

## **Wealden District Council – Wealden Local Plan Regulation 22 (1) (c) statement**

### Appendix 11: Summary of the main issues raised in the representations received pursuant to Regulation 20

Below is a detailed commentary of the main issues raised by the representations received which are categorised according to the principal sections contained within the Wealden Local Plan. A total of 2043 responses were received from 377 respondents. A range of representations were made which varied from large detailed documents submitted by developers commenting on a number of policies to comments made by individual householders commenting on site specific policies. Representations were also made by Statutory Consultees. These are all published and available to view on the Council's consultation portal; [http://consult.wealden.gov.uk/portal/planning/wealden\\_local\\_plan/pswlp](http://consult.wealden.gov.uk/portal/planning/wealden_local_plan/pswlp)

Common with previous consultations on planning policy documents no overall consensus emerged from the responses given the number of policies contained within the plan. Many responses were in support of the overall strategy and the proposed distribution and level of growth identified however, there were others who believe that housing numbers should be increased or distributed to other settlements within the District and others who consider that the lack of infrastructure and environmental constraints prevent development and that the proposed levels of growth are unrealistic and should therefore be reduced. Other issues raised suggest that the strategy does not accommodate possible shortfalls from neighbouring authorities and the plan does not go far enough to promote employment opportunities to support the level of growth proposed.

The significant majority of representations received relate to overall housing numbers, the distribution of the growth strategy, provision of infrastructure and the approach to air quality and the environment. Other matters received proportionally far fewer comments.

### **Vision and Spatial Objectives**

Several comments received relate to the overall vision and spatial objectives set out in the plan. Comments can be summarised as follows:

- The vision does not include reference to the historic environment and heritage assets nor is there a specific objective relating to this issue;
- SO1 – several comments relate to the deliverability of growth in the south of the district given the high levels of infrastructure and the uncertainty of the cost required to deliver it;
- The plan should cover a longer time period to provide greater certainty and be consistent with national policy;
- Total housing numbers should be increased to 18,500 (1233 per annum);

- The strategy should take into account the direct influence of regional towns, Gatwick airport and London;
- The Edge of Tunbridge Wells should be identified as a potential location for housing;
- Support is given for the economy objectives, however growth should be identified for the north of the District and not just focussed on the south;
- Several objectives not being correctly focussed and are unachievable;
- The objectives are not sound due to the impact on the Ashdown Forest SPA and SAC, Lewes Downs SAC and Pevensy Levels Ramsar site;
- SO2 – employment zones should be spread across the District;
- SO4 – there is a need for Local Council control of shops;  
There are no meaningful proposals in the plan dealing with social isolation;
- The plan should encourage “building up”;
- Support for the vision and spatial objectives focussing development in the South Wealden Growth Area;
- SO5 – Countryside should reference paragraph 83 of the NPPF and be reworded to include the benefits of expansion in all types of rural business in rural areas and provide explicit support for farm/ rural diversification. It should also include a presumption in favour of creating compensatory habitat as a reasonable alternative.
- SO6 – broad support for this objective but concerns raised that the approach will only meet the needs of a relatively small section of society – access to the countryside should be available to all and there needs to be support for a range and variety. Specific reference should be made to the South Downs National Park in the objective. Parking is also identified as a problem.
- SO7 – support for the inclusion of references to the South Downs National Park, Lewes Downs SAC, protection of dark night skies and ensuring measurable net gains in biodiversity;
- SO8 – support for this objective as it presents an opportunity to promote the provision of new green infrastructure and biodiversity net gain through development;
- SO9 - there is too much weight on road infrastructure and not enough focus on public transport, active travel, reducing car dependency and reducing the need to travel by car;
- SO9 – support the principle of locating development next to established transport networks but settlements in the north of the District have been ignored. The objective should seek opportunities to include green infrastructure provision;
- SO10 – reference should be made to conversion of redundant rural agricultural buildings to housing and to reflect that some housing in smaller settlements should also be provided;
- SO11 – broad support for this objective however support should be given to the re-use of previously developed land in rural areas and to include the re-use of suitable redundant rural buildings;

- SP12 – the objective should include reference to improving existing community buildings;
- SO13 – the wording of this objective is vague and too generalised;
- SO14 – broad support for this objective but it does not give due regard to existing surface water flood risk and should recognise that an effective means of dealing with flood risk is to design with local conditions and constraints at the very earliest stage of the development process. Reference should be made to ground water flood risk. The objective should be strengthened to ensure the design of development will seek to avoid the exacerbation of climate change.

### **Duty to Cooperate**

A number of comments relate to how the housing need has been calculated including how the unmet need from adjoining authorities has been dealt with and how engagement with neighbouring authorities has been undertaken. Eastbourne, Lewes and Tunbridge Wells are specifically noted. It is suggested in the representations made that the Council needs to review its ability to accommodate further growth above its OAN to assist neighbouring authorities in meeting their housing needs.

Eastbourne Borough Council have raised concerns relating to cooperation with Wealden District Council relating to meeting its unmet housing and employment need and the removal of the commitment to take a small portion of their unmet housing need identified in the Issues, Options and Recommendations consultation document. They also raise concerns relating to cooperation relating to the Pevensey Levels as they argue that this is a cross boundary issue with Rother District Council and Hastings Borough Council.

South Downs National Park Authority, Tunbridge Wells Borough Council and Lewes District Council submitted a joint response confirming that air quality and the Ashdown Forest SAC are cross boundary issues. The response states that the Council has failed to work collaboratively on these issues most notably by not signing a statement of common ground within the agreed timeframe, not sharing evidence in a useable form and not engaging with the authorities on the proposed mitigation measures. Rother District Council in a separate representation made similar comments.

### **Settlement Hierarchy**

There were a number of comments received relating to the settlement hierarchy predominantly questioning the classification of certain settlements, most notably East Hoathly, Maresfield, Ninfield and Polegate and Willingdon. In contrast many comments supported the classification of these settlements and the recognition of the importance of the towns within the District and the proximity in the north to Tunbridge Wells and in the south with Eastbourne.

Several comments question the methodology adopted to classify settlements and the reliance on existing facilities and accessibility rather than the potential improvements should development take place.

One representation questioned the distinction between large village types 1 and 2 which they argue is arbitrary and without justification. They suggest these categories are merged to create a single large village.

## **Air Quality and the Environment**

The policies within this chapter received the highest number of representations in the consultation. There is a mixture of general support and opposition to the policies in this chapter of the plan. In addition, a number of issues are raised in relation to the policies. There is an element of overlap between the comments received for Policy AF1 and AF2 which are summarised below.

### **Policy AF1 Air Quality and Wealden Local Plan Growth**

Several representations received oppose this policy including;

#### *Mitigation Measures*

- There is no concrete proof that the mitigation measures proposed will protect the Ashdown Forest and there is no evidence of this happening previously (within Wealden or with other Local Authorities);
- The mitigation measures referred to in Policy AF2 are not considered sufficient (for example monitoring and investigation are not considered as mitigation, nor is the creation of Polegate parkway station);
- There is no evidence that SANGs will reduce visitor numbers to Ashdown Forest;
- Costings for mitigation measures and monitoring measures to be imposed are in draft form so the Plan is considered incomplete;
- Mitigation measures and their implementation should be specifically contained within a policy;
- There is no mention of timeframes for the delivery of mitigation measures within the Local Plan;
- A larger housing number is not tested and there is no evidence to suggest that the mitigation measures are not scalable.

#### *Habitats Regulations*

- The Habitats Regulations Assessment does not consider the precautionary principle;
- The requirement for a Habitats Regulations Assessment to be undertaken for any new development may deter developers due to time and cost constraints;
- There is insufficient evidence shared in relation to the Habitats Regulations Assessment of the Wealden Local Plan;

#### *Environmental comments*

- The issues arising from NO<sub>2</sub> emissions from cars passing the Ashdown Forest already exist due to existing traffic and the mitigation measures will not address this. Emissions from vehicles are not considered to be the most significant contributor;
- Ashdown Forest SAC is not sensitive to the 950dpa threshold as Brownfield Land (WLP10) is allowed to exceed the settlement capacity;
- It is not taken into consideration that Ashdown Forest SAC habitats already have tolerance to an exceeded critical level/load and therefore likely significant effects are less likely to arise;
- It is not taken into consideration that different development types (e.g. residential care homes) will have a different impact in terms of traffic movements;
- Mitigation measures applied to new development should be the same for both development identified within the Plan and development additional to the Plan;
- It is not taken into consideration that improvements to vehicles may occur over the Plan period and therefore nitrogen deposition may be reduced;
- The Air Quality Mitigation Strategy Tariff should take into account the size/type of housing to be built.

#### *General policy comments*

- The policy is overly restrictive and the significance of the air quality impacts to Ashdown Forest SAC are overstated;
- Growth is restricted to that identified in the Plan only;
- Policy restricts and delays residential growth within the District.

#### *Other comments*

- Further cooperation with others in relation to mitigation measures required with neighbouring authorities and Natural England;
- Vehicle exhaust emissions and the effect they can have on the population has not been considered;
- An alternative to the two policies should be sought as the Habitats Regulations test can be met in other ways.

A summary of the representations that, for the majority, support the Policy are set out below:

- Implementation of a mechanism that will monitor the effectiveness of the mitigation measures on an ongoing basis;
- SANGs should be created at least a year prior to development to allow them to develop;
- Support for the requirement for planning applications to be accompanied by a Habitats Regulations Assessment;
- Support for the implementation of mitigation measures to ensure no adverse impact to the European Sites.

Several comments suggested changes to the policy wording including:

- Explicit acknowledgement of the Air (trip) Credit policy/scheme;
- Removal of the policy, or scheme and itemised proposals;
- Move some of the HRA work to an appendix to make it more concise;
- Assessment should be based on scenario B;
- The explanatory text should refer to steps the council will take to reduce the number of polluting vehicles travelling through Ashdown Forest, i.e. the introduction of a low emission zone;
- Identify how the monitoring of the impact of the Plan will take place;
- A revision of the policy wording to take into account the “People over Wind” judgement;
- It is argued that in Policy AF1 to remove the text “owing to traffic movements beyond the 2014 baseline” from subparagraph a; and
- Subparagraph b should make reference to the results of the monitoring being used to further fine tune the precise detail of any required mitigation/avoidance package of measures.

## **Policy AF2 Air Quality Mitigation**

In general, the main oppositions against the policy relate to representations suggesting that there is a lack of evidence in relation to the effectiveness of the proposed mitigation measures and the lack of evidence as to how and when the mitigation measures will be implemented. A summary of these representations are set out below.

### *Mitigation measures*

- Mitigation measures should be applied to development additional to the plan;
- There is no evidence that the measures identified within the Policy will improve the pollution levels at Ashdown Forest SAC and there is a lack of evidence that the mitigation measures are required and will be introduced within a reasonable timescale;
- Some of the mitigation measures identified within the policy, e.g. an off-line A27 and Polegate parkway station, will not come forward during the plan period and are therefore considered irrelevant;
- An off-line A27 and the creation of Polegate Parkway station would have a detrimental impact upon Lewes Downs SAC;
- No evidence that SNAPs will be effective in reducing the impact upon Ashdown Forest SAC;
- Funding for mitigation measures will come from development, but development cannot take place without mitigation measures;
- There is no evidence that SANGs will reduce visitor numbers to Ashdown Forest;
- Mitigation measures are broad, in draft format and more detail is required;
- Investigation into and monitoring of mitigation measures are not mitigation measures themselves;

- Within the appendix of the HRA it is listed that the mitigation measures proposed will have low effectiveness;
- There is no evidence to show that an off-line A27 will limit vehicles crossing Ashdown Forest SAC and Lewes Downs SAC.

#### *Air Quality Interim Mitigation Strategy Tariff*

- The additional cost and constraints for developers as a result of the mitigation tariff should be considered;
- Clarification is required on viability as a result of any mitigation tariff;
- Reference to the Air Quality Interim Mitigation Strategy Tariff is not made within the Policy.

#### *Habitats Regulations*

- Natural England's advice regarding methodology has not been taken into account;
- The Habitats Regulations Assessment does not consider the precautionary principle.

#### *Environmental Comments*

- There is limited information on how vehicle emissions will change over the Plan period and how the uptake of electric vehicles will impact Ashdown Forest SAC. This has not been taken into account;
- There is a lack of evidence to show the correlation between species richness and nitrogen deposition and that species richness is impacted by nitrogen deposition;
- Habitats within Ashdown Forest are already subject to an exceeded critical load and are therefore more tolerant to exceedance, however this is not taken into account;
- SSSI units within Ashdown Forest SAC are in a favourable or unfavourable but recovering state;
- Vehicle movements are not the only contributor towards nitrogen deposition and the other issues should be addressed.

#### *General comments*

- The aim to prevent out commuting is unrealistic due to a lack of employment opportunities within the District;
- Residential development should be provided close to rail links to lower the impact of out commuting;
- There is a lack of clarity upon Natural England's position on the content of the HRA/Plan;
- It is considered that the impact of development upon Ashdown Forest SAC is overstated;
- Consultation with other Local Authorities has not taken place;

- Policy WLP10 allows for the 950dpa to be exceeded so Ashdown Forest SAC cannot be sensitive to this housing number and a higher housing number should be tested or different Scenario adopted.

A summary of the representations that, for the majority, support the Policy are set out below:

- Support for the reinstatement and upgrade of rail lines into and out of Uckfield;
- Support for engagement with Natural England and other Local Authorities in respect of mitigation measures;
- Support for further consultation with Natural England in relation to the mitigation tariff;
- Support for the introduction of a mitigation tariff;
- Support for the inclusion of mitigation measures.

Several comments suggested changes to the policy wording including;

- Further details in relation to criteria j are required as this is unclear;
- Point (f) of the policy should include an explanation of the impact of petrol and diesel emissions on the Natura 2000 sites;
- Insert missing word 'towards' between 'financial contribution' and 'a package of measures';
- The Air Quality Interim Mitigation Strategy Tariff should be referenced within the policy;
- A low emission zone should be introduced or traffic management/restriction measurements;
- The policy should be deleted and growth should be concentrated in the South Wealden Growth Area;
- Policy AF 1 and AF 2 should be combined;
- The HRA should be more concise.

Suggestions in relation to the mitigation measures include;

- New routing away from the Forest for all vehicles;
- Investment in public transport;
- Planting of species along the edge of the Forest, next to major routes, to act as a barrier;
- Reopening of the Lewes-Uckfield and Eridge-Tunbridge Wells lines.

## **Strategic Growth Policies**

### **Provision on Homes and Jobs (WLP 1)**

A significant number of representations were received relating to this policy. Representations largely referred to the different interpretations of the Wealden OAN and (largely) how this should be increased in line with the new standard

methodology or in line with the upper limit of the OANs considered within the 2017 Regeneris report. There were concerns surrounding the limited testing of the higher housing targets within the HRA and the SA/SEA. Some landowners/agents would like to see a lesser reliance on windfall delivery and for more planned development to come forward.

### **Gypsy and Traveller Provision (Policy WLP 2)**

No comments were received relating to this policy.

### **Development Boundaries (Policy WLP3 and Policy WLP4)**

The concept of development boundaries is generally supported. However some individual representations suggest otherwise, with the principle of development boundaries being considered restrictive given that settlements that are listed have been defined as sustainable settlements. The scope for windfall development is considered too small and should not be controlled. It is considered the policy should allow for development to take place within and adjoining the boundaries, in line with Core Areas as development outside is just as sustainable.

One representation considers the provision of development boundaries contrary to government guidance and that rural settlements can play an important role in delivering sustainable development. The target of the 'majority of new development' to take place in development boundaries has been challenged as should 51% of development take place, then the target would be met. It is also considered that more flexibility is required outside of development boundaries because of the lack of an identified 5 Year Housing Land Supply.

### **Core Areas (Policy WLP5)**

Representations received on the principle of core areas indicate general support, apart from issues related to each specific settlement which is analysed elsewhere in this report. One comment objects to the use of small scale in relation to development that may be acceptable, with 'large scale' being able to be sensitively accommodated with the likely addition of affordable housing. Another comment points to the NPPF and the policy being flexible enough to allow additional sites to come forward if required beyond the capacities stated. The use of the terms 'adjacent' and 'scattered' have been disputed and require better definition to prevent urban creep and loss of countryside.

### **Neighbourhood Development Plans (Policy WLP 6)**

Several representations were in general support of the policy including two parish councils who are currently preparing a neighbourhood plan. However, concerns were raised in relation to the validity of the requirement for a memorandum of understanding to be entered into. One comment also suggested the threshold of 50 should be increased to 60 to enable allocation within the neighbourhood plan of a higher number of windfall if identified for their area.

### **Distribution of homes (WLP 7)**

This policy received a significant amount of response largely relating to the redistribution of housing development from the South Wealden Growth Area to the north of District. This is largely due to issues surrounding the infrastructure requirements in the south of the District and the viability of development in this location (market saturation). Some landowners/agents would like to see a lesser reliance on windfall delivery and for more planned development to come forward.

Options vary in terms of the general proposed distribution of growth with representations agreeing with the proposed distributions in some cases and some seeking significant changes in the approach.

### **Brownfield Land (Policy WLP10)**

General support is given to this policy within the representations however it is argued that;

- The policy is too restrictive and that it does not allow for the reuse of Brownfield Land except when related within or adjoining a settlement boundary;
- The policy does not relate well to the revised NPPF (paragraphs 117 and 118);
- There should be a more positive statement in favour of using brownfield land first and that the continued use of Greenfield land is unsustainable;
- The policy should not be combined with policy AF1 as this would be too restrictive in terms of developing brownfield land;
- The policy conflicts with Policy WLP7 in terms of whether a site is suitable outside the development boundary;
- Brownfield sites should be allocated in the plan rather than just a windfall policy to be determined as sites come forward;
- Natural England stated that it should be recognised that brownfield land can also be environmentally sensitive with a significant biodiversity interest dependent on the previous use and length of time the area has been disused. They welcome that the policy notes that support for development on suitable brownfield land will be subject to appropriate environmental protection.

### **Release of Land (Policy WLP11)**

Representations received predominantly oppose this policy with one representation arguing that this policy only allows for sites identified in the plan itself for a 3 year period from adoption. It is also argued that the policy is unnecessary as the Council being able to demonstrate a 5 year housing land supply is considered appropriate.

However it is argued that the new Housing Delivery Test could be used as a monitoring tool to deliver a more appropriate assessment of allocated sites is welcomed. The reassessment of allocated sites is welcomed but it is considered that a pool of sites could be provided to ensure that housing land supply is kept at a

consistent rate. One comment suggests that the delivery rates do not reflect the previously achieved delivery rates and are therefore unrealistic.

### **Managing the Delivery of Housing Land (Policy WLP12)**

Several representations were received on this policy. The majority of the recommendations related to an uplift in the housing target and/or further allocations within the Plan to deliver certainty that such figures can be met. The majority of the representations wish to see a removal of the stepped trajectory and the flat 950 dwellings per annum target be delivered during the Plan period.

In terms of the 5 year housing land supply, some respondents argue for the historic supply to be added to the 5 year housing land supply, although some agreed that the historic undersupply should not be added. A number of respondents have suggested that the 20% buffer should be applied.

### **Review of the Wealden Local Plan (Policy WLP13)**

A large number of representations were received on this policy offering different views on its inclusion in the plan. Some representations support the policy however the main areas of concern relate to the uncertainty of the delivery of infrastructure identified in the plan, the likelihood of the housing numbers being delivered in line with the proposed housing trajectory and the lack of alternative or contingency options set out in the plan. Several comments also argue that the policy is not necessary as paragraph 33 of the NPPF requires a local plan to be reviewed at least once every five years.

Eastbourne Borough Council argue that the triggers identified in the policy have already been met in relation to nitrogen deposition and the infrastructure requirements and suggest that the plan period should be extended to allow full consideration of a comprehensive offline A27 solution between Lewes and Polegate.

## **Infrastructure**

### **Policies INF1, INF2, INF3, INF4 and INF5**

A number of comments relate to the uncertainty over the delivery of infrastructure in relation to funding and sign up by delivery partners. It is considered that transport issues should be addressed before any new development is permitted, and that many transport studies have not yet been undertaken. Some respondents consider that it is difficult to support the policy as its implementation is questionable, and that development has already been permitted where infrastructure is insufficient.

Statutory consultees support the need to ensure there is infrastructure capacity before land is released for development, but with need to further strengthen policies as CIL/S106 is only going to part fund overall infrastructure needs. There is also support for protecting against the loss of infrastructure through Policy INF2, with amendments suggested by Southern Water to specify wastewater provision, and support from South East Water to deliver infrastructure outside of development boundaries.

A number of comments were made specifically in relation to transport infrastructure, with concerns raised over the level of engagement and consultation with local communities. It is considered that there is insufficient certainty over schemes proposed and that priority is given to the South Wealden Growth Area, without sufficient detail for North Wealden.

Natural England recommend that the transport policies recognise the opportunity to include green infrastructure provision and Highways England provide concerns and advice on the Wealden Transport Study that underpins the transport infrastructure required and prioritised in the Local Plan.

With regards to site access, comments have been made on specific sites such as Ghyll Road (which are covered elsewhere in the Plan), and concern that applications have been permitted without regard to the policy approach stated, highlighting a need for better engagement between East Sussex County Council highways and the local community.

The safeguarding of infrastructure is strongly supported by respondents. Statutory consultees support the approach to safeguard infrastructure with: the Environment Agency seeking extension to policy to allow opportunities for safeguarding areas for flood management; and South East Water requesting additional land to be safeguarded at Arlington Reservoir.

## **Environmental Assets**

### Policies EA1, EA2, EA3, EA4, EA5 and EA6

Overall, there is strong support for the inclusion of Policy EA1 within the Plan in order to protect biodiversity. However, there were concerns raised by statutory consultees Natural England and the Environment Agency that the policy does not go far enough and fails to specifically aim for measurable net gains for biodiversity in line with the NPPF.

Natural England and other representations suggest a number of modifications to the policy wording in order to strengthen Policy EA1. There are also requests for 'compensatory measures' to be considered as a 'reasonable alternative' rather than 'mitigation', and a stronger link between Policy EA1 and Policy EA3 Green Infrastructure to be implemented. It is also considered that Policy EA1 is inconsistent with updated advice from Natural England and the Forestry Commission regarding a buffer zone of 50m around Ancient Woodland.

There is support for Policy EA2 (Ashdown Forest Special Protection Area) from the South Downs National Park and Tandridge District Council. Natural England confirmed that the strategy proposed is the most appropriate.

However, there are strong objections from landowners/agents relating to the SANGS and SAMMS strategy questioning whether the strategy can mitigate recreational trips to the Ashdown Forest and reduce vehicle numbers. It is argued there is no evidence to demonstrate that SANGS and SAMMS can be effective and that the level of

importance given to traffic generation, the zones of influence and tariff based policy approach to address the impacts upon European sites are all questionable and not fully justified by the evidence base.

It is argued that the Council's assessment of the potential impact of the in-combination effects of the Plan proposals upon the integrity of the Ashdown Forest SAC is overly precautionary and does not provide the robust assessment of the issue that is required. Policy EA2 sets a variety of different benchmarks, and it is not clear which one would pre-dominate in the consideration of a planning application. It is argued this has the potential to cause uncertainty, and Policy EA2 should be amended in order to provide greater clarity on how it is likely to be interpreted and implemented.

There is strong support for Policy EA3 (Green Infrastructure), including from statutory consultees Natural England and the Environment Agency. However, there are concerns that the policy should be broader in scope to plan for managing green infrastructure in a more strategic way. A number of representations suggest that there should be more impetus for the Council to produce a Supplementary Planning Document if it was committed to in the policy.

There is overall support for Policy EA4 (Landscape Character), with statutory consultee Natural England and other representations suggesting that development proposals should include submission of sufficient information to allow the Council to assess impacts to landscape character through Landscape and Visual Impact Assessments.

In general, there is support for Policy EA5 and the need to consider development within or affecting the setting of the High Weald Area of Outstanding Natural Beauty. However, there is particular concern from statutory consultee Natural England in that major development within the AONB should be robustly assessed against the NPPF tests, as they should not be considered as suitable locations for major development. Policy EA5 should therefore include reference to the public interest tests within the NPPF. There is also objection to the use of 'small-scale' within the policy as this is not defined anywhere.

On the other hand, there are objections to the AONB being characterised as a rural idyll with romanticised characterisations as it is considered to have been urbanised in recent years and should therefore not be protected to such a high level.

Policy EA6 is generally supported and it is argued that it is as an exemplar policy in relation to the setting of the South Downs National Park. There is some concern over the policy wording, including from Natural England who argue it is too vague and that it could be strengthened further.

## **Economy and Retail**

### Economy

Policies WLP8 and EC1, EC2 and EC3

There were limited responses with regards to employment land, with concern raised over the potential restrictive nature of the policy for conversion of land to residential use. In relation to new employment land (in addition to that allocated) there was support for the policy to be developed further to reflect and sustain the rural economy.

In general, concern was raised regarding the omission of tourism employment opportunities, along with the potential conflict between sustainable development and travel to work, in relation to the accessibility of jobs.

With regards to the allocation of 22,500 sqm of business floorspace through Policy WLP 8 of the Local Plan, questions were raised as to whether the Council were meeting the overall demand stated in the Economy Study and the potential for other sites, including the A27 corridor to meet overall need to prevent sole dependence on one site. Although the policy was generally supported, concern was raised whether the delivery of an allocation could be undermined by sporadic windfall development outlined in Policy WLP9.

There were balanced views with regards to Policy WLP9 'Provision of Jobs' with concern that: jobs are not guaranteed for local people, there are negative environmental impacts in relation to transport movements around the Ashdown Forest; and there needs to be clarity over how jobs numbers were allocated to settlements. Whilst there was support for the policy, the monitoring of land permitted including closures and changes of use was considered essential.

## Retail

Policies WLP 9 and TC1, TC2, TC3 and TC4

There were no significant responses in relation to the Retail Hierarchy. Whilst Hailsham and Uckfield have been identified and allocated as settlements for retail growth, concern was raised in Uckfield that leisure facilities should take precedence over new retail provision. More generally, parking provision for retail uses was raised as a concern and a priority for the Council.

It is suggested that the Local Impact Threshold for Retail should be amended to reflect that it applies to developments proposed outside of the designated retail centres.

## **South Wealden Growth Area**

### Provision of homes and jobs (SWGA1)

There are a number of alternative views regarding this policy. Several comments support the policy and the focus of the growth in the south of the District however several comments suggest that this approach is unsound and should be balanced with growth in the north of the District, especially in Crowborough and Uckfield.

Many comments relate to the uncertainty over the infrastructure required to support the growth identified in this policy and this uncertainty indicates that the plan is undeliverable and therefore is not effective.

It is argued that the principle of allocating a high proportion of housing in the south of the District is flawed because the housing market/ demand is limited, access to the job market is contained, infrastructure is inadequate and reliant on external funding and the timescale to delivery is insufficient given the uncertainty of funding.

One representation states that the policy does not reflect the settlement hierarchy and argues it does not meet the needs of the other main settlements.

Eastbourne Borough Council does not believe the policy is sound as it does not include provision to meet the unmet need from Eastbourne.

Concern is raised that the District's natural capital, particularly the Pevensey catchment cannot accommodate the level of development identified in this policy.

Historic England are concerned that most new development identified in the plan does not achieve any historic environmental related outcomes or that heritage assets will be safeguarded or enhanced as part of the agenda for growth and infrastructure provision.

#### Distribution of Homes, Jobs and Strategic Infrastructure (Policy SWGA2)

Representations received regarding this policy are varied and mainly echo the comments received relating to the overall strategy set out in Policy WLP1 and Policy WLP7 with support for the strategy by developers with interests in the area and the allocations set out, some arguing that the allocation numbers on some sites be increased. In contrast to developers and agents argue that other sites are more suitable within the growth area or that there should not be a reliance on the south of the District with a more even distribution with the north, especially in Crowborough, Uckfield and the edge of Tunbridge Wells.

Arguments are outlined in relation to the allocation at Mornings Mill Farm which should be increased to include up to 700 houses with employment and community facilities as identified in earlier versions of the plan.

The level of infrastructure required to deliver the growth identified was also a common theme in the representations.

One representation argues that the allocation at Lower Horsebridge should be removed given the flood risk associated with this site.

It is argued that there is a disconnect between areas set out for residential development and infrastructure and employment provision with the employment provision being physically disconnected from the areas of residential growth and along a highway corridor which requires strategic infrastructure improvements.

### Infrastructure (Policies SWGA 3, 4, 5 and 6)

The Environment Agency have confirmed that the development proposed in South Wealden can be accommodated within the current permits for the Hailsham South and North Wastewater Treatment Works. East Sussex County Council has expressed concerns over the certainty of funding and further work required on transport infrastructure. Other representations point to uncertainty of delivering big transport infrastructure projects and that the testing of alternatives is not clear.

Natural England has concerns regarding the impacts off an offline A27 on the South Downs National Park and that the policy for its inclusion in the plan is premature. Rother District Council supports A27 improvements between Lewes and Polegate, with further consideration needed of the impacts through to Bexhill. East Sussex County Council support reference of the specific A27 policy as an integral component of long term growth, with South East Water highlighting that any proposal for an offline A27 should avoid the area north of Arlington Reservoir which is safeguarded for extension. Other representations show a balance in support and opposition to the policy with an acceptance of its long term need, with concerns raised regarding its environmental impact.

East Sussex County Council strongly support the Policy for Education Infrastructure, with further detail being provided in the Infrastructure Delivery Plan. Other comments on education point to the linkage with site allocations and the negotiation of delivery on site through the development control process, and current overcrowding of which needs to be remedied.

A limited amount of comments have been made in relation to healthcare infrastructure, with one respondent questioning the engagement with Clinical Commissioning Groups and one suggesting that detailed matters of healthcare facilities should be negotiated as part of the development control process for site allocations.

### Protection of Pevensy Levels SAC and Ramsar Site – Hydrology (Policy SWGA7)

In general representations received were supportive of this policy and support the protection of the Pevensy Levels SAC and Ramsar site with some suggesting small clarification changes to the policy wording as set out below.

Several comments query the phrase 'alternative foul water drainage solution'. It is suggested that this is unclear and all development sites should be required to provide a connection to the sewerage system as package treatment works are unlikely to meet the in water quality requirements of the Pevensy Levels.

One representation queries the use of sustainable drainage systems arguing that their effectiveness will depend on the geology and topography of individual sites. It is further argued that mitigation on a strategic scale is an option that may be considered as part of the development control process but there is no justification for stating this to be a preference.

The Environment Agency supports the policy with some minor clarifications to ensure greater weight is given to avoidance of impact before mitigation. They would

like to see wastewater treatment considered in line with the hierarchy for foul drainage and that the policy includes a presumption against non mains drainage in seweraged areas and consideration could be given to whether this should be specified in the policy.

Natural England also support the policy but they state that it might not be possible to achieve the scale and nature of SuDS required on a site by site basis so this will need to be considered at project level through appropriate assessments. They support the strategic approach to SuDS as this will also address additional concerns such as open space access and green infrastructure provision. The inclusion of a SuDS policy should be included to address targets laid out in their advice note of September 2017.

Rother District Council support the policy with minor amendments to show the extent of the catchment of the Pevensey Levels in Wealden to be shown on a map and the supporting text highlights that certain types of SuDS would be more appropriate in this context.

#### Release of Development (Policy SWGA 8)

The Environment Agency support reference to Wastewater infrastructure and the need for capacity being made available at the appropriate time. Concern is raised in other representations that the policy may prevent development coming forward because of the uncertainty regarding infrastructure delivery.

### **Hailsham**

A number of representations were in general support of the policies relating to Hailsham and the focus of growth in the District within the South Wealden Growth Area. The lack of certainty relating to the infrastructure required to deliver the level of growth is the main concern highlighted especially given the shorter plan period.

Each allocation is supported by the landowners/ agents promoting the relevant site and they have confirmed that the sites are deliverable and available within the plan period.

Some representations received from agents/ landowners with land located in the north of the District have raised concerns over the housing distribution being contrary to the proposed settlement hierarchy and that settlements located in the north of the District should have allocations, most notably Uckfield, Crowborough and the edge of Tunbridge Wells.

Concern is raised that the Pevensey catchment cannot accommodate the level of development identified. It is argued that the policies do not alleviate the urbanising effects of this quantum of development in such close proximity to the SAC.

In addition, there is concern over the close proximity of the development boundary to the Pevensey Levels and the associated impact development could have on the integrity of the SAC.

One representation states that there is a lack of reference to historic environment related outcomes or that heritage assets will be safeguarded or enhanced as part of the growth identified.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

The Environment Agency have made comments relating to policy provisions in allocations relating to flood impact to be amended to ensure that all built development, not just residential, avoids Flood Zone 2 and 3.

Southern Water support the requirement for odour studies to be carried out on sites where there is identified a potential issue. They argue that the policies should include that residential development will not be permitted on land that is subject to odour nuisance arising from Hailsham South Waste Water Treatment Works unless an appropriate mitigation strategy is implemented.

A number of sites were considered to have been omitted from being allocated, either as an addition to those sites allocated or as more suitable alternatives to those allocated. These include:

- Land to the north of Hailsham

Specific comments in relation to allocations are set out below.

Allocation Hailsham North 1A (SWGGA 11) – Adjacent to the site is a safeguarded waste management allocation therefore ESCC propose that reference is made to this in the supporting text or policy considerations.

Allocation Hailsham North 1B (Policy SWGGA 12) – The Environment Agency have requested that the policy is extended to identify the need for the consideration of the impact of land raising on flood risk to the surrounding land.

Allocation Hailsham North 1D (Policy SWGGA 14) – A 15m buffer should be required between the development and the Jarvis Wood, Nobody's Wood and Park Wood Complex Local Wildlife Site and a management plan should be produced.

The Environment Agency and Southern Water provided comments on the infrastructure policy in support of the Hailsham North allocations, supporting the phasing of development in line with infrastructure being in place. Other respondents suggested a phased programme of transport improvements to mitigate the impact of development and the completion of the evidence base for transport interventions. Another representation highlighted the need to recognise enhancements to green infrastructure in the policy.

Allocation Hailsham East 2A (Policy SWGGA 16, SWGGA 17 and SWGGA 18) – The agents representing the developers for the allocation would like the number of dwellings on this site increased to 400 units. One representation raised the issue of traffic demand in the town centre and at the Boship roundabout as a result of this allocation. Support has been given by the Environment Agency for the policy

requirements relating to the watercourse and pond and restricting development in close proximity to the waste water treatment works

Allocation Hailsham East 2B (Policy SWGA 19) – The agents representing the developers for the allocation would like the land at Old Marshfoot Farm to be separated from the smaller two parcels of land that make up the allocation and the number of dwellings on this site should be increased to 300 units. Concern is raised relating to the use of Marshfoot Lane to access the site given its present condition and suggests that a link route to Mill Road is built to alleviate this problem.

The Environment Agency and Southern Water provided comments on the infrastructure policy in support of the Hailsham East 2 allocations, supporting the phasing of development in line with infrastructure being in place. Other respondents commented on the need for careful consideration of the funding and timing of infrastructure and clarity over the mechanisms that may be required.

Allocation Hailsham South East 3A (Policy SWGA 20, SWGA 21 and SWGA 22) - Concern is raised relating to the proximity of the sites in this location to the waste water treatment works and the impact of development on the dark night skies of the Pevensy Levels arguing that clear policy should be developed before all major applications are approved. The agents representing the developers for the allocation would like the number of dwellings on this site increased to 220 dwellings which can be achieved by re allocating windfall allowance in Hailsham. Southern Water would like bullet point e) amended to state that occupation of development will be phased to align with the delivery of sewerage infrastructure, in collaboration with the service provider.

Allocation Hailsham South East 3C (Policy SWGA 24) – ESCC have stated that the policy should reference odour nuisance investigation and that bullet point c) should be strengthened to ensure privacy between the proposed site and neighbouring properties.

The Environment Agency and Southern Water provided comments on the infrastructure policy in support of the Hailsham South East 3 allocations, supporting the phasing of development in line with infrastructure being in place.

Allocation Hailsham South 4 – (Policy SWGA 25 and SWGA 26) - The agents representing the developers for the allocation would like the number of dwellings on this site to increase to up to 600 and increase the size of the allocation site to accommodate this.

The Environment Agency and Southern Water provided comments on the infrastructure policy in support of the Hailsham South 4 allocations, supporting the phasing of development in line with infrastructure being in place. One representation expressed their concern over the delivery of education provision on the site and that a live planning application may be determined prior to the Local Plan being examined.

Allocation Hailsham South 5 – (Policy SWGA 27 and SWGA 28) - Representations have been received showing concern that the land in this allocation is a valuable

wildlife and ecological corridor and vital buffer from the A22 for residents in the south of Hailsham. Representations have been received from house builders that the housing numbers for this allocation should be redistributed to Uckfield or Crowborough where more suitable sites exist. It is also argued that this policy is not justified as it does not meet the requirements of the NPPF defining windfall sites and the site is not deliverable given the large number of sites which comprise the allocation. The agents acting for the landowners of the majority of the site argue that the land in their control be allocated for 220 dwellings and the remainder as windfall.

Similarly, a number of representations from landowners/agents argue that the Plan should allocate more suitable sites in Hailsham and reduce the reliance on windfall development.

Southern Water provided comments on the infrastructure policy in support of the Hailsham South East 5 allocation, supporting the phasing of development in line with infrastructure being in place. One respondent noted that criteria within the policy could act as a barrier to development because of the dependency on key junction improvements, and that there needs to be greater clarity on the mechanisms for collecting developer contributions.

Allocation – A22 Employment Sector (Policy SWGA 29) – Representations have been received that suggest land to the south of the A22 including the Wyevale Garden Centre should be included within the site allocation, and that the allocation site is not accessible by sustainable modes of transport and forms an unwarranted intrusion into the countryside of the Low Weald.

Town Centre (Policy SWGA 32 and SWGA 33)

There were no specific representations received on the Hailsham Town Centre policies in the Local Plan.

### **Polegate and Willingdon**

There is strong objection to Polegate and Willingdon being treated as one settlement in the Plan, with calls for Willingdon to have its own policies. There is concern that the infrastructure is not in place to support proposed level of growth in the area, especially in relation to development at Mornings Mill and Broderick Lands. Contrary to this developers argue the area can accommodate more growth.

Many representations argue for the exclusion of Mornings Mill Farm and surrounding land from the development boundary as the area acts as a 'green-lung' separating Polegate from Eastbourne.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

Specific comments in relation to allocations are set out below.

### Allocation Polegate North 1 (SWGA 36)

General support is given for this allocation however comments have been made to allocate the whole area between the existing urban area and the A27 for up to 600 houses given the areas close proximity to the train station and the Cuckoo Trail. It is argued that this is a more sustainable location than south Hailsham.

Developers with interest in the site argue that the allocation should be increased to include land to the north which is subject to a pending planning application for 108 houses. They argue that's this would provide certainty for housing delivery and remove the need to rely on windfall allowance.

### Allocation Polegate and Willingdon (SWGA 38 and SWGA 39)

Several comments were received relating to this policy in support for the delivery of community facilities including a medical centre on the site, however it is argued that the allocation should include allotments and provision should be made for a new cemetery.

Concern is raised by the landowners relating to the removal of the housing allocation at the site at Mornings Mill Farm from the plan and that this allocation could not be delivered without being part of a mixed use scheme. It is argued that given the land is owned by public sector organisations that they would not be prepared to dispose of the land for the uses proposed. The whole of the site should be allocated for mixed use development for up to 700 houses with employment and community floorspace.

Significant concern is raised in relation to the uncertainty of provision of infrastructure to support growth in this area especially in relation to the congestion on Eastbourne Road (A2270).

The Environment Agency supports the policy in relation to reference to the Water Framework Directive and cross referencing to other key policies. They do suggest along with Southern Water that additional wording could be included to ensure where necessary development is phased in line with the infrastructure being in place. Concerns were raised by some respondents regarding wastewater capacity and surface water drainage in the area.

### Town Centre (Policy SWGA 41)

A limited number of representations were received on the Policy for Polegate Primary Shopping Area. Comments included: the omission of Willingdon as a key retail area and the need to protect retail floorspace in that location; and questioning the limitation of the secondary shopping area in that it should extend both sides of the road beyond Victoria Road.

### **Stone Cross**

A number of representations were in support of the policies relating to Stone Cross. Each allocation is supported by the landowners/ agents promoting the relevant site

and they have confirmed that the sites are deliverable and available within the plan period.

Concern is raised relating to the large quantum of development which has recently taken place in Stone Cross and it is considered that the additional allocations have changed the character of the area and has damaged the landscape and wider countryside.

Eastbourne Borough Council have commented that the impacts and contributions to improvements of infrastructure should be appropriately apportioned across the local authority boundary.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

The Environment Agency have made comments relating to policy provisions in allocations relating to flood impact to be amended to ensure that all built development, not just residential, avoids Flood Zone 2 and 3.

Specific comments in relation to allocations are set out below.

#### Allocation Stone Cross 2A (SWGA 47)

One representation objected to this allocation in terms of flood risk, impact on the landscape and the coalescence of Stone Cross and Westham as one continuous built up area which would lose the individual character of each settlement.

#### Allocation Stone Cross 2B (SWGA 48)

Whilst the agent for the landowner of the site welcomes the allocation they argue that the site could accommodate up to 272 dwellings and that the policy does not fully appreciate the fact that employment facilities already exist at Friday Street Farm. The agent also questions the requirement to provide 1.6ha of pitch provision.

The Environment Agency and Southern Water provided comments on the infrastructure policy in support of the Stone Cross allocations (SWGA 43), supporting the phasing of development in line with infrastructure being in place. East Sussex County Council suggested a small amendment to the policy to ensure transport improvements are delivered before the completion of sites, for consistency with other policies in the plan. Eastbourne Borough Council raised concerns that no impacts were identified on the road network into Eastbourne or to the Eastbourne Wastewater Treatment Works. There was concern that CIL money would be spent on Ashdown Forest mitigation rather than infrastructure required for the Eastbourne and South Wealden area.

Other respondents commented on the heavy reliance on road infrastructure and problems with existing congestion, the need to concentrate on public transport interventions, and greater clarity required on the timeframe for infrastructure coming forward to support development.

## Town Centre (Policy SWGA 49)

No representations were received on the policy for Stone Cross Primary Shopping Area.

## **Lower Horsebridge**

### Policies SWGA 34 and SWGA 35

Concern was raised over the deliverability of the allocation given the provision that development is dependent upon the Boship roundabout improvements being delivered.

The Environment Agency have made comments relating to policy provisions in allocations relating to flood impact to be amended to ensure that all built development, not just residential, avoids Flood Zone 2 and 3.

One representation argues that a new SFRA for the Wealden Local Plan needs to be produced to justify the allocated site at Lower Horsebridge which they believe to be at high risk from flooding.

A site was considered to have been omitted from being allocated (land to the west of North Street) and it is proposed for either this site to be an additional allocation or allocated as a more suitable alternative to those proposed in the Local Plan.

There are calls from landowners/agents for the Settlement Capacity at Lower Horsebridge to be increased in light of recent planning permissions.

The Environment Agency and Southern Water provided comments on the infrastructure policy (SWGA 35) in support of the Lower Horsebridge allocation, supporting the phasing of development in line with infrastructure being in place, whilst East Sussex County Council suggested a small amendment to policy to ensure transport improvements are delivered before the completion of sites, to ensure consistency with other policies. Concern was raised by one respondent that transport infrastructure assessments for the wider area had not been completed and that delivery was a concern. The evidence base behind the Strategic Flood Risk Assessment was also questioned.

## **Heathfield**

A large number of representations were received relating to Heathfield relating primarily to impact on the local highway network; intrusion into the High Weald Area of Outstanding Natural Beauty (AONB) and the lack of adequate infrastructure to support the growth allocated.

A number of representations raised concern that there had been a lack of consultation with the public, Parish Councils, Town Councils and other agencies/authorities between the Regulation 18 and Regulation 19 consultations of

the Plan arguing that significant changes had been made to the plan without giving the opportunity to comment.

Several comments relate to the impact the proposed growth has on the High Weald Area of Outstanding Natural Beauty (AONB) arguing that sites in the AONB should not be allocated and that there has not been sufficient exploration of alternative sites outside the AONB or infill capacity to meet the proposed housing growth. It is further argued that the proposed allocations do not pass the exceptional circumstances test in paragraph 119 of the NPPF therefore the allocations should be deleted from the plan. Representations highlighted that developments in the vicinity have been granted recently that are outside the AONB.

The impact of potential growth on the local highway network is also raised arguing that no comprehensive traffic assessment or study has been carried out for the in-combination effects of growth in the north of the District outside of the South Wealden Growth Area and that development of the sites in Heathfield, before any such work is undertaken, will risk the potential loss of funding towards the implementation of improvements on the wider local network.

There were strong objections to the extensions of the development boundary including, west along the A267 into the AONB and south-west along Little London Road, based on the potential negative impact development could have on the High Weald AONB and excessive pressure on the road network. In addition representations argue that the development boundary seems to have been changed to facilitate development, without taking into account the AONB, and will set a precedent for further expansion through future plans. It is questioned as to where the evidence to support the NPPF Exceptions Test is located.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated.

#### Allocation HEA1 Land South of Burwash Road (Policy RUGA1)

The majority of representations to this policy and allocation relate to the access to the site being inadequate and unsafe; increases in air pollution from an increase in traffic and that the local road network will not be able to cope with the additional traffic generated with the junction of the A265. It is argued that no consultation has been undertaken with East Sussex Highways as to any suitable highway provision being made.

In addition, many representations state that the location of the site wholly within the High Weald AONB runs contrary to the provisions within the NPPF as well as Policy EA5 of the Wealden Local Plan. It is considered that 30 houses represents major development within the AONB and the Sustainability Appraisal and policy does not provide strong evidence to support or justify this site as a housing allocation within Heathfield.

Attention is also drawn to the planning application for a small development at the Tower Street Nursery (WD/2016/2720), which adjoins HEA1 in relation to the this application being refused on inadequate access and road safety grounds.

Representations also state that the requirements of Policy RUGA1, in relation to the sensitive environmental assets as well as the requirement to meet Policies HG2 and HG9 will increase the design and build costs of the site which in turn will affect the viability of the site. This could make it difficult to achieve the affordable housing requirement along with the other requirements of the policy.

Representations state that the allocation will take away large and important areas of green infrastructure, 'green gaps' and 'wildlife corridors', which it is argued make a vital contribution to the rural approaches and rural backdrops to Heathfield.

It is also argued that the extensive conditions within the allocation policy are likely to render large swathes of the site undevelopable, meaning the provision of 30 dwellings cannot be met.

In support of the policy, some representations agree with and support the allocation of HEA1 but state that it should also include land adjacent to the east of the allocation where there is planning permission for 23 houses (WD/2017/0342/F) and which was previously included within the allocation and development boundary.

It is argued that the inclusion of the land adjacent to the east of the allocation will help make up the shortfall in housing numbers when much of the developable area of HEA1 has to allow for appropriate landscaping and heritage buffers and would provide greater flexibility in terms of housing numbers.

Some representations welcome policy requirements a) to h), as they show intent by the Council to conserve and protect the historic routeway and Ancient Woodland and wildlife habitat/s however it is highlighted that these requirements will reduce the amount of land available for development and therefore it is doubtful whether the 30 houses could be achieved. Concern was raised that given the reduced developable land in light of policy requirements a) to h), there would be a greater necessity for multi-storey housing units, which would be over-bearing in height above the existing bungalow and 'low rise' properties along Tower Street and would be un-neighbourly development.

#### Allocation HEA2 Land South West of Ghyll Road (Policy RUGA2)

Representations question whether there is good accessibility to Heathfield from this site as pedestrian access is most likely to be along Tilsmore Road. It is argued that Tilsmore Road is narrow and currently has no pavement and there is no capacity for a pavement to be installed. The main area of concern raised in connection with this allocation is in relation to the proposed access from Ghyll Road. Road safety for cars and pedestrians is a major concern and the fact that there is no other suitable alternative access to the site given the existing road network and there being no capacity to make the improvements required to provide suitable access.

Many of the representations also consider the allocation to be major development within the AONB and therefore contrary to the NPPF and Policy EA5 of the Wealden Local Plan.

Several representations support the policy, specifically in relation to the requirements of the policy relating to the Public Right of Way. This includes the agents for the developer of the site who argue that the site does meet the requirements of the exceptional circumstances test in the NPPF and is deliverable within the plan period.

Natural England consider the site to be major development within the AONB and as the allocation involves the direct loss of AONB land to development, they do not consider it possible to mitigate the impacts of this proposed allocation. They state that whilst the NPPF sets out three tests for the consideration of major development within AONBs, the uncertainty of whether this allocation would meet these exceptional circumstances means that the plan should not rely on this allocation.

The High Weald AONB Unit share Natural England's concerns and also state that it has not been demonstrated that the need for housing in Heathfield could not be met in other ways, such as a combination of smaller sites. They also state there is no evidence presented for housing need generated by Heathfield, as all housing need figures are district-wide.

#### Retail and Town centre Use Allocations (Policy RUGA3)

There were limited comments made in relation to Heathfield Town Centre, with concerns raised on the impact of development on services and facilities. One representation supported wider residential development in the town to ignite interest in the town centre and ensure its vitality. The need for continued provision of free car parking and maintaining the popular markets within Heathfield have also been raised in the representations.

#### **Horam**

A number of representations raise concerns over the sustainability of Horam arguing that several businesses and the Post Office have closed with restricted bus services and no train station. There are strong concerns that the infrastructure is not in place to support the proposed level of growth, particularly in relation to the road network.

Concerns were also raised relating to education provision with regard to the junior school at Maynards Green which is argued to be over-subscribed with no room to expand on the current site.

There is strong objection to the proposed development boundary extending southwards away from the centre of Horam. The extension is considered contradictory to the methodology and restricts development to the south which is argued would come forward in a piecemeal and sporadic way. It is argued that the boundary should be redrawn around the existing settlement, with landowners/agents promoting their relevant sites.

A number of sites were considered to have been omitted from being allocated, either as an addition to those sites allocated or as more suitable alternatives to those allocated. These include:

- Land at Cauldron, Horebeech Lane (830/8030)
- Land adjacent to Laundry Lane and Cauldron, Horebeech Lane (889/8030)
- Old Orchard House, Horebeech Lane.
- Land at Horam Manor Estate (499/3030)

Comments were made relating to the justification for Policy RUGA 10 relating to SHELAA sites within the development boundary stating they are not related to the village centre and are considered sporadic development in the countryside. It is questioned why these sites were not allocated.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

No comments were made on Policy RUGA12 relating to the Horam Primary Shopping Area.

#### Allocation Land at Coxlow Farm (RUGA 11)

In relation to this policy only representations were received from two statutory consultees; Southern Water and East Sussex County Council. No other representations were made.

Southern Water confirmed that reinforcement of the sewerage network would be required to accommodate the proposed development which will be provided through the new infrastructure charge. They have suggested an addition to the policy to state that occupation of development will be phased to align with the delivery of sewerage infrastructure in collaboration with the service provider.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocation on local junctions and the wider road network is not severe and/or is capable of being mitigated against.

### **Ninfield**

There are a number of objections to Ninfield's classification in the Settlement Hierarchy, stating that the village has limited public transport accessibility and very few local facilities. This is echoed in the response by Ninfield Parish Council who object to the classification of Ninfield in the Settlement Hierarchy and argues that a classification of Neighbourhood Centre would be better suited. The Parish Council also indicated that it had not been consulted by the Council over the changes since the Issues and Options document and also questions the lack of cooperation with Rother District Council. Similarly, they argue Hastings & Rother Clinical Commissioning Group has not been consulted with in regard to medical provision.

Concern over potential impact on Pevensey Levels from proposed development is also raised in the representations.

It is commented that the Plan does not explain how developing in the south of the District will mitigate against car journeys across the District, with journeys to Tunbridge Wells, Gatwick Airport, M25 and M23 likely to continue.

There are strong objections to the proposed development boundary based on the potential increase in traffic from new housing development, resulting in severe congestion and road accidents.

Each allocation is supported by the landowners/ agents promoting the relevant site and they have confirmed that the sites are deliverable and available within the plan period.

A number of sites were considered to have been omitted from being allocated, either as an addition to those sites allocated or as more suitable alternatives to those allocated. These include:

- Land south of High Street, Ninfield
- Land at Ingrams Farm, Ninfield

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

#### Allocation Land at Crouch Field (Policy RUGA 13)

One comment suggests that the site is remote from the village, brownfield sites should be used in priority to greenfield sites and there are concerns over road safety in this location.

Southern Water have confirmed that reinforcement of the sewerage network would be required to accommodate the proposed development which will be provided through the new infrastructure charge. They have suggested an addition to the policy to state that occupation of development will be phased to align with the delivery of sewerage infrastructure in collaboration with the service provider.

#### **Wadhurst**

The main issues raised in the representations relate to the local road network arguing that the High Street is heavily constrained and congested which reduces footfall to the shops.

Representations also raised concern with assessments forming the Strategic Housing and Economic Land Availability Assessment arguing that some sites have been incorrectly rejected as being prominent in the landscape and out of keeping with the rural character and appearance of the countryside. It is argued that unlike the allocation sites put forward in Wadhurst, these other sites are not prominent in the landscape and would not be out of keeping with the rural character and

appearance of the countryside. It is commented that their location would also not exacerbate the traffic congestion in Wadhurst and they are no further from services and facilities than the sites allocated and are within walking distance of the Durgates/Sparrows Green facilities and services.

Whilst there is strong support for allocating the least sensitive sites several comments state that this is not borne out in the allocation process.

There is concern from landowners/agents that the development boundary for Wadhurst is drawn too tightly with very limited opportunity for infill and redevelopment.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocations on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

#### Allocation Land at Windmill House (Policy RUGA5)

Concerns are raised that any development within this allocation that is close to Bocking Close will result in an unacceptable loss of amenity, privacy and light. It is argued that the trees on the site (part of a Tree Preservation Order) are already very tall and would result in the loss of light.

Several representations raised concerns in relation to flood risk from surface water arguing that the site is not level and falls away from west to east, resulting in runoff after it rains.

Several representations state that the proposed development of 20 dwellings on this site is out of keeping with the surrounding area, which is low-density housing in Castle Walk, Windmill Lane and Mayfield Lane.

The promoters of this site support its allocation but question how the figure of 20 dwellings has been reached and question the fact that the allocated site is smaller than that submitted through the SHELAA process. They argue that the site could accommodate 33 dwellings.

The promoters further highlight that the currently worded Policy RUGA5 would only enable a maximum density of 8.5dph to be achieved on the allocation. This would not accord with criteria (e) of the policy, nor with the overarching aim of the Local Plan to achieve a higher proportion of smaller dwellings on the site.

#### Land at High Street (Policy RUGA6)

The majority of representations made relating to this allocation centre on the development being in the wrong place arguing that it is the most congested part of Wadhurst and that it will increase car traffic resulting in an increase in car journeys/parking needs to access the larger hall, doctor's surgery and housing proposed on this site.

There is support for the type of development that the allocation is seeking to facilitate, however many representations argue that the proposed development

would be better located between the High Street and Durgates or Sparrows Green to allow all Parish residents easy access to it. Some representations however argue that the existing doctor's surgery should remain but be supplemented by an additional surgery in the Durgates/Sparrows Green area.

Some representations raise concerns over the loss of valued open playing space arguing that there is land with significantly less social value that could be allocated and that the allocation relies on the provision of alternative sports facilities in Wadhurst, including a suitable and quality football pitch, but that a location has not been found yet within the vicinity of the site.

#### Land east of Old Station Road (Policy RUGA7)

Representations made on this site relate to the fact that the site is within the High Weald AONB arguing that one side of the site is particularly exposed, and the assessment of the site within the landscape and ecology report states that it has low landscape capacity for development due to its very high landscape sensitivity. It is considered that a mass of buildings here will have an adverse impact on the AONB landscape.

In addition to the AONB and landscape impact, concern is also raised in regards to the fact that the entrance to the site has no footpath to Western Road for the safety of pedestrians, who otherwise share a narrow carriageway with traffic.

Representations argue that a traffic impact assessment should be carried out at the crossroads where Jonas Lane and Mayfield Lane meet the B2099 to ensure provision of local highways improvements in line with a) within the policy.

#### Land at Foxhole Farm (Policy RUGA8)

The majority of the representations received relating to this allocation are concerned with its location and its impact on the local highway network.

Other comments consider this allocation to be contrary to the NPPF and Policy EA5 of the Wealden Local Plan due to its location within the AONB and the fact that it is a major development within the AONB, particularly when taken together with the already granted 35 homes at Waters Reach. Many of the respondents consider land at Marling House to be better suited to allocation than this site as it is better related to the village is more sustainable and better screened.

The representations also argue that the allocation contravenes policy on development location preference on the station side of the High Street; endangers protected ancient woodland; builds on land that is part of the woodland priority habitat network and will destroy protected views from a historic public footpath. It is further argued that the extension of the village boundary to encompass this mass development on the edge of the village is totally out of keeping with the settlement plan and does not conserve the local distinctiveness of Wadhurst.

The High Weald AONB Unit and CPRE Sussex raise concerns on this allocation on the grounds that it is major development within the AONB which will result in the loss of a medieval field system potentially dating back to the Norman Conquest; will

impact on adjacent ancient woodland and potentially on the route and setting of a historic routeway that crosses the site. They consider that it has not been demonstrated that the need for housing at Wadhurst could not be met in other ways, such as a combination of smaller sites and that there is no evidence presented for housing need generated by Wadhurst, as all housing need figures are district-wide.

#### Wadhurst Primary Shopping Area (Policy RUGA9)

There were limited comments made in relation to Wadhurst Town Centre, with concerns raised regarding traffic congestion on the High Street and car parking. One representation stated the need to encourage growth in local jobs, seeking to develop high street opportunities for local crafts and businesses in empty shops, along with providing opportunities for younger people.

### **Mayfield**

It is considered that the housing number allocated to Mayfield should be provided via small sites scattered around the village rather than through one single, large allocation and that there are alternative small sites that can be developed to provide the 50 new houses proposed.

Several representations argue that with the additional housing allocated in Heathfield and Mayfield it will be necessary to increase the number of school places and the IDP needs to be revisited to verify secondary school places in the catchment areas for Mayfield and for the provision of medical services.

There were strong objections to the inclusion of the Cricket Club within the development boundary as it is argued that development here would have detrimental impact on the rural fringe of the village. It is argued that the decision to change the development boundary from the one published in 2016 to now include the cricket field and surrounding land, was taken without consultation and seems to be in contradiction to the requirements of the AONB and the sensitive nature of this edge of village site.

Southern Water suggest that additional wording be added to the policy to align occupation of the development to be phased to align with the delivery of sewerage infrastructure.

East Sussex County Council have raised concerns relating to ensuring the impacts of the proposed allocation on local junctions and the wider road network is not severe and/ or is capable of being mitigated against.

#### Land at Mayfield Cricket Club (Policy RUGA17)

Several of the representations argue that there is little evidence that Mayfield needs a cricket pitch to the north of the village on existing farm land in the AONB, (not in the village as stated in the local plan) and how the allocation would address the community's housing needs.

It is argued that whilst the policy purports to identify land suitable for development, this cannot be implemented unless alternative nearby land for a cricket pitch is available.

Representations argue that there is no evidence that the Mayfield Cricket Club needs to relocate to another site.

An alternative site off West Street has been promoted by the landowner arguing it could deliver housing and a medical facility in a more sustainable location to the allocation.

Further representations argue that one allocation for housing does not achieve the purpose of incorporating the necessary new housing into the existing fabric of the village and contends that the proposed development is unnecessary. It is argued that the local plan has not taken into account how the target for housing in the village could be met by infilling and developing available sites within the current village development boundary.

#### Mayfield Primary Shopping Area (Policy RUGA18)

There were no representations received on the policy for Mayfield Primary Shopping Area.

#### **Uckfield**

There is little support for retail expansion of Uckfield Town Centre, as it is considered unnecessary for the town and would result in the potential loss of open space and land at the school, along with impacting the residential amenity of neighbouring properties. Comments received suggest that leisure and community facilities are required instead of new retail development, and that any new retail floorspace will only attract the status quo of charity shops and nail bars.

One representation considers that the current Tesco site underutilises the land available, and with greater need for car parking in the town the site should be reconfigured with a 3 or 4 storey car park and office or flats on higher levels.

There were representations from various landowners/agents calling for the development boundary to be amended to include their relevant sites.

A number of sites were considered to have been omitted from being allocated, either as an addition to those sites allocated or as more suitable alternatives to those allocated. These include:

- Land at High Trees House (287/1410)
- Land at Horsted Pond Farm (205/1410)
- Land off Hempstead Lane (725/1410)
- Ridgewood House (007/1410)
- Land South of Bird in Eye Hill (002/1410)
- Copwood Farm (013/1410)

- Land North of Copwood Farm (674/1410)
- Owlsbury Farm

## **Villages and Towns with Development Boundaries**

Below is a summary of comments received in relation to villages and towns identified in the plan with development boundaries. Some settlements did not receive any comments relating to proposed development boundary or the policies identified for Town Centres and/ or primary shopping centres. These settlements are; Buxted, Groombridge, Hartfield and Pevensy Bay. In addition no comments were received in relation to Policy VTGA3 (Forest Row Primary Shopping Area), Policy VTGA4 (Herstmonceux Primary Shopping Area) and Policy VTGA5 (Rotherfield Primary Shopping Area). Specific representations were received in relation to the settlements below.

### **Crowborough**

Many representations argue that the Crowborough section of the Plan needs significantly amending to include the needs of Jarvis Brook, with Crowborough Town Council highlighting that the area is an important shopping and employment centre.

In terms of the development boundary, there are many objections to the inclusion of land to the north of Walshes Road with concerns that the road infrastructure cannot support growth here. There are also several objections to the inclusion of Steel Cross as the area has previously been refused planning permissions and the impact on the High Weald Area of Outstanding Natural Beauty.

### Crowborough Town Centre Policy VTGA1 and Crowborough Primary Shopping Area Policy VTGA2

Some representations express their concern over the residential focus within the Town Centre and the impact on parking provision. The focus on retail and commercial activities along with leisure and community facilities is considered secondary to residential and as a result could become a dormitory town to Tunbridge Wells. To enhance the vitality of the centre it is considered that targets should be to increase retail and commercial floorspace within the Town Centre. There has been concerns raised over the flexibility of the policy to allow residential in the Secondary Shopping Area and that a balanced approach should be taken to non-retail uses with the primary and secondary areas to maintain vitality/viability.

### **Forest Row**

General comments were received for Forest Row with reference to the development boundary being drawn too tightly, reducing opportunities for residential development. One representation was received by developers regarding the development of Rystwood House for housing to support the development potential for the village.

## **Herstmonceux**

A representation was received regarding the development of Lime Cross Nursery as a suitable site for residential development. In terms of the development boundary, there was a request for the land to the rear of James Avenue to the north-west of the settlement be removed as new access here would create dangerous traffic movements.

## **Rotherfield**

One general comment was received in support of a higher level of development in Rotherfield in combination with Town Row, and argues that the policy restriction of 10 dwellings in this area is unnecessary.

## **Westham**

Westham Parish Council has objected to the windfall allowance identified, as they argue the infrastructure is not in place to support growth.

## **East Hoathly**

The Parish Council are supportive of the comments relating to the infrastructure of East Hoathly which recognise the existing problems with the amount of traffic on surrounding roads and the protection provided for open space, sports and recreation facilities. They also note the Primary School has been operating at maximum capacity for many years and there is neither space nor expectation that it can be enlarged further.

Comment has been received from landowners with a significant landholding in the village that the strategy for East Hoathly is incorrect and the development boundary should be widened to include land at Hesmonds Stud (with the site allocated for housing development) and land to the south of North Street both of which are the subject of recent planning applications, both of which are currently pending.

It is argued that East Hoathly should not have a development boundary like Maresfield as they both have similar characteristics with East Hoathly being unsustainable due to limited facilities.

## **Core Areas**

A number of representations support a need for growth in smaller settlements throughout the District. However, there were objections from landowners/agents relating to the proposed boundary of many Core Areas with requests for these boundary lines to either include their relevant site or revert back to the Issues, Options and Recommendations stage, as it is argued the proposed boundary lines are now drawn too restrictively to accommodate any growth.

Some representations from landowners/agents are concerned that the thresholds stated within Policy RAS1 are unjustified and inappropriate. It is argued there is no sound justification for the high level of prescription in regard to unit size and scale

which has no consideration of the viability implications of such restrictions and appropriateness of the character of specific areas. Many suggest the removal of the standardisation of development, and instead, leave proposals to be determined on a case-by-case basis related to individual settlements.

There were various representations from Parish Councils and Councillors who object to the identified Settlement Capacities and Windfall Allowances for their respected settlements, arguing the housing figures applied are too high and would put excessive pressure on already lacking local infrastructure, facilities and services.

The following list provides comments on specific Core Areas:

- Arlington – objection from the Parish Council towards the A22 Employment Corridor as development here would put excessive pressure on local infrastructure;
- Bells Yew Green – promotion of site - Land at Hawkenbury Road;
- Berwick Station - objection from the Parish Council and residents to the amount of growth allocated as development here would put excessive pressure on local infrastructure and would be contradictory to environmental policies;
- Blackboys – the boundary line should revert to the boundary proposed at the Issues/Options stage;
- Boreham Street – the boundary line should revert to the boundary proposed at the Issues/Options stage;
- Chalvington with Ripe – objection from the Parish Council to the Windfall Allowance of 15. It is argued that it is not a suitable location for growth with a lack of infrastructure, services and facilities;
- Chelwood Common - representations argue that the windfall allowance should be more evenly balanced with neighbouring Danehill as they share the same services. Promotion of site Land South of the Pines;
- Danehill - representations argue that the windfall allowance should be more evenly balanced with neighbouring Chelwood Common as they share the same services;
- Framfield - agents argue the boundary line is drawn too tightly and should be extended to include core facilities such as the pub, village hall and church;
- Frant – agents argue the boundary line is drawn too tightly given its sustainable location near Tunbridge Wells. The Parish Council is concerned with the high Settlement Capacity/Windfall Allowance and the potential negative impact growth will have on infrastructure and environmental assets;
- Halland – the boundary line is drawn too tightly and should include the major part of settlement to the west as there is no justification to exclude this area;
- Hellingly – objection from the Parish Council to the Settlement Capacity and potential development having a negative impact on the heritage and landscape setting;

- Isfield – the boundary line is drawn too tightly to accommodate the 29 Windfall Allowance even though it is a sustainable settlement and could accommodate more growth;
- Laughton – objection from the Parish Council to the Settlement Capacity of 10 as it is argued that no assessment of the impact of recent development has been considered. Also the boundary line should be drawn tighter to exclude adjacent land;
- Magham Down – the boundary line should revert to the boundary proposed at the Issues/Options stage;
- Maresfield – requests for a development boundary instead of a Core Area due to recent increased residential and employment growth. Landowners/agents have requested greater housing figures to support local employees at Ashdown Business Park thus reducing traffic movement. Promotion of SHELAA site 713/3120;
- Muddles Green – the boundary line should revert to that proposed at the Issues/Options stage;
- Punnetts Town – the boundary line should revert to that proposed at the Issues/Options stage and promotion of Cadence, Battle Road site and SHELAA site 277/3220. Whereas, the Parish Council argue there is little scope to accommodate growth in Punnetts Town which would likely have adverse impact on the High Weald AONB;
- Town Row - many responses suggest the boundary line should include the area of Spout Hill, Station Close, Douglas Road and Catt's Hill as it is considered part of the core of the settlement;
- Windmill Hill – the boundary line should be extended to include properties to the east and WD/2016/1950/O.

Any Core Areas not referred to in the list above received no representations.

### **Development Management Policies**

The following are summaries of the representations received against policies relating to the management of new development in both the countryside and urban areas.

#### **Policies RAS2-10**

A number of representations from residents and Parish Councils raised concerns over the lack of openness and flexibility of policies to allow for farm diversification, particularly in respect of Brexit and the uncertainty over funding for farming. This concern also relates to community facilities, where there is a wish for further emphasis and clarity on the support for diversifying facilities and services in order to remain open.

There are strong objections to Policy RAS2 and RAS3 from landowners/agents who argue these policies are overly restrictive on proposals for new dwellings in the

countryside and conversions of rural buildings. There is a request for a return to the 'flexible approach' previously implemented before the Draft Plan.

### Policies HG1-12

There is a mixed response to policies relating to housing within the Plan. The majority of the representations against Policy HG2 question whether the policy can meet the 331 dwellings per annum expected, given the number of new homes in a smaller quantum that can be delivered. A number of responders wish for different types of affordable housing to be included in the tenure mix and for the policy to be updated in line with the new NPPF.

There is a mixed response to Policy HG3 in terms of design for affordable housing, with agents arguing the policy requirements are not justified or consistent with national policy, whereas others support the policy and request minimum space and energy standards to be included.

In terms of Policy HG4 and extra care housing, there are requests to include other types of accommodation for the elderly, such as nursing homes and assisted living, as well as allowing these outside of development boundaries.

Policy HG5 is criticised for the thresholds used for rural exception affordable housing for being inflexible and financially unviable, as well as opposite requests for the delivery of 100% affordable housing on rural exception sites.

There is general support for the inclusion of Policy HG7, however there are criticisms the policy will generate a greater amount of self-build plots than required by the register. There is also a request for greater guidance on the provision of self-build plots with new development in terms of size and price.

In relation to density, Policy HG8 has been criticised as being too prescriptive and that higher densities detracts from the quality of new homes.

In terms of Policy HG9, there are concerns over the fixed and prescriptive nature of housing mix and how this will operate in terms of the length of the Plan and the potential change in circumstances, and whether the mix is suitable across the entire District.

There are arguments that Policy HG11 is unjustified as there is no evidence base to support the choice of using nationally prescribed housing space standards. Similarly, it has been argued that much of Policy HG12 duplicates the provisions of the Building Regulations and that it is questionable whether this policy is necessary.

### Policy HWB1-2

There is general support for Policy HWB1 with proposed greater clarity required to both strengthen and extend the green infrastructure network along with providing a stronger connection to public health and wellbeing. Other comments point to an evidential demand for a range of recreational facilities, and need for ports and leisure facilities to be allocated in Hailsham.

There is also support for the recognition of community hall facilities in Policy HWB2, but concern was raised in relation to the lack of parking provision and how new facilities would be secured and funded. Limiting growth in certain areas of the District would generally make community hall facilities unviable.

### Policies BED1-3

There is overall support for the inclusion of design policies within the Plan. However, there is criticism that these policies do not include minimum design standards to be implemented, such as energy efficiency and noise attenuation, as well as requests for strengthening policy in relation to supporting cycling and pedestrian infrastructure.

### Policies NE1-7

Overall, there is support for the inclusion of policies related to air, noise and light pollution within the Plan, with some minor changes requested to strengthen these policies.

There is a mixed response to Policy NE4 in relation to flood risk, with some representations criticising the modelling work used to define flood risk areas and that the data is inaccurate. There is general support for Policy NE4 from statutory consultees East Sussex County Council and the Environment Agency, although there is concern with the use of the specific catchment area of 3km<sup>2</sup>.

The Environment Agency is pleased to see Policy NE5 which seeks to improve the ecological status of the water environment. There is also strong support from the Environment Agency and South East Water for Policy NE6 in relation to water efficiency.

In terms of low carbon and renewable energy, there is general support for Policy NE7, although there are criticisms that the policy fails to address the NPPF requirement to plan for a radical reduction in greenhouse gas emissions.

### Policies HE1-6

A number of representations argue that the NPPF provides a clear decision-taking framework to assess such proposals involving heritage assets, and that the policies within the Plan produce unnecessary duplication and include more stringent, prescriptive tests. Whereas, statutory consultee Historic England considers these policies to be comprehensive and adequate, however, are concerned they have limitations in respect of the Plan's strategic policy obligations to the historic environment. East Sussex County Council support these policies related to heritage assets.

### Policies COM1 and WE1

In terms of communications, there is strong support for Policy COM1, but there are concerns it does not afford enough emphasis on the protection of the environment from physical infrastructure. Also, in relation to waste, it is requested that Policy WE1 takes into account toxic waste disposal.

