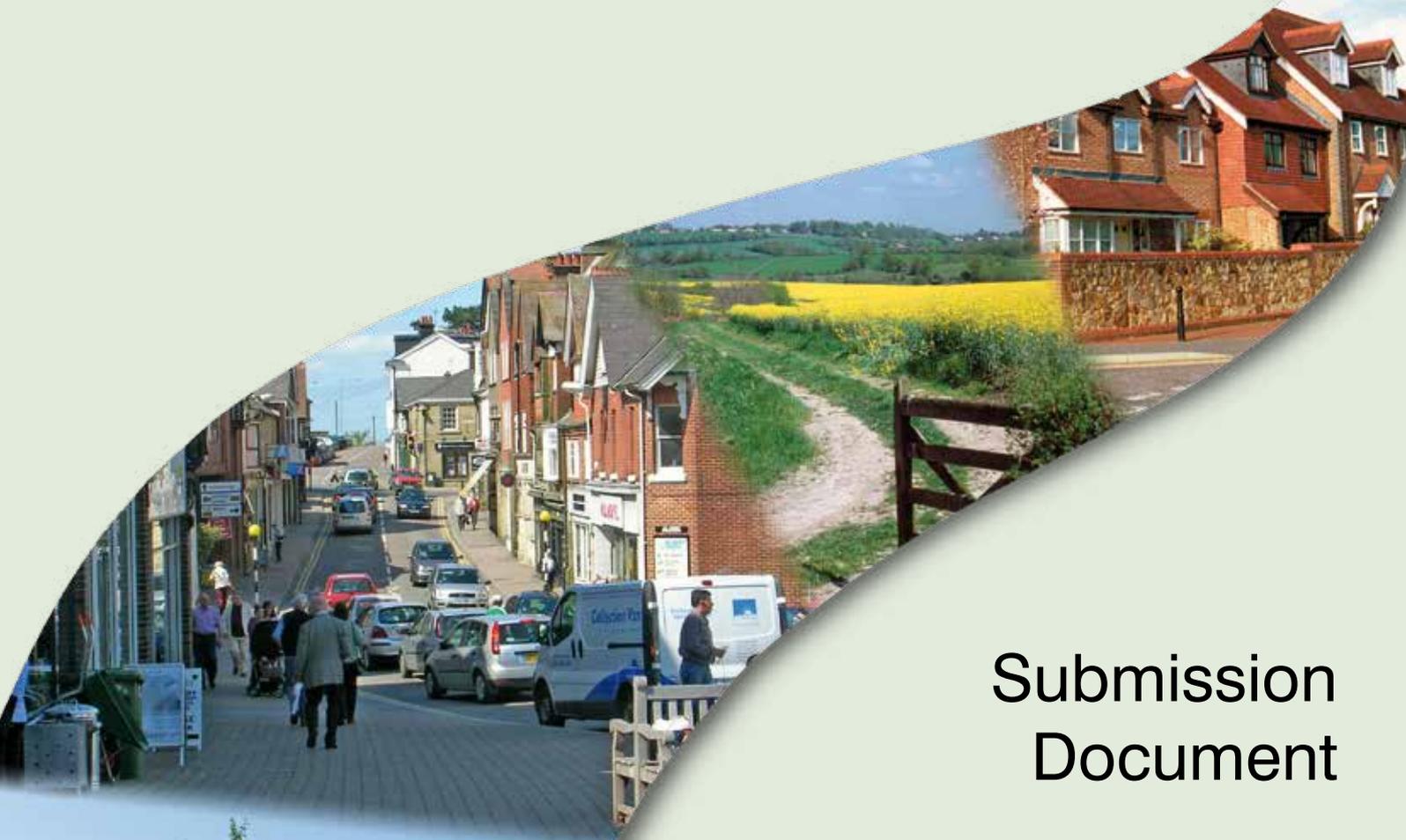
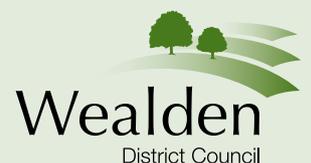


Wealden Local Plan

Main Modifications to the Wealden Local Plan



Submission
Document



January 2019

How to Contact Us

Planning Policy

Wealden District Council

Council Offices, Vicarage Lane, Hailsham, East Sussex BN27 2AX

Telephone 01892 602008

E-mail: ldf@wealden.gov.uk

Website: www.wealden.gov.uk

Office hours Monday, Tuesday, Thursday, Friday 8.30am to 5.00pm and Wednesday 9.00am to 5.00pm

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Introduction

1.1 Natural England provided advice on the Habitats Regulations Assessment (“HRA”) of the Proposed Submission Wealden Local Plan as part of its representations under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012. In accordance with The Conservation of Habitats and Species Regulations 2017 as amended, the Council has had regard to the representations made by Natural England. As a result, the HRA has been updated in various respects, including on air quality impacts regarding Pevensy Levels SAC and Ramsar Site. This updated HRA forms part of the submission papers to the Wealden Local Plan examination.

1.2 So far as the Pevensy Levels SAC and Ramsar Site are concerned, the submission version of the HRA concludes that there is no adverse effect from air quality impacts of the Wealden Local Plan alone and in combination with other plans and projects (without the need for mitigation). This marks a change from the proposed submission version of the HRA, which concluded that mitigation was required.

1.3 Whilst this change is considered to be material, it does not change the strategy of the Plan. However, it does in the Council’s view require certain modifications to be made in order to ensure that the Local Plan is sound (i.e. main modifications) and the Council will request that the Inspector recommend such modifications pursuant to section 20(7C) of the Planning and Compulsory Purchase Act 2004.

1.4 The following schedule identifies the Council’s proposed main modifications to the Wealden Local Plan. They are provided for discussion and consideration during the examination, and may be amended or added to in due course. All main modifications will be subject to consultation, and the sustainability appraisal will be updated to the extent required.

SCHEDULE OF MAIN MODIFICATIONS

WEALDEN LOCAL PLAN – JANUARY 2019

The changes below are provided for discussion and consideration during the examination, and may be amended or added to in due course. All main modifications will be subject to consultation, and the sustainability appraisal will be updated to the extent required.

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

The page numbers and paragraph numbering below refer to the Submission Wealden Local Plan (January 2019), and do not take account of the deletion or addition of text.

Changes in this Schedule have not been incorporated into the Submission Wealden Local Plan, January 2019.

Page	Policy/ Paragraph	Modification
29	3.32	Due to its location, Wealden District hosts an important strategic road route for East Sussex. Wealden connects Eastbourne with Tunbridge Wells and provides the main short cut between Eastbourne, Rother and Hastings to Gatwick, the M23 and the M25. The use of these roads to obtain services elsewhere and the heavy reliance upon the car means that there is an issue in terms on the impact of pollution from traffic upon the Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensy Levels SAC and Ramsar Site . Such a loss of ecological resource would have an impact at a European scale as well as on those local people who may take such an important resource for granted.
44	5.29	An Air Quality Assessment has been undertaken for the Pevensy Levels SAC and Ramsar Site. The baseline critical load and levels for NOx are predicted to be exceeded on this site at receptors close to the road and increased traffic will lead to further air pollutants being introduced into the ecosystem. However, the extent of area affected is not as great as Ashdown Forest SAC and Lewes Downs SAC. Whilst this is not a reason why effects should be ignored It is also acknowledged that the estimated background concentrations and deposition for Pevensy Levels are considered to be currently within its environmental limits. A Site Nitrogen Action Plan, to reduce background levels, is therefore unlikely to be required.
44	5.30	<u>The qualifying features of the Pevensy Levels SAC and the Ramsar site are both reliant upon the expansive network of wet ditches within the coastal floodplain grassland. It is concluded in the Habitat Regulations Assessment that additional air pollutants from the Local Plan alone and in combination will not have an adverse effect on the integrity of the Pevensy Levels SAC and</u>

Page	Policy/ Paragraph	Modification
		Ramsar Site owing to its particular circumstances. However, it is acknowledged that mitigation measures to reduce emissions would have a beneficial impact on localised impacts and provide certainty that the ecological integrity of the Pevensey Levels SAC and Ramsar Site will not be adversely affected.
44	5.31	This Plan has been subject of a Habitats Regulations Assessment and, subject to policies contained within the Plan, development may proceed. However, it does not necessarily mean that development proposed beyond that identified in this Plan ⁽¹⁵⁾ can go ahead without a Habitats Regulations Assessment incorporating an appropriate assessment where necessary. A Habitats Regulations Assessment, in these circumstances, must show that there is no net increase in traffic movements across Ashdown Forest SAC <u>or</u> , Lewes Downs SAC or Pevensey Levels SAC and Ramsar Site as at 2014, if capacity on the network is created for the development proposed or if suitable mitigation is identified and secured. <u>Any increase in traffic movements beyond that identified in the Plan will require an assessment under the Conservation of Habitats and Species Regulations 2017 as amended.</u>
45	AF 1	<p>Air Quality and Wealden Local Plan Growth</p> <p>Development identified in this Plan ⁽¹⁶⁾ may only be delivered when suitable mitigation measures for the Ashdown Forest Special Area of Conservation <u>and</u>, Lewes Downs Special Area of Conservation and Pevensey Levels Special Area of Conservation and Ramsar Site are identified and a delivery mechanism created by the Local Planning Authority, is in place in accordance with Policy AF2.</p> <p>a) Development in addition to that identified in this Plan ⁽¹⁷⁾ will only be permitted if it can be concluded that the proposals will not adversely affect the integrity of Ashdown Forest Special Area of Conservation, Lewes Downs Special Area of Conservation and Pevensey Levels Special Area of Conservation and Ramsar Site owing to traffic movements beyond the 2014 baseline⁽¹⁸⁾ in combination with other identified development, including that allocated or identified⁽¹⁹⁾ in this Plan. A full Habitats Regulations Assessment of the potential impacts of the development and, if appropriate, proposed mitigation measures must be submitted prior to the determination of the planning application(s) and suitable mitigation measures, as approved by the competent authority, shall be implemented prior to the completion / occupation of development as appropriate.</p> <p>b) The impact of the Plan alone and in-combination will be monitored in accordance with Policy WLP 12 and particular</p>

Page	Policy/ Paragraph	Modification
		regard will be given to the balance between employment and the impact of loss of employment on the overall traffic movements across Ashdown Forest SAC.
45	Policy AF 1 Target(s)	<ul style="list-style-type: none"> a) 95% of SSSI units (Sites of Special Scientific Interest) in 'favourable' or 'unfavourable recovering' condition b) No net loss of SSSI units within the Ashdown Forest SAC, <u>and</u> Lewes Downs SAC, Pevensey Levels SAC and Ramsar Site
46	Policy AF 1 Indicator(s)	<ul style="list-style-type: none"> • AF 01 - Number of planning appeals dismissed by the Planning Inspectorate due to the proposed development having an adverse impact on the Ashdown Forest SAC, <u>or</u> Lewes Downs SAC or Pevensey Levels SAC and Ramsar Site • AF 02 - Quality of the Ashdown Forest, <u>and</u> Lewes Downs and Pevensey Levels SSSI units (%) • AF 03 - Area of the Ashdown Forest, <u>and</u> Lewes Downs and Pevensey Levels SSSI units (hectares)
46	AF2	<p>Air Quality Mitigation</p> <p>Development identified in this Plan that results in the net increase in traffic movements across roads adjacent to Ashdown Forest SAC or Lewes Downs SAC will be permitted subject to providing a financial contribution (20) a package of measures designed to ensure that there is no adverse impact on the integrity of Ashdown Forest SAC and Lewes Downs SAC. Such measures could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a) Air quality and ecology monitoring of Special Area of Conservation; b) Investigation of and where suitable the potential implementation of measures to contribute to a wider SNAP, where this is considered appropriate. This could include measures to strengthen nitrogen sensitive habitats; c) Investigation of measures to reduce local transport emissions from vehicles; d) Reduction of emissions from other land uses that affect the Special Area of Conservation; e) Provision of electric charging points for electric vehicles within public areas; f) Resources relevant to promotional/ instructive material regarding public and sustainable transport use and walking; and

Page	Policy/ Paragraph	Modification
		<p>g) Provision of electric public transport, cycling and walking facilities and schemes to reduce the use of petrol and diesel vehicles.</p> <p>All new development must also:</p> <p>h) Provide appropriate electric vehicle charging infrastructure. The type and amount of infrastructure to be agreed with the competent authority to suitably mitigate the type of development;</p> <p>i) Demonstrate that freight traffic resulting from new development will seek not to impact the Special Area of Conservation through routing arrangements and travel plans;</p> <p>j) Provide personalised travel planning; and</p> <p>k) All new housing and employment development to have the ability to connect to high speed broadband.</p> <p>In order to mitigate the impacts of development, the Council:</p> <ul style="list-style-type: none"> • Supports provision of an off-line A27 to provide an alternative route to roads crossing the Ashdown Forest SAC and Lewes Downs SAC; • Supports the reinstatement of the Lewes to Uckfield Train Line and an upgrade to Uckfield- Buxted - Crowborough- Tunbridge Wells Railway line including services; and • Supports creation of Polegate Parkway Station/ or alternative parking capacity in South Wealden. • Other mitigation measures contained within policies in this plan include: • Locating services in towns and villages to reduce trips to other centres; and • Supporting employment development which reduces the need for out commuting and which results in a net reduction in traffic movements associated to the Special Area of Conservation.⁽²¹⁾ <p>Mitigation measures identified at a, c, e, f, g, h, j and k will assist in reducing overall emissions and increase the use of sustainable transport measures to combat any impacts of air quality on the</p>

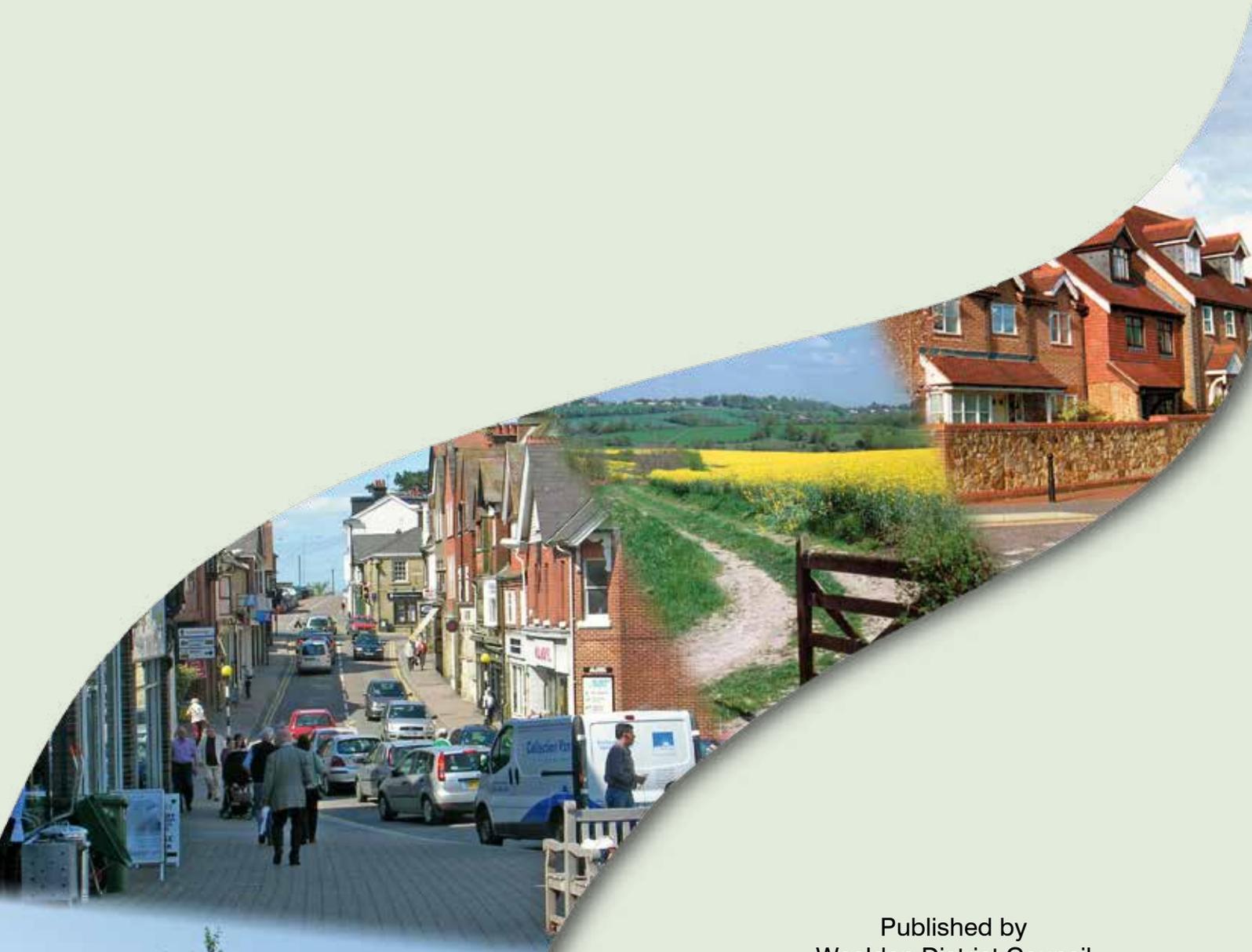
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		roadside of the Pevensy Levels SAC and Ramsar Site.
47	Footnote (19)	Employment development within certain Middle Super Output Areas that exceed the provisions in Policy WLP 9 may reduce out commuting and reduce traffic movements on roads relevant to Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensy Levels SAC and form the overall mitigation measures to reduce background emissions as a long term solution.
54	6.12	In accordance with the National Planning Policy Framework, growth potential has been identified in smaller and unsustainable settlements. These settlements, which have a capacity for up to 50 dwellings, have been provided with a Core Area and associated policies (Policy WLP7 and Policy RAS1). The policy contained within Policy RAS1 has a settlement capacity for growth and a method for distributing that growth. In essence it permits organic, small scale, small dwellings up to the settlement capacity. Owing to air quality issues concerning Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensy Levels SAC and Ramsar Site , the settlement may not reach its settlement capacity if it has not been provided with a windfall allowance. The windfall allowance which allows for some small scale growth for some, but not all, Core Areas is identified at Policy WLP7 and RAS1. The windfall allowance will be able to be delivered, subject to mitigation identified in Policy AF2.
66	6.25	Although economic development will take place across the District, certain areas will be identified for specific growth including employment land and retail development. The location of development is intrinsically linked to the spatial strategy and the general locations of growth and change. By linking this growth with population change it is deemed to be inherently sustainable. Overall by increasing employment provision it has a positive impact on transport movements by reducing the need to travel with some benefits to Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensy Levels SAC and Ramsar Site . Therefore, if the extent of employment floorspace were to reduce this could result in a negative impact throughout commuting to access jobs. In order to support the future development of smaller scale employment land in other location across the District, an additional policy identifying a maximum provision of employment floorspace by Middle Super Output Areas has been provided in a subsequent policy to this Plan.
66	6.26	The growth identified within the Wealden Local Plan includes job provision across the District, in addition to that identified on land within the South Wealden Growth Area. This job provision relates directly to traffic movements across Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensy Levels SAC and Ramsar Site

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		<p>affected roads and forms part of the headroom of development contained within this Plan. This employment windfall allowance is expressed in job numbers and equivalent mixed B Class floorspace. These windfall job numbers are based on 2014 data and will change as completions take place, planning permissions are granted or circumstances change. These will be monitored, updated and used for determining windfall planning applications for employment use.</p>
73	WLP 12	<p>Managing the Delivery of Housing Land</p> <p>The District has a minimum housing target for the Wealden Local Plan of 14,228 dwellings between 1st April 2013 and 31st March 2028 and this will be met through a 'stepped' housing trajectory as illustrated above. 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 WLP 7. The Plan will deliver an average of 750 (net) dwellings per annum (dpa) until the end of the 2020/21 monitoring period. Thereafter, an average of 1,179 (net) dpa will be delivered between 2021/22 and 2027/28.</p> <p>The Five Year Housing Land Supply calculation for the Wealden Local Plan will be based upon this 'stepped' housing trajectory and will be calculated from 30th September 2017 onwards. This will be continually monitored through the production of the Council's Authority Monitoring Report.</p> <p>The release of land will be dependent on the timely provision of infrastructure necessary to deliver housing, including transport improvements in the South Wealden Growth Area (SWGA), improvements to the Hailsham North and Hailsham South Waste Water Treatment Works, and Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensey Levels SAC and Ramsar Site mitigation measures. The adequacy of housing land supply will be assessed regularly through reviews of the Strategic Housing and Economic Land Availability Assessment, the Infrastructure Delivery Plan, and associated Infrastructure Road Map and the Council's Authority Monitoring Report.</p>
74	6.37	<p>The potential for nitrogen deposition and other traffic enabled pollutants on the Ashdown Forest SAC, <u>and</u> Lewes Downs SAC, and Pevensey Levels SAC and Ramsar Site from planned development must also be taken into consideration in the Plan and the necessary mitigation measures provided. Therefore, it is considered necessary to identify when there may be a requirement in the future to review the plan in order to allow for flexibility.</p>
75	WLP 13	<p>Review of the Wealden Local Plan</p>

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		<p>The following scenarios will require a review, in part or in whole, of the Local Plan:</p> <p>a) The solution to the Hailsham North and Hailsham South Wastewater Treatment Works is not delivered by 2022; or</p> <p>b) The delivery of the South Wealden Growth Area not in line with the housing trajectory; or</p> <p>c) The continuous review of nitrogen deposition and other relevant pollutants on Ashdown Forest SAC, <u>and</u> Lewes Downs SAC, and Pevensey Levels SAC and Ramsar Site allows more growth or restricts growth further; or</p> <p>d) The mitigation measures for Ashdown Forest SAC, <u>and</u> Lewes Downs SAC, and Pevensey Levels SAC and Ramsar Site are not effective; or</p> <p>e) The need for a comprehensive off line A27 solution between Lewes and Polegate is considered necessary to be delivered within the plan period.</p>
81	7.11	<p>Alongside the strategic transport improvements, the delivery of local transport infrastructure to support a ‘step change’ in the use of public transport, walking and cycling will be necessary. This will provide the opportunity to embed behaviour change in the Wealden area towards sustainable transport choices for everyday journeys, which are cheaper, healthier and cleaner, contributing to increasing active travel and improving local air quality and reducing carbon emissions. These types of schemes can also form part of mitigation for traffic related impacts at Ashdown Forest SAC, <u>and</u> Lewes Downs SAC and Pevensey Levels SAC and Ramsar Site.</p>
	Policy INF 3	<p>Transport Infrastructure</p> <p>The Council will work with key local stakeholders, strategic transport providers and applicants to enable the funding and delivery of the strategic road and rail infrastructure at the earliest opportunity including:</p> <p>a) Road and rail improvements required to deliver growth in the South Wealden Growth Area;</p> <p>b) Improving existing and delivering new bus routes and infrastructure, including:</p> <ul style="list-style-type: none"> • Bus priority measures; • Passenger facilities – bus stop infrastructure and real time passenger Information; and • Establishment of a Quality Bus Partnership; <p>c) Enhancing existing and delivering a new strategic cycle infrastructure network, to improve accessibility between settlements to key local services, including employment, education, health, shopping and leisure, alongside integration with other transport modes, i.e. rail;</p>

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		<p>d) Improving the pedestrian environment by delivering safer walking routes to support connectivity between new developments and key local services, including employment, education, health, shopping and leisure, alongside integrating with other transport modes, i.e. bus and rail;</p> <p>e) Delivering highway improvements to relieve local congestion and accommodate the needs of pedestrians, cyclists and public transport users;</p> <p>f) Any necessary traffic calming measures and safe pedestrian crossings;</p> <p>g) Provision for electric vehicle charging infrastructure in town and village centres and relevant public spaces. These measures may also form part of the mitigation measures for Ashdown Forest SAC, <u>and Lewes Downs SAC</u> and Pevensy Levels SAC and Ramsar Site; and</p> <p>h) Promote and enable the adoption of 'smarter choices measures' including travel plans for work places and schools, car clubs, car sharing, wheels 2 work and cycle hire. These measures may also form part of mitigation measures for Ashdown Forest SAC, <u>and Lewes Downs SAC</u> and Pevensy Levels SAC and Ramsar Site.</p> <p>Delivery</p> <p>The preference is that small scale off-site improvements to relieve local congestion and accommodate the needs of pedestrians, cycling and public transport uses and any necessary traffic calming and safe pedestrian crossings are delivered through Section 278 or are subject to development contributions through Section 106.</p> <p>Future Studies</p> <p>Studies will be undertaken to assess the impact of the proposed growth on the wider highway network, to assist in the identification of additional transport improvements.</p> <p>These will include:</p> <p>A271 Corridor Study; A267 Corridor Study; A26 Corridor Study; and A22 Corridor Study.</p> <p>Additional highway infrastructure improvements are also required to increase capacity on the local network and improve journey times on the following networks:</p>

Page	Policy/ Paragraph	Modification
		<ul style="list-style-type: none"> • A22 corridor; • A26 corridor; • A272 corridor; • A271 corridor; • A267 corridor; • A265 corridor; • B2023 corridor; and • B2096 corridor.
87	8.4	<p>Air Quality impacts on Ashdown Forest SAC, <u>and Lewes Downs SAC</u> Pevensey Levels SAC and Ramsar Site and mitigation measures are presented in Chapter 5 - Air Quality and the Environment. Recreational impacts and mitigation relating to Ashdown Forest SPA are provided within this chapter. Hydrological and water quality impacts and mitigation concerning Pevensey Levels SAC are identified in Chapter 13 - South Wealden Growth Area.</p>
537	Policy COM 1	<p>Communications Infrastructure</p> <p>Development will be supported that makes a contribution to the enhancement of:</p> <ul style="list-style-type: none"> • the broadband service and in particular superfast broadband; and • the mobile network coverage and in particular to address areas where there is no coverage to a minimum of 2G and better coverage of 3G and 4G. <p>As part of the mitigation measures for Pevensey Levels SAC and Ramsar Site, Ashdown Forest SPA and Lewes Downs SAC, housing and employment development must incorporate superfast broadband infrastructure.</p> <p>The use of multiple operator masts and upgrading of existing masts is encouraged. In rural areas and sensitive urban areas the masts should be sympathetically designed and camouflaged where possible.</p>



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Fax: 01323 443333
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Website: www.wealden.gov.uk