely provision of infrastructure.” 4th sentence “…future housing delivery until 2030 -&gt; 2027.”</em></td>
</tr>
<tr>
<td>MM23</td>
<td>29</td>
<td>5.14</td>
<td><em>Amend to read: “…the plan period to 2030 is 2027 to ensure that sufficient housing is provided to meet the housing provision target of 9600 9440 dwellings to 2030 2027.”</em></td>
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<tr>
<td>Ref</td>
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<tr>
<td>MM24</td>
<td>30</td>
<td>Figure 4</td>
<td>Amend housing trajectory to reflect change to plan period, modified Figure 5 (see below) and deletion of SD11.</td>
</tr>
<tr>
<td>MM25</td>
<td>30</td>
<td>5.16</td>
<td>Last sentence: 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.</td>
</tr>
<tr>
<td>MM26</td>
<td>31</td>
<td>Figure 5</td>
<td>Amend Title: &quot;Figure 5 Phasing of Development Indicative Delivery of Housing Development&quot;.</td>
</tr>
<tr>
<td>MM27</td>
<td>31</td>
<td>Figure 5</td>
<td>Table to be amended in accordance with revised Figure 5 attached to this schedule.</td>
</tr>
<tr>
<td>MM28</td>
<td>31</td>
<td>Figure 5</td>
<td>Add to bottom of table: 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: 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. 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. 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. 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...</td>
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<tr>
<td>Ref</td>
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</tbody>
</table>
| MM29 | 32 | 5.16 | **Paragraph to be added after paragraph 5.16 and subsequent paragraph numbers changed as appropriate:**  
5.17 The indicative delivery of housing shown in Figure 5 is based upon the following:  
- 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.  
- Development at will commence early in the Plan period at strategic allocations at Stone Cross, but will be phased to provide a steady supply of housing, to ensure integration in this relatively small community and allow for will be subject to the provision of necessary transport infrastructure enhancements in south Wealden.  
- Development of SD2 to the east of Hailsham will be phased to commence from 2017. This will enable require prior studies to be carried out concerning potential odour control issues at the wastewater treatment works at east Hailsham 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 and also ensure that highway infrastructure issues can be resolved. 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.  
- Development at south Polegate and east Willingdon (SD4) will be phased to commence from 2019 to enable integration of development in relation to contingent upon transport infrastructure requirements and interventions in south Wealden.  
- 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)  
- Development on land within Frant Parish adjacent to the boundary with Tunbridge Wells |
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<td>(SD12) will be phased to commence from 2026. This will enable resolution of infrastructure capacity issues, in particular waste water treatment capacity at Tunbridge Wells, prior to development taking place.</td>
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<td>- Development of south east Crowborough (SD10) will be phased to commence from 2024. This will enable 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.</td>
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<td>- 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.</td>
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<td>- 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.</td>
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<tr>
<td>MM30</td>
<td>32</td>
<td>5.16</td>
<td>Amend existing 5th bullet point to new para 5.17, above: &quot;Development at Heathfield (SD11) will be phased for early in the plan period and this will enable much need social housing to be provided 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.”</td>
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<tr>
<td>MM31</td>
<td>33</td>
<td>WCS5</td>
<td>“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 and the rate set out in the housing trajectory. 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</td>
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<tr>
<td>MM32</td>
<td>36</td>
<td>6.11</td>
<td>First sentence:</td>
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<td>The strategy provides the context for the development of future policies in the Site Allocation DPDs and seeks....</td>
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<tr>
<td>MM33</td>
<td>37</td>
<td>6.11</td>
<td>Sub section 3, 2nd bullet point, add second sentence:</td>
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<td></td>
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<td>Policy WCS4 provides the detail concerning the delivery of development in the urban extension SD1.</td>
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<tr>
<td>MM34</td>
<td>38</td>
<td>Figure 6</td>
<td>&quot;Urban extension west of Uckfield (SD1) (residential, employment and potential education provision) commencement around 2016”</td>
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<tr>
<td>MM35</td>
<td>40</td>
<td>6.19</td>
<td>First sentence</td>
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<td>The strategy provides the context for the development of future policies in the Site Allocation DPDs and seeks....</td>
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<tr>
<td>MM36</td>
<td>40</td>
<td>6.19</td>
<td>Sub section 3, 1st paragraph, add to end of 1st sentence:</td>
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<td></td>
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<td>“around 1300 dwellings, in accordance with WCS4.”</td>
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<td>MM37</td>
<td>42</td>
<td>Figure 7</td>
<td>&quot;Urban extension north Hailsham (SD3) (residential/ employment &amp; primary school provision) commencement around 2024</td>
</tr>
<tr>
<td>MM38</td>
<td>42</td>
<td>Figure 7</td>
<td>Urban extension east of Hailsham (SD2) (residential provision) commencement around 2017”</td>
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<tr>
<td>MM39</td>
<td>44</td>
<td>6.31</td>
<td>First sentence</td>
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<td>“The strategy provides the context for the development of future policies in the Site Allocation DPDs and seeks....”</td>
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<tr>
<td>MM40</td>
<td>45</td>
<td>6.31</td>
<td>Sub section 3, 1st paragraph, add to end of 1st sentence</td>
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<td></td>
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<td>“Polegate and Willingdon area, in accordance with WCS4.”</td>
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<tr>
<td>MM41</td>
<td>46</td>
<td>Figure 8</td>
<td>SD6 &amp; SD7 phased from around 2015 to 2027</td>
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<tr>
<td>MM42</td>
<td>47</td>
<td>6.36</td>
<td>Delete last sentence: “A reserve location...would be required.”</td>
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<tr>
<td>MM43</td>
<td>47</td>
<td>6.38</td>
<td><em>First sentence:</em> The strategy provides the context for the development of future policies in the Site Allocation DPDs and seeks....</td>
</tr>
<tr>
<td>MM44</td>
<td>48</td>
<td>6.38</td>
<td><em>Sub paragraph 4, delete last bullet point:</em> “Potentially, if required, provision of dwellings...broad locations listed above)”</td>
</tr>
<tr>
<td>MM45</td>
<td>48</td>
<td>6.38</td>
<td><em>Sub section 4, 1st paragraph, add to end of 1st sentence:</em> “300 homes, in SD8, SD9 and SD10 in accordance with WCS4.”</td>
</tr>
<tr>
<td>MM46</td>
<td>49</td>
<td>Figure 9</td>
<td>“Crowborough Town Centre with Pine Grove redevelopment (SD8) commencement around 2015”</td>
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<tr>
<td>MM47</td>
<td>49</td>
<td>Figure 9</td>
<td>“Infill at Jarvis Brook (SD9) (residential provision) commencement around 2015”</td>
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<tr>
<td>MM48</td>
<td>49</td>
<td>Figure 9</td>
<td>“Urban extension south east (SD10) (residential provision) commencement around 2024”</td>
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<td>MM49</td>
<td>49</td>
<td>Figure 9</td>
<td>Delete notation and reference to contingency urban extension north of A26</td>
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<tr>
<td>MM50</td>
<td>50</td>
<td>6.41</td>
<td>Delete paragraph and renumber subsequent paragraphs</td>
</tr>
<tr>
<td>MM51</td>
<td>50</td>
<td>6.42</td>
<td><em>First sentence:</em> “The strategy provides the context for the development of future policies in the Site Allocation DPDs and seeks....”</td>
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<tr>
<td>MM52</td>
<td>50</td>
<td>6.42</td>
<td>*Sub paragraph 3 “meeting the housing and community needs of Heathfield by 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). Sites for housing development within this broad location will be identified and phased through the Site Allocation DPDs.”</td>
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<tr>
<td>MM53</td>
<td>51</td>
<td>Figure 10</td>
<td>Delete notation and references to SD11</td>
</tr>
<tr>
<td>MM54</td>
<td>55</td>
<td>WCS6</td>
<td>Final para: “…housing development to be allocated up until 2030 2027.”</td>
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</table>
| 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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<td>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. 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. 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.”</td>
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<tr>
<td>MM56</td>
<td>57</td>
<td>7.6</td>
<td>“We will seek through policies contained within the Delivery and Site Allocations DPD to identify and protect appropriate infrastructure and essential community services/facilities located within the District which are required to ensure the delivery of the spatial strategy in Wealden 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.”</td>
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| MM57 | 59 | 7.13 | “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. 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
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<td>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.</td>
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<tr>
<td>MM58</td>
<td>60</td>
<td>7.14</td>
<td>Delete paragraph number and add to paragraph 7.13. Renumber subsequent paragraphs as appropriate</td>
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<td>“However, in circumstances where deliverable sites are required to maintain our five year housing land supply and Where it can be proven that affordable housing cannot be achieved, due to economic viability, we would required to be flexibility 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 &quot;open book&quot; approach and used to determine a revised appropriate level of provision.”</td>
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<tr>
<td>MM59</td>
<td>60</td>
<td>WCS8</td>
<td>Add below third paragraph of policy to create new 4th paragraph:</td>
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<td>“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.”</td>
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<td>MM60</td>
<td>62</td>
<td>WCS11</td>
<td>Amend text at bullet point 3:</td>
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<td>“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;”</td>
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<tr>
<td>MM61</td>
<td>62</td>
<td>WCS11</td>
<td>Amend text at bullet point 4:</td>
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|     |      |                  | “Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protections, including the
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<td>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;”</td>
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<tr>
<td>MM62</td>
<td>64</td>
<td>WCS12</td>
<td>Add as paragraph 3: “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.”</td>
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<tr>
<td>MM63</td>
<td>64</td>
<td>WCS12</td>
<td>Add to amended paragraph 3, above: “...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. 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. “</td>
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<tr>
<td>MM64</td>
<td>65</td>
<td>WCS13</td>
<td>Paragraph 3: “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.”</td>
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<tr>
<td>MM65</td>
<td>68</td>
<td>7.29</td>
<td>Fourth sentence:</td>
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<td>“Therefore it will not be necessary to duplicate a</td>
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<td>similar provision, albeit more rapidly implemented,</td>
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<td>in the Core Strategy.”</td>
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<td>MM66</td>
<td>68</td>
<td>7.30</td>
<td>Add to end of paragraph:</td>
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<td></td>
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<td>“We will work with both Southern Water and South</td>
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<td>East Water to assist in meeting the objectives of</td>
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<td>the respective water resources management plans,</td>
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<td>including supporting the delivery of appropriate</td>
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<td>water supply and sewerage infrastructure.”</td>
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<td>MM67</td>
<td>68</td>
<td>7.31</td>
<td>Add new section after paragraph 7.31.:</td>
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<td>Sustainable development</td>
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<td>7.32 The National Planning Policy Framework</td>
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<td>confirms that there should be a presumption in</td>
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<td>favour of sustainable development and that all</td>
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<td>plans should be based upon and reflect this</td>
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<td>presumption with clear policies to guide how the</td>
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<td>presumption will be applied locally. The Framework</td>
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<td>also confirms that there are three clear dimensions</td>
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<td>to sustainable development, economic, social and</td>
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<td>environmental. Proposed development that accords</td>
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<td>with an up to date Local Plan should be approved</td>
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<td>and proposed development that conflicts should be</td>
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<td>refused unless other material considerations</td>
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<td>indicate otherwise. In order to meet this</td>
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<td>requirement the following policy will be applied.</td>
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<td>Policy WCS 14 Presumption in Favour of</td>
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<td>Sustainable Development</td>
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<td>When considering development proposals the</td>
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<td>Council will take a positive approach that reflects</td>
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<td>the presumption in favour of sustainable</td>
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<td>development contained in the National Planning</td>
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<td>Policy Framework. It will always work proactively</td>
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<td>with applicants jointly to find solutions which mean</td>
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<td>that proposals can be approved wherever possible,</td>
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<td>and to secure development that improves the</td>
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<td>economic, social and environmental conditions in</td>
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<td>the area. Planning applications that accord with the</td>
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<td>policies in the Local Plan (and, where relevant, with</td>
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<td>policies in neighbourhood plans) will be approved</td>
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<td>without delay, unless material considerations</td>
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<td>indicate otherwise. Where there are no policies</td>
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<td>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:</td>
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<td>• 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</td>
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<td>• Specific policies in that Framework indicate that development should be restricted.</td>
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<tr>
<td>MM68</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Delete notations and references to SD11 at Heathfield and to contingency urban extension north of A26 at Crowborough</td>
</tr>
<tr>
<td>MM69</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Tunbridge Wells (edge of Frant) Insert Map: “Urban extension to Tunbridge Wells (Parish of Frant) (SD11) (residential provision) commencement around 2026”</td>
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<td>MM70</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Crowborough Insert Map “Crowborough Town Centre with Pine Grove redevelopment (SD8) commencement around 2015 Infill at Jarvis Brook (SD9) (residential provision) commencement around 2015 Urban extension south east (SD10) (residential provision) commencement around 2024</td>
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<td>MM71</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Uckfield Insert Map Urban extension west of Uckfield (SD1) (residential, employment and potential education provision) commencement around 2016</td>
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<td>MM72</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Hailsham Insert Map “Urban extension north Hailsham (SD3) (residential/ employment &amp; primary school provision) commencement around 2024 Urban extension east of Hailsham (SD2) (residential provision) commencement around 2017”</td>
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<tr>
<td>MM73</td>
<td>Key</td>
<td>Key Diagram</td>
<td>Polegate, Willingdon and Stone Cross Insert Map: “SD6 &amp; SD7 phased from around 2015 to 2027”</td>
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Figure 5

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<th>First Five Years from adoption of Core Strategy (0 to 5 years)</th>
<th>Six to Fifteen Years from adoption of Core Strategy (6 to 15 years)</th>
</tr>
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<tbody>
<tr>
<td>Projected completions</td>
<td></td>
<td>c.3558</td>
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<tr>
<td>Uckfield urban extension (SD1)</td>
<td></td>
<td>c.1000</td>
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<tr>
<td>East Hailsham urban extension (SD2) &amp; North Hailsham urban extension (SD3)</td>
<td></td>
<td>c.1300</td>
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<tr>
<td>Crowborough - urban area (SD8 - SD9) &amp; South East Crowborough urban extension (SD10)</td>
<td></td>
<td>c.300</td>
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<tr>
<td>Land at South Polegate and East Willingdon (SD4)</td>
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<td>c.700</td>
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<tr>
<td>Stone Cross urban extensions (SD6 - SD7)</td>
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<td>c.650</td>
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<tr>
<td>Tunbridge Wells urban extension (within Frant Parish SD11)</td>
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<td>c.120</td>
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<tr>
<td>Villages</td>
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<td>c.455</td>
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