Wealden Local Plan

Duty to Cooperate
Background Paper - Appendix AFWG
Part 2

Submission Document

January 2019
How to Contact Us

Planning Policy
Wealden District Council
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Website: www.wealden.gov.uk

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

You may also visit the offices Monday to Friday, to view other Local Plan documents.

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### Ashdown Forest Statement of Common Ground Schedule of Changes

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Page</th>
<th>Precise change proposed</th>
<th>Reason for change</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.12</td>
<td>13</td>
<td>The AFWG has discussed mitigation/compensation associated with growth identified in Local Plans and think that it is not required as there is currently no evidence published, which demonstrates such measures are required.</td>
<td>To clarify that we are not trying or required to mitigate/compensate the 'baseline' conditions</td>
<td>LDC EBC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- The NECR 210 report does not take into account the actual situation at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. It is also noted that the NECR 210 report whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, it would appear that analysis did not include data relevant to wet heath (M16).</td>
<td></td>
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<td></td>
<td>- The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition.</td>
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<td></td>
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<td>- It is unclear where the report confirms the following “For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward”. If the 0.8-1.3 figure is derived from Appendix 5 then this figure relates to the percentage loss of species/cover and is relevant to either 0.3 kg / 0.5 kg / 1kg increase in N deposition.</td>
<td></td>
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<td></td>
<td></td>
<td>- Paragraph 2.9 also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- Paragraph 2.10 ignores the 'in combination effect' of plans and / or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16 Commission v. Germany) as required by the Conservation of Habitats and Species Regulations 2017.</td>
<td></td>
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<tr>
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<tr>
<td>Table under 2.12</td>
<td>13</td>
<td>Agree</td>
<td>through the Local Plan process</td>
<td>SDC</td>
</tr>
<tr>
<td>Table under 2.12</td>
<td>13</td>
<td>Agree</td>
<td></td>
<td>LDC</td>
</tr>
<tr>
<td></td>
<td>13</td>
<td>Disagree</td>
<td></td>
<td>EBC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>As set out in the minutes of 10/11/17. Tandridge DC requests that consideration of potential mitigation, solutions and compensation be included in the scope of the SoCG. TDC agrees that there is currently no evidence published, which demonstrates such measures are required. It is further recognised that these measures may not prove necessary and that the necessity for them depends upon on the outcomes of ongoing technical modelling and assessments. In this light, it is emphasised that initial considerations of potential mitigation/solutions/compensation should not be interpreted as a commitment to pursuing such measures. However, we feel it would be prudent to be prepared by having early consideration of potential measures, just in case they subsequently prove necessary. In this light, on 13/10/17, TDC circulated a table of 'potential' mitigations/solutions for the Ashdown Forest air quality issue with the request that this table form the basis of ongoing Group input as a 'back-pocket' exercise. At the very least it is requested the SoCG include a statement to the effect that the Group agreed to work in partnership on mitigation/compensation in the event of such measures proving necessary.</td>
<td></td>
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<tr>
<td>Table under 2.12</td>
<td>13</td>
<td>Disagree</td>
<td></td>
<td>TDC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>As explained</td>
<td></td>
<td>WDC</td>
</tr>
</tbody>
</table>

As explained
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</thead>
<tbody>
<tr>
<td>3.2</td>
<td>14</td>
<td>It should be noted that in the absence of any need for ‘mitigation’ associated with future growth in a particular authority does not prevent the various AFWG authorities working cooperatively together to do whatever they jointly consider appropriate, in full discussion with Natural England, in reducing traffic and improving to reduce the impact of nitrogen deposition around the Forest as matter of general good stewardship.</td>
<td>All mitigation type decisions should be in consultation with NE and should focus on overall reduction of the impact of air pollutants on the Forest.</td>
<td>LDC EBC</td>
</tr>
<tr>
<td>Table under 3.2</td>
<td>14</td>
<td>Agree</td>
<td></td>
<td>SDC</td>
</tr>
<tr>
<td>Table under 3.2</td>
<td>14</td>
<td>Disagree These named authorities comment on the Statement as follows WDC disagree that there is an absence of any need for mitigation at this current time and that it is necessary for all parties to work together on the evidence base and mitigation/compensation as necessary.</td>
<td>As explained</td>
<td>WDC</td>
</tr>
<tr>
<td>Table under 3.2</td>
<td>14</td>
<td>Agree</td>
<td></td>
<td>TDC</td>
</tr>
<tr>
<td>Appendix I, section 1.2</td>
<td></td>
<td>SPA criteria As the focus is on the SAC, is this section on the SPA necessary? Propose section on ‘SPA Criteria’ is removed. If it is considered necessary, I believe there is an error. ‘Weedlark’ should be replaced with ‘Dartford Warbler’.</td>
<td>Remove unnecessary material. or Amend error.</td>
<td>Tandridge DC</td>
</tr>
<tr>
<td>Appendix I, section 1.3</td>
<td></td>
<td>Add dates of SSSI condition assessments (i.e. 2011 to 2016)</td>
<td>Clarity.</td>
<td>Tandridge DC</td>
</tr>
</tbody>
</table>
## Ashdown Forest Statement of Common Ground Schedule of Changes

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<tbody>
<tr>
<td>Appendix 3</td>
<td>9</td>
<td>May minutes appear to have been appended twice</td>
<td>Include complete set of Group minutes for completeness and transparency.</td>
<td>SDC</td>
</tr>
<tr>
<td>Appendix 3</td>
<td></td>
<td>The minutes of the Ashdown Forest SAC Group dated ‘Friday 10 November 2017’ are completely missing from the Appendices</td>
<td></td>
<td>Tandridge DC</td>
</tr>
<tr>
<td>Appendix 5</td>
<td></td>
<td>(Delete selected parts of the transport modelling table, to be discussed at meeting, from publication version of table)</td>
<td>Simplify this document for publication as it contains a lot of detailed technical information which although useful to the Working Group, may be subject to over-interpretation once in the public arena</td>
<td>WSCC in discussion with MSDC</td>
</tr>
<tr>
<td>Appendix 6</td>
<td></td>
<td>AECOM are also consultants for Sevenoaks District Council</td>
<td></td>
<td>SDC</td>
</tr>
</tbody>
</table>
RE: Ashdown Forest Draft Statement of Common Ground

Sent: 17 January 2018 09:57
From: TWBC
To: SDNP, LDC and EBC, NE, TDC, SDC, MSDC, TWBC, ESCC, WDC, TDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

Dear All

Just to confirm and apologies for not making this clear early but we agree with all the statements contained within the SoCG subject to discussion on some of the proposed amendments.

Regards

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
cid:image001.jpg@01D2E502.57050DD0

From: @southdowns.gov.uk
FW: Tomorrow's meeting

Sent: 17 January 2018 13:04

From: WDC

To: SDNP

CC: WDC, PAS

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB);

SDNP

WDC has forwarded your email onto me which is good timing as I was about to email out to the group but will respond to your email to say that I am unable to attend on Thursday so please accept my apologies – Wealden will be represented by [name] and [name].

TWBC

I am aware that [name] has sent an email round to the group on the issue of Wealden objecting to planning applications. I think the work on the SoCG will assist in clarifying positions on this as well as on the main objective of understanding respective positions on Local Plans. To this end I think the meeting on Thursday would be most productive, particularly given the time constraint, if the focus remains on the Local Plan aspects as you suggest and therefore the agenda should be structured to that end as I think you are suggesting.

I am happy to be involved in any subsequent meetings to discuss application issues with Local Authority colleagues if that would be helpful.

I am in another meeting now but will try calling you later this afternoon.

I hope the meeting tomorrow goes well.

Best regards

[Name]

Wealden District Council

http://archivemanager.wdc.gov.uk/app.html#message/5odbccf2-701d-1a3a-07c7-b067bff9eccb/[13/12/2018 11:04:34]

AFWG224
From: [redacted]@southdowns.gov.uk
Sent: 17 January 2018 12:25
To: [redacted] WDC
Cc: [redacted] PAS, meeting

WDC

I have been finalising the agenda for tomorrow’s Ashdown Forest meeting with PAS.

I just wanted to let you know that we have put ‘The letters of objection from WDC to various planning applications’ on the agenda after the statement of common ground. This will give you the opportunity to clarify your position and make the whole group aware of the issue in an open and transparent way. We have a lot of work to get through on the Statement of Common Ground and so the discussion arising from the letters needs to be strictly time limited.

Please do give me a ring if you would like to discuss this further. I am working from home today and my number is [redacted].

Thanks

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.southdowns.gov.uk | facebook | twitter | youtube

http://archivemanager.wdc.gov.uk/app.html#message/5c8beb/f2-70fd-1a3a-07c7-b067b0f3decb[13/12/2018 11:04:34]

AFWG225
FW: Ashdown Forest Draft Statement of Common Ground

Sent: 17 January 2018 16:34

From: SDNP

To: SDNP, TWBC, LDC and EBC, WDC, NE, ESCC, TDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

7 Attachments

- image004.jpg (14 KB)
- image001.png (77 KB)
- image005.png (111 KB)
- Draft minutes Ashdown Forest 23-11-17.docx (35 KB)
- Appendix 6 - Air Quality Calculations Table.docx (17 KB)
- Appendix 4 - Housing Numbers Table.docx (22 KB)
- Appendix 5 - Transport Model Table.docx (31 KB)

Hi all,

Please find attached minutes from our previous meeting, and the appendices of the SoCG (the draft SoCG showing the changed proposed in feedback was circulated on Monday) ahead of our next meeting tomorrow morning.

Many thanks

South Downs National Park Authority
Direct Tel: [Redacted]

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing

http://archivemanager.wdc.gov.uk/app.html#/message/ee92a87d-3a48-4bce-067a-08c39470f037/[13/12/2018 11:05:53]

AFWG226
RE: Meeting to discuss planning application letters

Sent: 19 January 2018 10:30
From: [redacted] WDC
To: [redacted] SDNP, WDC, MSDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments:
- image001.jpg (14 KB)

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SDNP

WDC

Thanks for this – I am going to issue a doodle poll for the meeting date shortly covering 6, 7, 8 and 9th but I will make it clear in the covering note there is a preference for 7th or 9th and will also include your other points below. I am keen to offer a range of dates so we get a best fit and maximum attendance but recognise that it would be preferable if you could attend. As I (through [redacted]) originally volunteered the meeting and as it is not specifically on the subject of the SoCG (although I accept there is a link) I am working on the basis that I will chair the meeting. Happy to discuss if that would be useful.

MSDC

thanks for checking dates and offering Mid Sussex as the venue. Again I will include that in the covering email so people are aware but if best fit means a different venue I will pick that up. In the meantime if you can hold the dates that would be helpful.

Best regards

[redacted]

Wealden District Council

From: [redacted]@southdowns.gov.uk
Sent: 19 January 2018 09:54
To: [redacted] WDC, MSDC
Cc: [redacted]
Subject: RE: Meeting to discuss planning application letters

Morning All

I can make the 7th and 9th both morning and afternoon so I would be grateful if the email request can be for those days only.

We talked yesterday about numbers needing to be restricted to about two per authority. I think it is important that the invite makes it clear that it should be a relevant decision maker who represents each authority. Absolutely fine for there to be more people from Wealden.

Many thanks

[Signature]

Jonathan, South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [Redacted]@wealden.gov.uk
Sent: 13 January 2018 09:43
To: [Redacted]@midsussex.gov.uk>
Cc: [Redacted]@southdowns.gov.uk>; [Redacted]@wealden.gov.uk>
Subject: RE: Meeting to discuss planning application letters

MSDC
WDC

Thank you [Redacted], it is much appreciated.

I have sent on your email to [Redacted] so that his PA can send out an email to find the most appropriate date and time for all. I note that Wednesday will be a better date for Mid Sussex. I have passed on to [Redacted] that it should probably around 2 people from each authority although it may be more for WDC. WDC

[Redacted] I hope this is ok?

SDNP
Thank you

Hi [Name] and [Name]

WDC    SDNP

I have checked the availability of rooms at Mid Sussex and can offer the following:

- **Committee Room** (20 people) – this is the larger room that we have previously met in (not yesterday's meeting room)
  - Wednesday 7\(^{th}\) February
  - Thursday 8\(^{th}\) February
  - Friday 9\(^{th}\) February

- **Council Chamber** (60 people)
  - Tuesday 6\(^{th}\) February 2pm onwards
  - Wednesday 7\(^{th}\) February 2pm onwards
  - Thursday 8\(^{th}\) February
  - Friday 9\(^{th}\) February

I have tentatively booked all these dates.

These dates also reflect the availability of MSDC as the District Plan Hearing is scheduled at the beginning of this week – Wednesday 7\(^{th}\) February is probably the best day for us.

I hope this helps.

Kind regards,

[Name]

[Planning Policy and Economic Development]
[Name]@mid-sussex.gov.uk


AFWG229
Dear Colleague

Following the meeting of the above Group yesterday I am writing arrange the follow up meeting requested and agreed to discuss planning applications in relation to the Ashdown Forest.

To this end I have set up a doodle poll at

https://doodle.com/poll/d2vdtq9avq8w3nmf

covering the dates 6th to 9th February morning or afternoon.

I have offered the full range of dates to enable a best fit for attendees however I am aware that SDNP only has availability on 7th and 9th of February.

MSDC

My thanks to [REDACTED] for offering to host at Mid Sussex where rooms are available on:

- **Committee Room** (20 people)
  - Wednesday 7th February
  - Thursday 8th February
  - Friday 9th February

- **Council Chamber** (80 people)
- Tuesday 6th February 2pm onwards
- Wednesday 7th February 2pm onwards
- Thursday 8th February
- Friday 9th February

Given the Mid Sussex hearing taking place that week Mid Sussex have expressed a preference for Wednesday 7th.

At the meeting yesterday I understand that it was suggested that numbers should to be restricted to two per authority and that it should ideally be a relevant decision maker who represents each authority.

So can you please agree who should attend from your organisation and complete the doodle poll as soon as possible with a preference for Wednesday 7th if possible but also indicating availability for the other dates and times.

Alongside this we are compiling the response to the questions raised at yesterday’s meeting with a view to providing this back to you by end of next week as requested.

I hope that the offer of this meeting and my keenness to confirm and set the meeting up reinforces that Wealden wish to continue to work closely and collaboratively with you all on the Ashdown Forest issues.
Wealden Local Plan Update – 19 January 2018

Following the Wealden Local Plan (WLP) updates circulated on 6 September, 12 October and 3 November, Wealden District Council (WDC) received initial input from Natural England shortly before Christmas on the environmental issues relating to Pevensey Levels and Lewes Downs.

In addition WDC also received an initial draft response from Natural England on the Ashdown Forest in the form of some comments and a number of technical questions concerning air quality. Natural England has made it clear that at this stage their comments are not complete. On this basis we have commenced dialogue with regards to some matters of legal interpretation and we are providing a response to the technical questions concerning air quality. The responses with regards to both legal interpretation and technical matters are also relevant to the Pevensey Levels and Lewes Downs and therefore dialogue is continuing in relation to these sites. In addition to this WDC has provided an updated draft report on ecology and air quality which provides additional clarification on the ecological analysis and conclusions. We await a full response from Natural England on their views on the Ashdown Forest environmental issues for input into the Habitat Regulations Assessment WDC are undertaking.

Natural England have indicated they aim to provide a written response on this by 16th February.

As a result it has been agreed that a provisional date of 25 April will be set for consideration of an updated Draft Wealden Local Plan by Wealden Full Council. Dates for the Local Development Plan Sub Committee and the Joint Planning Committee North and Planning Committee South meetings, which will need to take place prior to this, will be set in due course.
Re: Ashdown Forest Local Authority Group - meeting to discuss planning applications

Sent: 19 January 2018 13:59

From: [Redacted] WDC

To: [Redacted] LDC and EBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

4 Attachments

- image001.jpg (575 B);
- image002.jpg (1 KB);
- image001.jpg (575 B);
- image002.jpg (1 KB);

Dear [Redacted] LDC and EBC

Happy to do that.

Best regards

[Redacted]

Planning Policy and Economic Development
Wealden District Council

On 19 Jan 2018, at 11:23, [Redacted] @lewes-eastbourne.gov.uk wrote:

Dear [Redacted] WDC

Thank you for your email, we will respond to your doodle poll in due course.

I may be mistaken but it is my understanding that authorities such as Brighton and Hove City Council and Hastings Borough Council may also be in receipt of letters from Wealden in regard to live planning applications. These authorities have not to date attended the Ashdown Forest Working Group and are therefore not on the circulation list. Could I therefore please request that all authorities that have been sent letters of objection relating to the Ashdown Forest are invited to attend this meeting?

Kind regards,
Dear Colleague

Following the meeting of the above Group yesterday I am writing arrange the follow up meeting requested and agreed to discuss planning applications in relation to the Ashdown Forest.

To this end I have set up a doodle poll at

https://doodle.com/poll/d2vdq9avqk8w3nrmf

covering the dates 6th to 9th February morning or afternoon.

I have offered the full range of dates to enable a best fit for attendees however I am aware that [redacted] only has availability on 7th and 9th of February.

My thanks to [redacted] for offering to host at Mid Sussex where rooms are available on:

- Committee Room (20 people)
  - Wednesday 7th February
  - Thursday 8th February
  - Friday 9th February

http://archivemanager.wdc.gov.uk/app.html#message/3be5df7d-41d2-cabb-3770-323365ef5911/[13/12/2018 12:04:08]

AFWG234
RE: Ashdown Forest Local Authority Group - meeting to discuss planning applications

Sent: 19 January 2018 11:53
From: TWBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly. WDC, PAS, RDC, LDC and EBC, WDC, NE, TDC, SDC, MSDC, ESCC, SDNP

2 Attachments
image001.jpg (575 B); image002.jpg (1 KB);

Thanks for prompt advice. I need to refer to [Redacted] to advise on attendance but we'll get back to you shortly.

Regards,

TWBC

From: [Redacted]@wealden.gov.uk
Sent: 19 January 2018 11:02
To: [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]; [Redacted]
Subject: Ashdown Forest Local Authority Group - meeting to discuss planning applications

Dear Colleague

PAS, RDC, LDC and EBC, NE, ESCC, SDNP, TMBC, WSCC, CBC, HDC

Following the meeting of the above Group yesterday I am writing to arrange the follow up meeting requested and agreed to discuss planning applications in relation to the Ashdown Forest.

http://archivemanager.wdc.gov.uk/ipp.html#message/54916c01-b644-e647-b0d8-d54649231b18[13/12/2018 12:01:32]

AFWG235
Ashdown Forest Local Authority Group - meeting to discuss planning applications

Sent: 19 January 2018 12:23
From: RDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

RDC, WDC, TWBC, LDC and EBC, NE, TDC, SDC, MSDC, ESCC

3 Attachments
image001.jpg (575 B); image002.jpg (1 KB); Wealden Local Plan Update 19 January 2018.pdf (11 KB);

WDC

RDC [REDACTED] has forwarded your email to me.

I have discussed this internally and RDC consider that the meeting should start with the strategic overview on how this issue is to dealt with, to then move onto the issue of WDC planning application objections. Therefore we at RDC believe that the invite list to each authority should therefore be to:

- Planning Policy Manager,
- Service Manager for Planning Services
  and relevant
- Strategic Director from each authority/CEO.

I also know that this issue is being discussed at the East Sussex Authorities Strategic Directors meeting in Lewes this afternoon and there may be actions to come out of this meeting. Notwithstanding that it would seem reasonable at this stage, until these issues are resolved, for WDC (at the very least) to stop issuing further planning objections. Can you please confirm this action?

Can I strongly suggest that your invite list includes those authorities who are not part of the SoCG group but have nevertheless received WDC letters of objection to planning applications. I know of two – 

http://archivemanager.wdc.gov.uk/app.html#/message/9031130a-46c4-4793-d87a-8e73ace470ef/13/12/2018 12:02:39

AFWG236
Ashdown Forest Local Authority Group - meeting to discuss planning applications

Sent: 22 January 2018 10:36
From: RDC
To: (NE); Tandridge.gov.uk; sevenoaks.gov.uk; midsussex.gov.uk;

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

RDC, WDC, PAS, TWBC, LDC and EBC, NE, ESCC

3 Attachments

image001.jpg (575 B); image002.jpg (1 KB); Wealden Local Plan Update 19 January 2018.pdf (11 KB);

WDC

Further to my email to you on Friday I refer to your helpful advice note on the position of the LP (attached).

I note that the Natural England advice is due by 16th February. It would seem reasonable and very helpful if the suggested meeting takes place AFTER this date so that the NE views can be discussed; and in the spirit of corporation that these comments are shared with all authorities (albeit in confidence if necessary) prior to the meeting date.

Kind Regards

[Redacted] - Strategy and Planning
Rother District Council
Town Hall
Bexhill-on-Sea
East Sussex
TN39 3JX
Tel [Redacted]

http://archivemanager.wdc.gov.uk/app.html#/message/943fb24b-927d-6ddd-16a8-ba33bd873e06/13/12/2018 12:05:31

AFWG237
Dear Colleague,

Following my email of 19 January below thank you to those of you who have completed the doodle poll. If you haven’t yet done so it would be helpful if you could by the end of this week so we can confirm the date early next week.

The 7th February is looking to be a good fit as hoped but I will confirm once more poll entries have come in.

I am aware of the suggestion that the meeting should take place some time after 16th February, however, the view is that we should stick with the dates requested by the Ashdown Forest Local Authority Group in order to keep the momentum up.

As requested we are working on a statement to cover the questions raised at the meeting on the 18th and we will be sending this out by the end of Friday.

Best regards

Planning Policy and Economic Development
Wealden District Council
RE: Ashdown Forest Local Authority Group - meeting to discuss planning applications

Sent: 26 January 2018 16:50

From: SDNP

To: Tandridge.gov.uk;sevenoaks.gov.uk;mid.sussex.gov.uk;

CC: eastsussex.gov.uk;lewes-eastbourne.gov.uk;

WDC, RDC, PAS, TWBC, LDC and EBC, NE, ESCC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB);

WDC

Thank you for the update. It is disappointing that the District Council has not been able to send out its position statement on the agreed date. I do hope that you will be able to send it out early next week so that we all have time to read and understand it before we set the agenda for the meeting.

I look forward to hearing from you next week.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel:

www.southdowns.gov.uk | facebook | twitter | youtube

http://archivemanager.wealden.gov.uk/app.html#/message/c51669bf-a4ff-89c2-8c2-5a857a28c875/[13/12/2018 17:05:30]
Ashdown Forest

Sent: 29 January 2018 17:48
From: SDNP

Required: @Tandridge.gov.uk; @sevenoaks.gov.uk; @midsussex.gov.uk;

SDNP, TWBC, LDC and EBC, WDC, NE, ESCC

Location: Mid-Sussex DC offices, Haywards Heath

Start Time: 7 February 2018 14:00
End Time: 7 February 2018 15:00

Time Zone: (UTC+00:00) Dublin, Edinburgh, Lisbon, London

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

ATT60518 1.jpg (10 KB);

Colleagues

This meeting has been arranged to discuss the letters of objection sent by Wealden District Council (WDC) to a number of planning applications that are being determined by other local planning authorities. The purpose of the meeting is for WDC to clarify their position and explain the motivation and the methodology for sending the letters. There will then be a full discussion of the issues.

WDC will issue an explanatory statement on or before this Wednesday 31st January. The agenda for the meeting will follow on from this statement.

PAS has kindly offered to chair the meeting on behalf of PAS. Please can you let me know if you are not happy for PAS to chair the meeting.

I am aware that a lot of officers will want to attend this meeting. It is important that the representatives from each authority can speak as a decision maker on behalf of their authority. Ideally no more than two people should come from each authority.

Mid-Sussex have kindly agreed to host the meeting at their offices in Haywards Heath. A map of the office location can be

RE: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Sent: 31 January 2018 09:20

From: WDC

To: SDNP

CC: NE; Tandridge.gov.uk; sevenoaks.gov.uk; midsussex.gov.uk; eastsussex.gov.uk

SDNP, TWBC, LDC and EBC, NE, ESCC, RDC, TDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.png (77 KB);

Dear SDNP

Thank you for the attachments, including the new tracked changed SoCG. A number of new issues have now been raised in your commentary and we will have to seek advice from our specialists in these matters. It may therefore mean that we will not be able to meet your deadline on 9th February. I will also need to consider the implications for WDC of not including issues that have recently been raised as result of our endeavour to meet the SoCG in terms of clarifying housing figures for our model.

Kind regards

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel. wealden.gov.uk | Web. www.wealden.gov.uk

From: southdowns.gov.uk
Sent: 30 January 2018 17:55
To: NE; tandridge.gov.uk; sevenoaks.gov.uk; midsussex.gov.uk; eastsussex.gov.uk

SDNP, TWBC, LDC and EBC, WDC, NE, ESCC, TDC

http://archivemanager.wdc.gov.uk/app.html#message/1c695c38-3c82-cef9-b243-f2a311f25b84/[13/12/2018 14:14:23]
Dear all,

Please find attached the Final Draft Ashdown Forest Statement of Common Ground.

Could I please ask for your response on the following by the end of the day on Friday 9th February.

- Any proposed tweaks to wording of the SoCG via the attached change table
- Indicate your organisation’s position in one of the four columns of each table in the document and, if indicating ‘disagree’, ‘no position’ or ‘reserve judgement’, please provide text to be included in the document explaining why
- We are intending to include a glossary of key terms - if you have any particular requests for words to be included, please include this in your email back to me
- Draft meeting notes from our meeting on 18th January are also attached. Please advise of any amendments. Appendix 3 will be updated to include a full set of the meeting notes of the AFWG.

Your responses received by Friday 9th February will be compiled and a final signatory version will be circulated for each authority to provide signatures and logo. We anticipate the signatory version will be circulated on Friday 16th February.

Please do call if there are any questions and it would be helpful to discuss further.

Kind regards

South Downs National Park Authority
Direct Tel:  

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing
Hello all,

Please find attached the minutes from our last meeting on 18th January.

Apologies they failed to attach to the previous email.

Kind regards

South Downs National Park Authority
Direct Tel: 

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH

www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing
From: SDNP
Sent: 30 January 2018 17:55
To: Southdowns @southdowns.gov.uk; TunbridgeWells @Tunbridgewells.gov.uk; Lewes @lewes.gov.uk; Wealden @wealden.gov.uk; Sevenoaks @sevenoaks.gov.uk; Mid Sussex @midsussex.gov.uk; East Sussex @eastsussex.gov.uk; TunbridgeWells @Tunbridgewells.gov.uk; Wealden @wealden.gov.uk; Southdowns @southdowns.gov.uk; Sevenoaks @sevenoaks.gov.uk; Mid Sussex @midsussex.gov.uk; East Sussex @eastsussex.gov.uk; TunbridgeWells @Tunbridgewells.gov.uk; Wealden @wealden.gov.uk; Southdowns @southdowns.gov.uk; Lewes @lewes.gov.uk; Crawley @crawley.gov.uk; Horsham @horsham.gov.uk
Subject: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Dear all,

Please find attached the Final Draft Ashdown Forest Statement of Common Ground.

Could I please ask for your response on the following by the end of the day on Friday 9th February:

- Any proposed tweaks to wording of the SoCG via the attached change table
- Indicate your organisation’s position in one of the four columns of each table in the document and, if indicating ‘disagree’, ‘no position’ or ‘reserve judgement’, please provide text to be included in the document explaining why
- We are intending to include a glossary of key terms -if you have any particular requests for words to be included, please include this in your email back to me
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Your responses received by Friday 9th February will be compiled and a final signatory version will be circulated for each authority to provide signatures and logo. We anticipate the signatory version will be circulated on Friday 16th February.
Please do call if there are any questions and it would be helpful to discuss further
Kind regards
Katharine

South Downs National Park Authority
Direct Tel: 

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing
RE: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Sent: 31 January 2018 16:09

From: TWBC

To: SDNP

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

Image003.jpg (66 KB); Image005.jpg (67 KB); Image006.png (77 KB); Image007.png (77 KB); Image001.jpg (2 KB);

SDNP

In relation to the latest draft of the SoCG at present we have no comments to make and wish our name to be entered into the Agree column on all points. Unless you hear from us again before Friday 9th February please take this as our final position.

Regards

SDNP @tunbridgewells.gov.uk

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
cid:image001.jpg@01D2E502.57050DD0
Subject: RE: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Hello all,

Please find attached the minutes from our last meeting on 18th January.

Apologies they failed to attach to the previous email.

Kind regards

South Downs National Park Authority
Direct Tel [redacted]
South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing

From: [redacted]
Sent: 30 January 2018 17:55
To: [list of email addresses]

Subject: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Dear all,

Please find attached the Final Draft Ashdown Forest Statement of Common Ground.

Could I please ask for your response on the following by the end of the day on Friday 9th February.

- Any proposed tweaks to wording of the SoCG via the attached change table
- Indicate your organisation's position in one of the four columns of each table in the document and, if indicating ‘disagree’, ‘no position’ or ‘reserve judgement’, please provide text to be included in the document explaining why

http://archivemanager.wdc.gov.uk/app.html#/message/737be42d-f946-3762-e666-f77d6468e524[13/12/2018 14:17:06]
Dear Colleague

Following my email on Friday please find attached the statement requested from Wealden District Council at the Ashdown Forest Local Authorities Group meeting of 18 January together with a covering letter.

Best regards

Planning Policy and Economic Development
Wealden District Council
Members of the Ashdown Forest Local Authorities Group plus Horsham, Crawley and Brighton and Hove Councils

Letter sent by email

Dear Colleague

Statement for the Ashdown Forest Local Authorities Group

Following the meeting of the Ashdown Forest Local Authorities Group on 18 January 2018 where a statement was requested from Wealden District Council in relation to the letters of objection which had been sent, please find this statement attached.

As set out in the statement Wealden District Council will continue to seek to work with other authorities, Natural England and other organisations to find solutions to bring forward development whilst protecting our legal position including our obligations and duty to protect the Ashdown Forest. The Council will look to other local authorities to actively work with us to progress potential solutions within legislative requirements.

To this end I look forward to discussing how we might address and progress these issues with those of you who are attending the meeting scheduled for 7th February 2018.

Yours sincerely

WDC

Planning Policy & Economic Development
Statement from Wealden District Council for the Ashdown Forest Local Authorities Group

Background

1) Wealden District Council (WDC) was required to investigate further the impacts of nitrogen deposition on Ashdown Forest SAC "so that its effects on development in the longer term can be more fully understood and mitigated if appropriate" as a result of the modification of a policy recommended by the Planning Inspector to the Wealden Core Strategy in 2013.

2) The Core Strategy was subject to a legal challenge from a partnership seeking more growth within the District. In this regard the grounds for challenge were not upheld and Wealden District progressed with its policy of protecting the Ashdown Forest from the impacts from development.

3) WDC set up a monitoring regime on Ashdown Forest SAC some four years ago. Results of these monitoring and modelling future growth assumptions have been placed in the public domain including a briefing document for the Ashdown Forest Nitrogen position on 13 March 2017 and the publication of the Air Quality report for the Ashdown Forest on 3 November 2017 with an accompanying briefing note.

4) WDC's position has been based on advice from Natural England that the Core Strategy alone contributes less than 1000 AADT to roads crossing Ashdown Forest and any addition to this results in the 1000 AADT threshold being exceeded. This threshold exceedance is considered to result in a likely significant effect and an appropriate assessment is required.

5) In 2016 Wealden District Council (WDC) objected to Lewes District Joint Core Strategy (joint between Lewes District and the South Downs National Park Authority SDNPA) as it had not undertaken an in combination assessment. The judgement (delivered March 2017) concluded that with the evidence at that time from the Lewes District Joint Core Strategy and Wealden District Core Strategy that an appropriate assessment was required (as it exceeded the 1000 AADT threshold). However the legal challenge was out of time for Lewes but in time for the development within South Downs National Park. The Wealden District Core Strategy and the Lewes District Core Strategy exceeded the 1000 AADT threshold.

6) In February 2017 Wealden District Council published information on nitrogen deposition on Ashdown Forest resulting from commitments and completions at Wealden District and proposed development contained within the emerging Wealden Local Plan. The information also showed that 1000 AADT did not equate to a 1% process contribution, a threshold that Natural England also uses in its consideration of a likely significant effect. Based on the information published WDC considers that there is a likely significant effect. Work is currently being completed in relation to Wealden’s Habitats Regulations Assessment (HRA), including input commissioned from Natural England which will provide further information with regards to site integrity.

7) In considering the evidence and applying legislation Wealden District Council considers its decisions are lawful, taking into account case law.
8) Subsequent to the High Court in combination judgement SDNPA set up a working group of Local Authorities regarding the Ashdown Forest SAC. A statement of common ground (SoCG) is being finalised between these authorities as evidence for the SDNPA local plan and wider use by the Local Authorities involved. This group includes:
   Wealden District Council, SDNPA, Lewes District Council, Eastbourne Borough Council, Rother District Council, Tunbridge Wells Borough Council, Mid Sussex District Council, Tandridge District Council, Sevenoaks District Council.

9) Work published for the SDNPA Local Plan (HRA of the SDNPA Local Plan) states that no adverse effect upon the integrity of Ashdown Forest SAC is expected to result from development provided by the South Downs Local Plan and Lewes Joint Core Strategy, even in combination with other plans and projects. Wealden District Council has submitted representations, consistent with its position, explaining what it believes are significant deficiencies in the SDNPA HRA. The SDNPA Plan has yet to be examined. In addition WDC has submitted responses in relation to the Mid Sussex Local Plan and the Lewes Local Plan, consistent with WDC's position.

10) The way in which different local authorities are approaching the method of determining impacts and interpretation of legislation in relation to European sites is contained in the SoCG.

11) WDC has actively participated and supported this group and the work it is undertaking.

12) Since the potential for a likely significant effect across the District on the Ashdown Forest SAC became clear WDC has only allowed planning applications to go forward within the District which can be proved not to result in additional traffic movements across the Ashdown Forest. For this to take place a screening under the Habitats Regulations is undertaken to determine whether there is a likely significant effect from development. In practice this means it is primarily brownfield sites which have vehicle movements already associated with them which are allowed to proceed. Applications which will result in additional traffic movements are being held and applicants have been asked to agree to extensions to the determination timescale.

13) During the second half of 2017 WDC became aware that Tunbridge Wells Borough Council (TWBC) were assessing planning applications which were close to the Ashdown Forest and, in WDC's view, would result in additional traffic movements across Ashdown Forest. Given the in combination judgement earlier in 2017 which had made it clear that any additional traffic movements across Ashdown Forest should trigger an appropriate assessment, WDC raised this with TWBC.

14) The subsequent discussions led to TWBC requesting a statement of common ground between the two councils to set out clearly the different positions. The initial TWBC draft of this was revised by WDC in October 2017. This revision clearly set out the WDC view that, based on legal advice, TWBC could not rely on their extant HRA and needed to take account of the High Court judgement and latest monitoring information. The TWBC / WDC SoCG remains outstanding.

15) As a result WDC flagged with TWBC that WDC's position was that an appropriate assessment was required and that WDC may object to
applications if this did not take place. As an in combination assessment did not take place WDC submitted objections to TWBC planning applications.

16) Subsequently, in order to protect WDC's position in relation to the Ashdown Forest and on the non-determination of WDC planning applications, the Council sent out letters to a number of authorities setting out its view that an assessment under the Habitats Regulations should be undertaken on specific planning applications where proposed developments might, alone and in combination with other plans and projects, lead to increased vehicle movements over the designated European sites and flagging that WDC would object to the application if this was not done. In those cases where LPAs have published a Habitats Regulations Assessment linked to an emerging Plan that is subject of outstanding objections and has not yet been declared sound by an Inspector, it was pointed out that determination of planning applications based on the emerging Assessments(s) would be flawed.

17) To clarify, a Habitats Regulations Assessment comprises a number of stages the first is commonly referred to as screening (consideration of likely significant effects) the second stage is called appropriate assessment.

Statement

18) Whilst the issue of the protection of the Ashdown Forest has been widely known to neighbour authorities’ planning staff for some time, WDC recognises that the manner of submitting the letters of objection on planning applications to other Local Authorities without contacting senior officers may have appeared to be unhelpful. WDC apologises for that.

19) However, the letters do deal with the protection of the Ashdown Forest which is a live issue for all the neighbouring authorities, and all authorities have a duty to co-operate. WDC will continue to work with neighbouring authorities directly and through the Ashdown Forest Local Authority Group and promote the sharing of information wherever possible.

20) Pending the production of this statement WDC has paused sending any more letters outlining the need for a screening/Appropriate Assessment under the Habitats Regulations. However, WDC does need to maintain a consistent approach and therefore, in order to safeguard our position, WDC will continue to object to further development proposals which it believes could impact on the Ashdown Forest. To facilitate improved working relationships any future objection letters will be proceeded by either an email or telephone conversation.

21) In sending the letters the Council has applied the following criteria which is in line with and consistent with the criteria it has applied to WDC planning applications:
   - new sites on greenfield;
   - brownfield where there is a clear increase in use;
   - new residential developments; and
   - employment and commercial uses including a material increase in floor area.

There were no letters sent in relation to reserved matters.

22) It should be noted that the Council is mainly objecting in the event that the competent authority does not carry out a screening and, if required, an appropriate assessment, for relevant applications. However, there are
circumstances where the Council is objecting to Habitats Regulations Assessments, associated with planning applications that are considered deficient. Wealden District Council has made representations to Mid Sussex District Council, South Downs National Park and Lewes District Council with regards to their Habitats Regulations Assessments as part of the Local Plan process.

23) The Council will continue to seek to work with other authorities, Natural England and other organisations to find solutions to bring forward development whilst protecting our legal position including our obligations and duty to protect the Forest. The Council will look to other local authorities to actively work with us to progress potential solutions within legislative requirements.

24) WDC's position in relation to plans remains as set out above and in the Ashdown Forest Local Authority SoCG. The Council will consider the Plan and HRA in question at the Regulation 19 stage, and make representations as appropriate. If required an officer will attend the EIP (being mindful of the feedback made during the Joint Lewes District Core Strategy legal challenge) to make verbal representations. When the Inspector's report is received it will be considered in the light of the representations made, and depending on the content will be passed to a legal representative. Advice will be taken at this time as to whether it is within the interest of Wealden District and its Local Plan to proceed with a legal challenge. To help maintain partnership working, every effort will be made to contact relevant officers at the various stages. WDC would also comply, where appropriate, with the requirements of the formal Pre-action Protocol procedure prior to issuing any legal challenge.

25) Similarly WDC will take a view on whether to challenge any individual planning application approval, based on a number of factors including the risk of that planning application approval undermining WDC's position. The Council would raise any concerns with the relevant authority before taking any action.

Conclusion

26) WDC has been working with neighbouring authorities ensuring that they are aware of the evidence and the WDC position in relation to the Ashdown Forest SAC for some time. WDC would point to this, their involvement and commitment to the Ashdown Forest Local Authorities Group and support to the SoCG work, and their willingness to initiate a meeting with the relevant authorities to seek to resolve these issues, as indications of a positive desire to continue constructive partnership working.

27) WDC hope that this statement and the subsequent meeting will ensure that neighbouring Councils understand and appreciate WDC's position. WDC needs to undertake its duty to protect the Ashdown Forest SAC and SPA diligently and believes that, whilst the geography is that these areas are located solely within Wealden, the responsibility for ensuring the Forest is protected falls much wider.

WDC
January 2018
RE: Ashdown Forest Local Authority Group - Statement from Wealden District Council

Sent: 31 January 2018 09:57

From: LDC and EBC

To: 

CC: Edward.Sheath@eastsussex.gov.uk; WDC, RDC, PAS, TWBC, LDC and EBC, NE, ESCC

Dear WDC

Thank you for confirming the position, it is interesting/useful to have firm confirmation that you will challenge planning applications where you consider decisions undermine the Wealden approach. Interesting times ahead no doubt.

In terms of the selection criteria for the applications that you have objected to, the information is quite sparse. We did ask for information on how you have selected the locations of the applications to object to. Interestingly, you say you object to all new residential, but this is not evident in the objections received where only a selection of new residential applications have been objected to. As such we really do need to understand more on this point. Something you could either circulate in advance of next week's meeting, or if that proves too difficult, an update at the meeting itself will be necessary.

Kind regards

Lewes District Council and Eastbourne Borough Council
T: 
www.lewes-eastbourne.gov.uk

Eastbourne Homes Ltd is a company wholly owned by Eastbourne Borough Council (Registered Company Number: 5340097) England and Wales

Save a tree... please do not print this email unless you really need to.
Hello all,

Please find attached the minutes from our last meeting on 18th January.

Apologies they failed to attach to the previous email.

Kind regards

South Downs National Park

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

Please consider the environment before printing
From: SDNP
Sent: 30 January 2018 17:55
To:  
(NE)  
Subject: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Dear all,

Please find attached the Final Draft Ashdown Forest Statement of Common Ground.

Could I please ask for your response on the following by the end of the day on Friday 9th February.
- Any proposed tweaks to wording of the SoCG via the attached change table
- Indicate your organisation’s position in one of the four columns of each table in the document and, if indicating ‘disagree’, ‘no position’ or ‘reserve judgement’, please provide text to be included in the document explaining why
- We are intending to include a glossary of key terms - if you have any particular requests for words to be included, please include this in your email back to me
- Draft meeting notes from our meeting on 18th January are also attached. Please advise of any amendments. Appendix 3 will be updated to include a full set of the meeting notes of the AFWG.

Your responses received by Friday 9th February will be compiled and a final signatory version will be circulated for each authority to provide signatures and logo. We anticipate the signatory version will be circulated on Friday 16th February.

http://archivemanager.'Wealden.gov.uk/app.html#/message/0aca086e-6695-94d3-64de-c5b0729de4ee[/12/12/2018 16:17:12]
Please do call if there are any questions and it would be helpful to discuss further

Kind regards

South Downs National Park Authority
Direct Tel:

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
www.southdowns.gov.uk | facebook | SDNPA twitter | Ranger twitter | youtube

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http://archivemanager.wealden.gov.uk/app.htm/#/message/0aca086e-669b-94d3-64de-c6b07294d4ee/[13/12/2018 16:17:12]

AFWG257
Ashdown Forest meeting

Sent: 1 February 2018 15:06

From: SDNP

To: (NE); @Tandridge.gov.uk; @sevenoaks.gov.uk; @midsussex.gov.uk;

TWBC, LDC and EBC, WDC, NE, ESCC, TDC, SDNP

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

2 Attachments

image001.jpg (14 KB); Agenda Ashdown Forest 07-02-18.docx (14 KB);

Colleagues

Please find attached the agenda for the meeting on Ashdown Forest starting at 2pm on Wednesday 7th February. Full details on how to get there are in the meeting invite.

I look forward to seeing you all on Wednesday.

Kind regards

[Signature]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Number]

http://archivemanager.wdc.gov.uk/app.html#/message/83a887c5-b8f5-5b15-1396-47ac1a5d3f1a[13/12/2018 14:17:56]

AFWG258
RE: Statement of Common ground

Sent: 13 February 2018 14:57

From: [REDACTED] SDNP

To: [REDACTED] WDC, SDNP
CC: [REDACTED]

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB);

Thanks [REDACTED] WDC

We will have a look through and get back to you if we have any questions.

[REDACTED], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [REDACTED]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award
Cc: [obfuscated email]

Subject: Statement of Common ground

Dear [obfuscated email],

SDNP

Please find attached WDC’s contribution to the SoCG. I have not amended the statement to prevent any confusion, but I can confirm that the numbers we are modelling have changed as well as our transport model. If any authority wishes to have our latest numbers and distribution then I would be happy to provide.

Kind regards,

[obfuscated email]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

Communities

Environment

Economy

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@wealdenDC

Sign up to MyWealden to access our services online

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please email us. Any views expressed are not necessarily the views of Wealden District Council unless stated.

Wealden District Council

Do you love the South Downs Way? Please help us to mend it.


AFWG260
RE: Statement of Common Ground

Sent: 20 February 2018 18:00

From: [redacted] WDC

To: [redacted] SDNP

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB);

That I can do. Is it just us and is it technical (ie do I need [redacted])?

[redacted] WDC

From: [redacted]@southdowns.gov.uk

Sent: 20 February 2018 17:59

To: [redacted] WDC

Subject: RE: Statement of Common Ground

Just a telecom 😊

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]

www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award
Hi SDNP

I am currently submerged in an appeal statement. Are you thinking a telephone chat or face to face?

Hi WDC

It would be really useful if we could have a quick chat about the Statement of Common Ground. Are you around on Thursday at 3.30? If yes I will send a meeting invite.

Many thanks

[Signature]
South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award
Notes of Ashdown Forest Working Group meeting 07-02-19

Sent: 21 February 2018 07:52
From: SDNP
To: (NE);
TWBC, LDC and EBC, WDC, NE, ESCC, TDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

3 Attachments

- image001.jpg (14 KB); Draft meeting notes Ashdown Forest 07-02-18.docx (21 KB); Map Ashdown Forest WealdenDC Objections.pdf (2 MB);

Colleagues

Please find attached the notes from our recent meeting.

I do not have the email addresses for all the people who attended the meeting so I would be grateful if you could forward this on as necessary.

We are working hard on the Statement of Common Ground and hope to be able to send out the final draft shortly.

I thought it would be a good idea to send out a survey monkey on a number of matters such as future membership of the group.

Kind regards

[Signature]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Number]
www.southdowns.gov.uk | facebook | twitter | youtube
Ashdown Forest SAC: Letters of Objection to various planning applications by
Wealden District Council

2pm 07 February 2018

Mid-Sussex District Offices, Haywards Heath

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Name</th>
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<tbody>
<tr>
<td>Planning Advisory Service</td>
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<td>Brighton &amp; Hove City Council</td>
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<td>Crawley Borough Council</td>
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<td>• introduced the meeting saying that this was a meeting of the Ashdown Forest Working Group (AFWG). An action of the January meeting was for Wealden District Council (WDC) to provide written clarification on its letters of objection to various planning applications followed by a meeting. The meeting was not to discuss the Statement of Common Ground (SCG). The role of the PAS facilitator was not to be an arbiter or discuss technical details.</td>
<td></td>
</tr>
<tr>
<td><strong>SDNP</strong></td>
<td>None</td>
</tr>
<tr>
<td>• outlined the objectives of the AFWG as working collaboratively on the strategic cross boundary issue of air quality impact on the Ashdown Forest (AF) SAC arising from traffic associated with new development. It is also to share information to assist traffic modelling for HRA work.</td>
<td></td>
</tr>
<tr>
<td><strong>WDC</strong></td>
<td>None</td>
</tr>
<tr>
<td>• apologised for the lack of warning of the objection letters and outlined that WDC is keen to protect their position on AF.</td>
<td></td>
</tr>
<tr>
<td><strong>2. Housekeeping matters</strong></td>
<td></td>
</tr>
<tr>
<td>(a) <strong>TWBC</strong></td>
<td>None</td>
</tr>
<tr>
<td>• circulated a map showing Ashdown Forest and the locations of the planning applications that WDC had objected to.</td>
<td></td>
</tr>
<tr>
<td>• WDC said that the map was a snapshot in time as the objections had temporarily paused.</td>
<td></td>
</tr>
<tr>
<td>• WDC said that the map produced by TWBC doesn’t show the number of planning applications in WDC held in abeyance.</td>
<td></td>
</tr>
<tr>
<td>• Someone queried how far away from AF the objection letters could go and WDC replied that in principle they could extend a long way eg Maidstone</td>
<td></td>
</tr>
<tr>
<td>• WDC has taken legal advice which advised it was sound and appropriate for each planning application to have an objection letter rather than one letter covering all planning applications.</td>
<td></td>
</tr>
<tr>
<td>• WDC is raising the issue but it is for the competent authority to decide.</td>
<td></td>
</tr>
<tr>
<td>• WDC is reserving the right to send more objection letters.</td>
<td></td>
</tr>
<tr>
<td>• The letters were sent under delegated powers.</td>
<td></td>
</tr>
</tbody>
</table>
- WDC said that every single traffic movement across AF has the potential to be an issue so everything needs to be looked at in combination.
- WDC don’t look at the other evidence submitted as part of a planning application or use their transport model.

(b) Clarification of the WDC approach to adopted and emerging plans
- NE outlined that it is not their role to advise on specific AQ methodology and that there is more than one approach to methodology.
- WDC is concerned that other local authority plan HRAs may be used against them and will consider legal challenge on a case-by-case basis.
- WDC have received independent verification of their approach.
- WDC said that if there had been a material change of circumstances this had to be taken into account for adopted plans.
- Various officers said that the letters were bringing the local planning process into disrepute.
- WDC are happy to share their transport model to help explain the letters.

4. Matters of clarification on the position statement:

a) Paragraph 4 states that exceeding the 1,000 AADT threshold is considered to result in likely significant effect (LSE). It is understood that exceeding 1000 AADT does not equate to LSE, but rather is a threshold at which assessment is recommended which may or may not show an LSE (4).
   - 1000 AADT is not being used by WDC and WDC considers 1000 AADT does not equal the 1% PC.
   - NE said that the 1% PC is more scientific than 1000 AADT and sufficiently precautionary to say that an impact is insignificant if it is below 1% PC. If it is above, more investigation is needed but there may not necessarily be a likely significant effect (LSE) and may not need an Appropriate Assessment (AA).
   - Informal agreement that the 7km Zone of Influence (ZoI) remains applicable. Ongoing discussions for any potential outer ZoI. There will be another meeting to discuss with the relevant local authorities.

(b) Paragraph 6 states ‘Based on the information published WDC considers that there is a likely significant effect.’ Could WDC please clarify which published information includes ecological interpretation which allows for the conclusions of likely significant effects.
- WDC using the precautionary principle.
- The ecological report will be published on 16 February.

(c) Paragraph 22 states that WDC are objecting to HRAs where WDC consider them to be ‘deficient.’ It is queried if this is more a matter of disagreement with other, including industry standard, approaches. Please could WDC clarify this matter?
  - WDC will identify concerns in individual reps to local plans

(d) Paragraph 7 states ‘its decisions are lawful.’ Please could WDC clarify which decisions are being referred to.
  - The WDC position is lawful based on legal advice.

(e) The position statement does not address the matter raised in the objection letter to Sevenoaks DC dated 16 August 2017 in regards to the application of a 10km zone for visitor pressure.
<table>
<thead>
<tr>
<th>5. Any further matters of clarification.</th>
</tr>
</thead>
<tbody>
<tr>
<td>- WDC will need to do their HRA first before considering any mitigation/compensation.</td>
</tr>
<tr>
<td>- NE said that it has not yet been determined if there is a LSE on AF let alone an adverse effect on integrity.</td>
</tr>
<tr>
<td>- NE is reviewing the WDC evidence and is due to respond by 16/02/2018.</td>
</tr>
<tr>
<td>- WDC believe there is the potential for impact and is applying the precautionary principle.</td>
</tr>
<tr>
<td>- WDC will look at the advice from NE and challenge as necessary</td>
</tr>
<tr>
<td>- WDC will test higher numbers if NE consider no LSE at the moment.</td>
</tr>
<tr>
<td>- WDC commit to sharing NE advice as soon as possible (once internal processes have been worked through).</td>
</tr>
<tr>
<td>- The LPAs are being used as collateral damage</td>
</tr>
<tr>
<td>- Several million pounds’ worth of LEP funding in Rother has been put on hold as a result of the WDC actions</td>
</tr>
<tr>
<td>- A request was made for WDC to withdraw all letters.</td>
</tr>
<tr>
<td>- WDC could not give a timeframe or dates for sharing NE advice.</td>
</tr>
<tr>
<td>- WDC said that FOI requests were not applicable as the work was draft.</td>
</tr>
<tr>
<td>- NE to investigate if their letter of advice can be provided under FoI.</td>
</tr>
<tr>
<td>- WDC reserved the right to send further letters of objection.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6. Any other business and date for next meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Letter received from Savills on the Ashdown Forest Stakeholder Forum.</td>
</tr>
<tr>
<td>- Email from Tandridge DC to amend the statement of common ground to deal with planning applications</td>
</tr>
<tr>
<td>- Agreed not to include planning applications in SCG as this was contrary to the original decision on content and it was too late to make such a fundamental change</td>
</tr>
<tr>
<td>- The next meeting would take place after the SCG was finished.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Interested parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDNP</td>
</tr>
</tbody>
</table>
RE: Proposed Changes

Sent: 6 March 2018 13:05

From: WDC

To: SDNP

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

=image001.jpg (14 KB);

Dear SDNP

I am sorry about the delay in response, but I am currently dealing with the water shortage issues within the District for the Council.

Your comments with regards to the SoCG are noted. We are not intending to change our text further, however subject to any text you may add we reserve the right to consider any further amendments.

Kind regards

WDC

From: @southdowns.gov.uk
Sent: 05 March 2018 17:38
To: WDC
Cc: WDC, SDNP, PAS
Subject: RE: Proposed Changes
Importance: High

WDC

PAS

I have now discussed this with and given the matter some further thought.

I understand that it is difficult to cut text down when it has been given to you by a technical expert. We are willing to accept your amended text, but only on the understanding that there will be no further additional text that you will want to add. Once you have confirmed this back to us, we will consider our position and add further text to support the statements as we see fit. We will not, of course, amend the text of what you have written disagreeing the statements. We
will then circulate a final version of the statement of common ground for signature.

I would be grateful if you could get back to me and confirm that you are happy with this arrangement.

Kind regards

[Redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [Redacted]@wealden.gov.uk
Sent: 05 March 2018 08:57
To: [Redacted]@southdowns.gov.uk>
Cc: [Redacted]@southdowns.gov.uk>; [Redacted]@wealden.gov.uk>; [Redacted]@wealden.gov.uk>; [Redacted]@woodplc.com>
Subject: RE: Proposed Changes

Dear [Redacted] SDNP

Thank you for your email.

Whilst I understand your wish to have a certain length of response within the statement, it is considered that the content that is key. As you will see I have cut down sentence length etc. to make our comments succinct however to cut it back further will mean that we will have not made the points we wish to make to the position that has been stated. Just to clarify this is a summary of our position and it provides the starting point for far greater detail if that becomes necessary as part of an examination process. From my experience, the Planning Inspector will not want WDC to be saying that they have further points to make that are not covered in the statement of common ground, and it is on this basis we have made the comments. On this basis we are not proposing to make further changes. I appreciate this is not what you wish to hear, however it is considered necessary for the Council to be able to explain why it disagrees with the points that have been raised in the statement.

http://archivemanager.wdc.gov.uk/app.html#/message/f9bb421-1315-a204-c19a-6b6f6f0426507/[13/12/2018 14:38:22]
Kind regards

WDC

From: [redacted]@southdowns.gov.uk
Sent: 02 March 2018 15:50
To: [redacted]
Cc: [redacted] WDC, SDNP, PAS
Subject: RE: Proposed Changes

Thank you very much for your amended comments. I'm afraid that they really are still too long. What we are really looking for is a summary of your position rather than you approach set out in full. I do understand the difficulties of navigating the technical language of your consultant, but the statement of common ground really does need to be succinct and to the point.

I would ask you to re-visit the work and reduce it down further. I would ask that you reduce each response to one or two paragraphs in line with the original statements made by the rest of the group. I would ask that you can turn this round by Tuesday 6th March so that we can then circulate the whole document to the group for signature.

Please do ring if you would like to discuss this further. I am WFH today and my number is [redacted]. Alternatively I am back in the office from Monday on the number below.

Kind regards

[Redacted]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award
From: [redacted]@wealden.gov.uk
Sent: 01 March 2018 13:22
To: [redacted]@southdowns.gov.uk
Cc: [redacted]@wealden.gov.uk, [redacted]@wealden.gov.uk
Subject: Proposed Changes

Dear [redacted] SDNP

I have just got your email and thank you.

To my surprise my pressing workload for today was cleared much quicker than I anticipated so I am able to get to you the changes today (attached).

I have created a clean version of our previous comments on the areas you outlined in your previous email and I have amended to reduce down as much as possible without altering what my experts thought was necessary to state.

Hopefully this will have helped.

Kind regards

[Signature]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel. [redacted] | [redacted]@wealden.gov.uk | Web. www.wealden.gov.uk

Communities

Environment

Economy

www.wealden.gov.uk
Facebook


AFWG272
Thank you SDNP

Kind regards

WDC

From: [email protected]@southdowns.gov.uk
Sent: 08 March 2018 18:29
To: WDC, SDNP, PAS
Cc: WDC, SDNP, PAS
Subject: RE: Proposed Changes

WDC

We will be sending out the final draft of the SCG next week. No further amendments can then be made. It is up to WDC whether you would like to sign or not.

Kind regards

[Name], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Phone number]
www.southdowns.gov.uk | facebook | twitter | youtube

http://archivemanager.wdc.gov.uk/app.html#/message/262a0d71-0a32-3ec7-1636-f8569f9d9ecd?13/12/2018 14:44:54

AFWG273
From: [Redacted]@wealden.gov.uk
Sent: 07 March 2018 08:25
To: [Redacted]@southdowns.gov.uk> PAS
Cc: [Redacted]@southdowns.gov.uk>; [Redacted]@woodplc.com>; [Redacted]@wealden.gov.uk>
Subject: RE: Proposed Changes

Dear [Redacted] SDNP

Thank you for your email. I will await the final document for signature and then the Council will consider its position.

Kind regards

[Redacted]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel. [Redacted]@wealden.gov.uk | Web: www.wealden.gov.uk

From: [Redacted]@southdowns.gov.uk
Sent: 06 March 2018 17:24
To: [Redacted]
Cc: [Redacted] WDC, SDNP, PAS
Subject: RE: Proposed Changes
Importance: High

[Redacted] WDC

Thank you for your response.

We do need to reach closure on the Statement of Common Ground (SCG) so that we can submit it as part of the evidence for our Local Plan. We have accepted your technical additions to the SCG despite considerable reservations on their length and detail. All your comments relate to why you don’t agree with the views of the working group. We will not amend what you have written in any way at all. What we will do, however, is add additional information to support our position.
After that we will send out the final version for signature, and it will not be possible for you to make any further amendments. I would be grateful if you could confirm your agreement to this arrangement.

Do please give me a ring if you would like to discuss further.

Kind regards

[Redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [Redacted]@wealden.gov.uk
Sent: 06 March 2018 13:06
To: [Redacted]@southdowns.gov.uk>
Subject: RE: Proposed Changes

Dear [Redacted] SDNP

I am sorry about the delay in response, but I am currently dealing with the water shortage issues within the District for the Council.

Your comments with regards to the SoCG are noted. We are not intending to change our text further, however subject to any text you may add we reserve the right to consider any further amendments.

Kind regards

[Redacted] WDC

From: [Redacted]@southdowns.gov.uk
Sent: 05 March 2018 17:38
To: [Redacted]
Cc: [Redacted] WDC, SDNP, PAS
Subject: RE: Proposed Changes  
Importance: High  

WDC  
PAS  

I have now discussed this with [redacted] and given the matter some further thought.

I understand that it is difficult to cut text down when it has been given to you by a technical expert. We are willing to accept your amended text, but only on the understanding that there will be no further additional text that you will want to add. Once you have confirmed this back to us, we will consider our position and add further text to support the statements as we see fit. We will not, of course, amend the text of what you have written disagreeing the statements. We will then circulate a final version of the statement of common ground for signature.

I would be grateful if you could get back to me and confirm that you are happy with this arrangement.

Kind regards

[Redacted]  

South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH  
Tel: [redacted]  
www.southdowns.gov.uk | facebook | twitter | youtube  
RTPI Award

From: [redacted]@wealden.gov.uk  
Sent: 05 March 2018 08:57  
To: [redacted]@southdowns.gov.uk>  
Cc: [redacted]@southdowns.gov.uk>; [redacted]@wealden.gov.uk>; [redacted]@wealden.gov.uk>; [redacted]@woodpico.com>  
Subject: RE: Proposed Changes  
PAS  

Dear [redacted]  

Thank you for your email.
Whilst I understand your wish to have a certain length of response within the statement, it is considered that the content that is key. As you will see I have cut down sentence length etc. to make our comments succinct however to cut it back further will mean that we will have not made the points we wish to make to the position that has been stated. Just to clarify this is a summary of our position and it provides the starting point for far greater detail if that becomes necessary as part of an examination process. From my experience, the Planning Inspector will not want WDC to be saying that they have further points to make that are not covered in the statement of common ground, and it is on this basis we have made the comments. On this basis we are not proposing to make further changes. I appreciate this is not what you wish to hear, however it is considered necessary for the Council to be able to explain why it disagrees with the points that have been raised in the statement.

Kind regards

WDC

From: [redacted]@south downs.gov.uk
Sent: 02 March 2018 15:50
To: [redacted]
Cc: WDC, SDNP, PAS
Subject: RE: Proposed Changes

WDC

Thank you very much for your amended comments. I'm afraid that they really are still too long. What we are really looking for is a summary of your position rather than you approach set out in full. I do understand the difficulties of navigating the technical language of your consultant, but the statement of common ground really does need to be succinct and to the point.

I would ask you to re-visit the work and reduce it down further. I would ask that you reduce each response to one or two paragraphs in line with the original statements made by the rest of the group. I would ask that you can turn this round by Tuesday 6th March so that we can then circulate the whole document to the group for signature.

Please do ring if you would like to discuss this further. I am WFH today and my number is [redacted] Alternatively I am back in the office from Monday on the number below.

Kind regards

[redacted]

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.south downs.gov.uk | facebook | twitter | youtube

http://archivemanager.wdc.gov.uk/app.html#/message/262a0d71-0a32-3ec7-1636-08569969ee3/13/12/2018 14:44:54

AFWG277
From: [email redacted]@wealden.gov.uk
Sent: 01 March 2018 13:22
To: [email redacted]@southdowns.gov.uk>
Cc: [email redacted]@wealden.gov.uk; [email redacted]@wealden.gov.uk>
Subject: Proposed Changes

Dear [redacted] SDNP

I have just got your email and thank you.

To my surprise my pressing workload for today was cleared much quicker than I anticipated so I am able to get to you the changes today (attached).

I have created a clean version of our previous comments on the areas you outlined in your previous email and I have amended to reduce down as much as possible without altering what my experts thought was necessary to state.

Hopefully this will have helped.

Kind regards

[Signature]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel: [phone number] @wealden.gov.uk | Web: www.wealden.gov.uk

Communities
Environment

http://archivemanager.wdc.gov.uk/app.html?message=262a6d71-0a32-3ec7-1636-f8569b9d9ee3[f13/12/2018 14:44:54]

AFWG278
Colleagues,

I am writing to give you an update on the Statement of Common Ground. I would like to apologise for the delay in sending it out, but I am sure you understand that this is a rather mammoth task. Our intention is to send the final version out for signature this week and we would ask for you to respond before Easter as to whether you would like to sign the document or not. It is up to individual authorities whether it is signed by members or officers.

Please do ring if you would like to discuss the statement further.

Kind regards,

[Name]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [Phone number]
Ashdown Forest Statement of Common Ground

Sent: 19 March 2018 12:36

From: SDNP

To: TWBC, LDC and EBC, WDC, NE, ESCC, SDNP, TDC

Note: This Message was sent with High Importance.

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

3 Attachments

image001.jpg (14 KB); Ashdown Forest SCG signature sheet.docx (12 KB); Final Statement of Common Ground Ashdown Forest.pdf (1 MB);

Colleagues

Please find attached the final version of the Ashdown Forest Statement of Common Ground. I am sorry for the delay in sending this out.

I would be grateful if you could have a look through and let me know if your organisation is happy to sign the document. It is up to you whether there is member or officer sign off. I will then need the signature, name and position of the person signing the document. I will also need the logo of your organisation. Please add all of this to the attached signature sheet.

Please can you respond to this email by end of play Thursday 29th March with all the necessary details. Please do ring myself on if you would like to discuss this further. I will assume that if I haven’t heard back from you before Easter that your organisation will not be a signatory.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel:  
www.southdowns.gov.uk | facebook | twitter | youtube

http://archivemanager.wdc.gov.uk/app.html#message/8dc346d7-e8b3-fdd7-627e-961acca8d9f5/[13/12/2018 14:46:00]
Ashdown Forest
Statement of Common Ground

Prepared by The South Downs National Park Authority, Chair of the Ashdown Forest Working Group
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Appendix 1: Ashdown Forest SAC Reasons for Designation
Appendix 2: Location map of Ashdown Forest (to be provided)
Appendix 3: Meeting notes from the Ashdown Forest Working Group meetings May 2017 – January 2018
Appendix 4: Housing numbers table
Appendix 5: Traffic modelling table
 Appendix 6: Air quality calculations table
1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by the South Downs National Park Authority (SDNPA) and is signed by the following members of the Ashdown Forest Working Group (AFWG): the SDNPA, Lewes District Council, Eastbourne Borough Council, Wealden District Council, Tunbridge Wells Borough Council, Mid Sussex District Council, Tandridge District Council, Crawley Borough Council, Sevenoaks District Council, Rother District Council, East Sussex County Council (as the relevant Minerals and Waste Planning Authority), West Sussex County Council and Natural England. The signatories of this SCG have been self-selected and come from the AFWG. Further details of this group are set out below. The preparation of the SCG has been facilitated by the Planning Advisory Service (PAS).

1.2 The purpose of this SCG is to address the strategic cross boundary issue of air quality impacts on the Ashdown Forest Special Area of Conservation (SAC) arising from traffic associated with new development. It provides evidence on how the authorities have approached the Duty to Co-operate, clearly setting out the matters of agreement and disagreement between members of the AFWG.

1.3 The first section of the SCG introduces the document and explains the background to this cross boundary strategic issue. The second section sets out six key matters on HRA methodology for plan-making with which authorities either agree or disagree with or have no position on. Finally, actions going forward and summary conclusions are given.

1.4 The SCG highlights a number of different approaches towards undertaking HRA work. It identifies that participating local planning authorities (LPAs) consider they have taken a robust and proportionate approach to the evidence base in plan making, producing in combination assessments which they consider to have been undertaken soundly. Natural England notes that some of the approaches differ and consider that it is up to individual LPAs to determine the specific approach they use. Natural England advise that approaches proportionate to the risk are acceptable and it is not necessary for all LPAs to use exactly the same approach.

1.5 The different LPAs have used different consultants to undertake their Habitats Regulations Assessments (HRAs). AECOM are the HRA consultants for the SDNPA, Lewes District Council, Tunbridge Wells Borough Council, Tandridge District Council, East Sussex County Council and Sevenoaks District Council. ECUS Ltd, Air Quality Consultants Ltd and Centre for Ecology and Hydrology are providing information, evidence and guidance to assist Wealden District Council in their HRA work in relation to Ashdown Forest SAC. Urban Edge Environmental Consulting, Amey and Arup are the HRA consultants for Mid-Sussex District Council. Crawley Borough Council, Eastbourne Borough Council and Rother District Council have not currently engaged HRA consultants as they have up to date adopted Local Plans.

1.6 Ashdown Forest is also designated as a Special Protection Area (SPA). It should be noted that this Statement addresses the potential impact pathway of air quality on the Ashdown Forest SAC only and does not discuss matters of recreational pressure on the Ashdown Forest SPA.

---

1 Tonbridge and Malling Borough Council are members of the Working Group but are not a signatory of this Statement on the basis of advice from Natural England. T&MBC continue to be part of the group to observe.
This is addressed through the working group of affected authorities that have assisted in the production of the Strategic Access Management and Monitoring Strategy.

Background to the issue

**Ashdown Forest SAC**

1.6 Ashdown Forest is a Natura 2000 site and is also known as a European site. It is a Special Area of Conservation (SAC) designated for its heathland habitat (and a population of great crested newt). Further details regarding the reason for its designation are set out in Appendix 1. Ashdown Forest SAC is located in Wealden District, East Sussex as shown on the map in Appendix 2.

**Habitats Regulations Assessment**

1.7 The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations) require an appropriate assessment of the implications for the site in view of that site’s conservation objectives to be carried out for any plan or project where there are likely to be significant effects on a European site, alone or in combination with other plans or projects. The Ashdown Forest SAC features are vulnerable to atmospheric pollution from a number of sources including motor vehicles. There is a potential impact pathway from new development and associated increases in traffic flows on the roads such as the A275, A22 and A26, which traverse or run adjacent to the SAC. The emissions from these vehicles may cause a harmful increase in atmospheric pollutants which may adversely affect the integrity of the European site.

**High Court Judgement**

1.8 In March 2017 a legal challenge from Wealden District Council (WDC) was upheld by the High Court on the Lewes District and South Downs National Park Authority Joint Core Strategy (Lewes JCS) on the grounds that the HRA was flawed because the assessment of air quality impact on the Ashdown Forest SAC was not undertaken in combination with the increase in vehicle flows likely to arise from the adopted Wealden Core Strategy. This resulted in the quashing of Policies SP1 and SP2 of the Lewes JCS, insofar as they apply to the administrative area of the South Downs National Park, at the High Court on 20 March 2017.

**Wealden DC Responses to other LPAs Plan Making and Decision Taking**

1.9 It should be noted that the representation from WDC on the Pre-Submission version of the South Downs Local Plan and to the draft Lewes Local Plan Part 2 objects to their HRAs. Objections have also been made by WDC to the Main Modifications consultation on the Mid Sussex Local Plan. The South Downs National Park Authority, Lewes District Council and Mid Sussex District Council do not accept the objections made by Wealden District Council on the HRA work undertaken for their Local Plans and consider that the assessments undertaken are robust, reasonable and sound.

1.10 Since work started on this Statement of Common Ground, WDC have objected to planning applications in Tunbridge Wells Borough, Rother District, Lewes District, Mid Sussex District, Tandridge District, Horsham District, Sevenoaks District, Hastings Borough and Brighton & Hove City. The objections all centre on the issue of nitrogen deposition on Ashdown Forest.

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AFWG284
Ashdown Forest Statement of Common Ground, March 2018

This Statement of Common Ground is about plan-making rather than the determination of planning applications and so does not address these letters of objection.

Ashdown Forest Working Group

1.11 Following the High Court judgement, the SDNPA led on convening and now chairs the AFWG, which first met in May 2017. The group’s members are listed in paragraph 1.1 of this SCG. This HRA matter has arisen for these authorities through their Local Plan work, through WDC objections to planning applications, or due to proximity to strategic roads traversing Ashdown Forest. As set out in legislation, Natural England is a statutory consultee on HRA and is providing advice on the outputs from the air quality modelling. The county councils, as well as the independent consultants mentioned in paragraph 1.5 provide advice in regard to transport evidence that has and is being undertaken to inform Local Plans. Wealden District Council has commissioned GTA Civils to provide and advise on traffic modelling.

1.12 The shared objective of the working group is to ensure that the impacts of development proposals in emerging local plans on Ashdown Forest are properly assessed through HRA and that, if required, a joint action plan is put in place should such a need arise. The Working Group has agreed to work collaboratively on the issues, to share information and ongoing work, and to prepare this Statement of Common Ground. The minutes to the meetings are set out in Appendix 3.

2. Key matters

Proportionality

2.1 There is no universal standard on proportionality and the issue relates to what is the ‘appropriate’ level of assessment required for Local Plans. Paragraph 182 of the National Planning Policy Framework (NPPF) states that for a local plan to be considered sound it needs to be justified and based on proportionate evidence. The draft CLG guidance makes it clear that when implementing HRA of land-use plans, the appropriate assessment should be undertaken at a level of detail that is appropriate and proportional:

‘The comprehensiveness of the assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources than is useful for its purpose.’

2.2 The AFWG has discussed the issue of proportionality and the following principles were put forward:

- Where effects are demonstrably small the level of assessment can be justifiably less complex than a bespoke model.
- Use of the industry standard air quality impact assessment methodology can, if carried out robustly, provide the necessary evidence to inform HRA on the potential effects of a development plan on the Natura 2000 network and Ramsar sites.

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3 CLG (2006) Planning for the Protection of European Sites, Consultation Paper
4 The principles in Annex F of the Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07) for the assessment of impacts on sensitive designated ecosystems due to highways works, which Highways England use for all their HRAs, but with the DMRB spreadsheet tool replaced by an appropriate dispersion model e.g. ADMS-Roads and, with appropriate allowance for rates of future improvement in air quality.
Members of the working group are entitled, but not required, to carry out non-standard or bespoke assessments; and other members may have regard to the results of those non-standard or bespoke assessments when conducting their own HRAs.

Table 1: Signatory position regarding proportionality of assessments

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2.3 The named authorities agree with this approach for the following reasons. The approach outlined above sets out parameters for a robust and sound HRA, which is proportionate to the nature of the proposals and likely impacts. Where the spatial extent of the affected area is small then the risk to the integrity of the site needs to be approached in a reasonable and proportionate manner as concluded in the Natural England Research Report (NECR205)5 on small scale effects i.e. for much of the ‘affected habitat’ SAC features are not present and therefore can be excluded from consideration. With the remaining ‘affected area’ a proportionate approach to how this area contributes to the overall site integrity should be adopted.

2.4 Wealden District Council disagree with this approach for the following reasons:

- The reference within the NPPF is not specifically directed to the issue of appropriate assessment under EU law. The draft CLG guidance is out of date and not adopted. The term “appropriate” means appropriate for its purpose, which is considering all possible individual and in combination effects on integrity and determining whether an effect on integrity can be ruled out beyond reasonable scientific doubt.

- In relation to bullet point 1 of 2.2 there is no test of “demonstrably small” effects in the Directive and the fact that changes in traffic may be difficult to measure or forecast has no logical correlation with their potential impact on the SAC. There is no evidence in relation to Ashdown Forest what 100 AADT alone or in combination will produce in terms of pollution or impacts on the Forest.

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5 CHAPMAN, C. & TYLDESLEY, D. 2016. Small-scale effects: How the scale of effects has been considered in respect of plans and projects affecting European sites - a review of authoritative decisions. Natural England Commissioned Reports, Number 205.
There is currently no industry-standard HRA methodology and no official guidance on assessing the air quality impacts of HRAs. Only bespoke models exist, and the main differences between these relate to the level of detail used. It is considered that the nature and extent of the effects on Ashdown Forest require a level of detail beyond a basic approach. This is because the critical load of Ashdown Forest is already exceeded and is in unfavourable condition. The reason for unfavourable condition is not provided, however a failure to meet vegetation and composition targets is. In addition, judgement of the European Court in Case C-142/16 Commission v. Germany is relevant in this regard. The Court noted that all aspects of the project which could, either individually or in combination, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field (para. 57). It is considered that best scientific knowledge in the field must be used as opposed to a more basic approach which less precise. Wealden District Council has undertaken additional work, as required by Policy WCS 12 of the adopted Wealden Core Strategy with regards to Ashdown Forest and this cannot be put aside.

Furthermore The Commission Guidance on the Directive in respect of conservation of species states that flexibility and proportionality should not be misunderstood as concepts that reduce the obligations on Member States to act in an effective way. Measures need to respect the overall objective of the Directive. Therefore proportionality is not a proper means of evading the strict requirements of the Directive.

Local Plan Housing Numbers

2.5 The quantum of development expected in each Local Planning Authority (LPA) area is an important matter as it is a key input into any traffic model. The AFWG has discussed this matter and the following approach is proposed as a general principle for the purpose of making forecasting assumptions relating to neighbouring planning authorities for in combination assessment of plan going forward:

- Where a Local Plan is less than 5 years old, the adopted Local Plan figures should be used, unless the LPA advise in writing that, due to a change in circumstance, an alternative figure should be used or
- Where an emerging Local Plan is at or beyond the pre-submission consultation stage and the LPA undertaking the modelling can be confident of the figures proposed, then the emerging Local Plan figure should be used, or
- For Local Plans that are over 5 years old and considered out of date, and the emerging Local Plan has not progressed, then the OAN/Government Standard Methodology (once confirmed by CLG) should be used, unless otherwise evidenced.

Table 2: Signatory position on statements above on the approach to identifying appropriate local plan housing numbers to include in modelling for the purposes of forecasting assumptions for HRA air quality modelling.

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(http://ec.europa.eu/environment/nature/conservation/species/guidance/index_en.htm)
2.6 The named authorities agree with this approach for the following reasons: The approach outlined above provides a reasonable and practical way forward to ensure that housing numbers used in future modelling work are selected in a consistent and transparent way and are most robust to inform HRA work.

2.7 These named authorities have no position in regards to this approach for the following reasons:
- Tandridge District Council: will apply this approach for consistency and the Duty to Cooperate.
- West Sussex County Council: WSCC is not an LPA for housing.

2.8 Based on the above principle set out in paragraph 2.5, Appendix 4 of the Statement sets out agreed housing numbers at the time of drafting this Statement (December 2017). It is recognised that housing numbers would change often due to the number of authorities that are signatories to this Statement, and therefore these numbers represent a snapshot in time. In light of this, a further three principles are put forward:

- It is expected that each LPA will confirm housing numbers with individual authorities before running models;
- Housing numbers will be a standing item on the agenda for the Working Group going forward. AFWG members shall notify the working group immediately if events take place (relevant to paragraph 2.5) which require an amendment to Appendix 4. In the absence of any objection within 14 days of notification, Working Group members may use the amended figures pending formal sign-off of the changes to Appendix 4 at the next Working Group meeting.
- The agreement of specific housing numbers as set out in Appendix 4, as updated from time to time is applicable to future modelling runs and does not involve retrospectively re-running models. The focus of future modelling is agreed to be to assess the (in combination) impacts of forthcoming Local Plans, not to retrospectively reassess existing adopted Local Plans.

Table 3: Signatory position on the statements above regarding housing numbers and air quality modelling.

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2.9 The named authorities agree with this approach for the following reasons. The approach outlined above provides a reasonable and practical way forward for LPAs to work together in sharing the latest information on housing numbers to inform future modelling work.

2.10 Wealden District Council disagree with this approach for the following reasons:
- Bullet point three is restrictive. Where there is a material change in circumstance it may be necessary to re-run models with new data. This is to ensure that the Habitat Regulations/ Habitat Directive are met and lawful decisions are made at the relevant time.

2.11 These named authorities have no position in regards to this approach for the following reasons:
- West Sussex County Council: WSCC is not an LPA for housing.

Traffic Modelling

2.12 The key elements of the various traffic modelling approaches are set out in Appendix 5 of this Statement. Appendix 5 includes analysis of the major differences, minor differences and commonalities in traffic modelling undertaken. The AFWG has discussed these approaches for the purpose of future in combination assessments and agree/disagree with the following:

Geographical Coverage

2.13 This SCG does not set out specific geographical coverage for traffic modelling work. It is a matter for each LPA to determine if modelling is necessary having regard to other sources of traffic flow information, and, to the extent that modelling is considered necessary, the geographic coverage should be sufficiently extensive to enable reasonable and proportionate modelling of flows on Ashdown Forest roads.

Table 4: Signatory position on geographical coverage of their traffic modelling

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7 The words ‘major’ and ‘minor’ are given their common usage, and are not be restricted to the definition of major development in the Town and County Planning (Development Management Procedure) (England) Order 2015, or to proposals that raise issues of national significance.
The named authorities agree with this approach for the following reasons. The nature of the issue is such that it is not appropriate for a set geographical boundary to be drawn. The above approach outlines a practical, proportionate and robust way forward in combination with the other parameters agreed in the subsections below.

Wealden District Council disagree with this approach for the following reasons:
- It is considered that the statement could be interpreted that the in combination assessment is limited to that which the LPA decides. For the purposes of clarity it is agreed that Tempo is used to assess in combination effects except where the LPA decides to use bespoke housing numbers and distribution in consultation with other LPAs as outlined in paragraph 2.5 (bullet point 1). In terms of transport modelling the coverage must be sufficiently extensive to enable reasonable modelling of flows on Ashdown Forest roads.

Road Network in Ashdown Forest

The following roads through or adjacent to Ashdown Forest are modelled: A22 (Royal Ashdown Forest Golf Course), A22 (Wych Cross), A22 (Nutley), A275 (Wych Cross) and A26 (Poundgate). For peripheral authorities (i.e. those that do not host the SAC) it is considered that impacts would manifest on main (A) roads in the first instance and in usual circumstances. Therefore, it is logical and reasonable to begin by modelling the roads where the impact will be highest and if, when modelling A roads, a conclusions of no likely significant effects is identified then it is not considered necessary to go on to model B and minor roads.

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These named authorities agree with this statement for the following reasons: The above approach sets out a reasonable and logical approach for determining likely significant effects in such a way that is robust and also proportionate. Beginning by modelling the more strategic busiest routes, where impacts will be highest, is an appropriate way to identify likely significant effects. These routes have the greatest current and future flows and are also routes likely to
experience greatest change in growth, especially those most likely to be used by residents of authorities some distance from the SAC.

2.18 Wealden District Council disagree with this statement for the following reasons:
• Work undertaken on behalf of Wealden District Council reveals that a number of other roads adjacent to Ashdown Forest have the potential to contribute to impacts arising from air quality. Inclusion of only a few major roads would be restrictive in modelling terms and exclusion at this stage of all other roads carries with it the presumption that such roads are only used by local traffic which is not the case. It is usual practice, to include all roads (or grouped representatives) from the outset in order to aid calibration and validation to achieve the best results in all relevant areas.

**Data types for base year validation**

2.19 The data type for the modelling base year is the 24hr Annual Average Daily Traffic (AADT) and uses base flow data provided by WDC for 2014.

**Table 6: Signatory position on the data types for base year validation**

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2.20 Wealden District Council disagree with this approach for the following reasons:
• The 2014 database if from the ESCC Flowplot. The measured flows relate to traffic counts undertaken by ESCC, some in 2014 and others in earlier years (converted to 2014).

**Trip Generation Methodology**

2.21 Use of TRICS rates. TRICS is the national standard system of trip generation and analysis in the UK, and is used as an integral and essential part of the Transport Assessment process. The system allows its users to establish potential levels of trip generation for a wide range of development and location scenarios.

**Table 7: Signatory position on trip generation methodology**

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8 [http://www.trics.org/](http://www.trics.org/)
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Lewes District Council
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2.22 These named authorities agree with this approach for the following reasons. The approach outlined above is supported on the basis that TRICS is the most robust available system for LPAs to use in their respective modelling exercises.

2.23 Wealden District Council reserve judgement in regard to this approach for the following reasons:
- It is agreed that TRICS is the common denominator but, given that each model has interrogated TRICS independently, there is a strong likelihood that the derived trip rates could differ between authorities for exactly the same type of proposed development in exactly the same type of location. Peak hour trips will likely vary much more than all-day trip rates.

Demand changes assessed in study

2.24 The demand changes assessed are housing and employment. Employment figures are either provided directly by the local authority or TEMPRO includes allowances for growth in jobs. Housing numbers are identified using the methodology set out in paragraphs 2.5 and 2.8 of this SCG. These are per annum based on Local Plans, or alternatively Objectively Assessed Need (as agreed in this Statement) to be used in the National Trip End Model Program (TEMPRO). The growth rate is adjusted according to each scenario as appropriate.

Table 8: Signatory position on the demand changes assessed in study

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2.25 The named authorities agree with this approach for the following reasons. TEMPRO is an industry standard database tool across Great Britain, provided by the Department for Transport and therefore forecasting using TEMPRO has a high degree of consistency. TEMPRO can be adjusted with emerging plan figures (as agreed in this Statement) to reflect the latest updates in expected growth.

2.26 Wealden District Council disagree with this approach for the following reasons:
- It is considered that it is more appropriate that housing and employment growth at end of plan period is assessed based on Local Plans, or alternatively Objectively Assessed Need (as agreed elsewhere in this Statement). In the absence of any other bespoke modelling TEMPRO to be used and the growth rate adjusted as per paragraph 2.5 and 2.8 for both housing and employment.

**Forecasting Growth**

2.27 There are two key elements to the forecasting of growth arising from Local Plans:
- In combination assessment of the proposed Local Plan with other plans. For this the ‘Do Something’ (i.e. the proposed Local Plan) compared with the Base (i.e. all expected traffic growth over the assessment period).
- The relative contribution of the Local Plan in question to that in combination change. This is difference between Do Something (i.e. with Local Plan) and Do Nothing (without the Local Plan). To forecast the ‘Do nothing’ background growth, which is the likely growth of traffic to arise without the proposals set out in the development plan being assessed, the current issued version of TEMPRO available at the date of commencing transport study work is used. TEMPRO is based on a combination of trend based and plan based forecasting, including growth totals for households and jobs at Local Planning Authority level from adopted Local Plans at the time when updating started for the TEMPRO version being used. TEMPRO does not assume that specific housing or employment site allocations or planning consents do or do not go ahead. The difference between the ‘Do Nothing’ scenario and the scenario which includes the development plan being assessed, shows the relative contribution of that development plan to changes in traffic movements.

**Table 9: Signatory position on forecasting background growth**

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2.28 The named authorities agree with this approach for the following reasons: The approach outlined above follows a logical, clear and robust methodology and uses TEMPRO - an industry standard database tool across Great Britain and therefore forecasting using TEMPRO has a high degree of consistency. It shows the predicted in combination growth of a Local Plan with other plans and projects along with the predicted relative contribution of that Local Plan to any change.

2.29 Wealden District Council disagree with this approach for the following reasons:
- The statement is considered correct for the purposes of carrying out conventional transport scenario modelling. However, for the purposes of the Habitat Regulations Assessment, which requires assessment of plans and projects, it is not considered appropriate. TEMPRO does not constitute a 'Do Nothing' scenario as it includes plans/projects at the time of release (currently TEMPRO 7.2). TEMPRO therefore is a 'Do Something' scenario. Comparing a revised new plan against what is in TEMPRO simply compares 2 plans – it is not comparing a plan against no plan. Therefore an assessment of the plan, as required by the Habitat Regulations, is not taking place using the methodology outlined in paragraph 2.27.

Air quality calculations

2.30 The key features of the air quality calculations methodology are set out in Appendix 6 of this Statement. The AFWG has discussed the following elements of air quality calculations, which are used to support the air quality HRA work and agree/disagree with the following:

Chemicals monitored and assessed in forecasting

2.31 Nitrogen oxides (NOx which includes nitric oxide (NO) and nitrogen dioxide (NO²)), Nitrogen deposition (N), Acid Deposition, and ammonia (NH³). The chemicals listed here (excluding ammonia) are those included within the standard methodology. Going forward, it is considered good practice that ammonia is included since, although it is not part of the standard suite of modelled chemicals for vehicle exhaust emissions, the work undertaken by Air Quality Consultants suggests that vehicle emissions on the local road network are not negligible. In relation to the other pollutants, whilst monitoring may have been undertaken on behalf of Wealden District Council on a range of other pollutants, there is no evidence provided that there were any predictions on how these pollutants would vary in the future with the implementation of Local Plans, and how, if at all, information on these additional pollutants has changed any further ecological work or conclusions.

Table 10: Signatory position on the chemicals to be monitored and assessed in forecasting

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9 Design Manual for Roads and Bridges, Chapter 11, Section 3, Annex F
2.32 The named authorities agree with this approach for the following reasons. The approach outlined above is based on the industry standard methodology. Ammonia is agreed to be included as best practice going forward in assessment of Ashdown Forest on the basis of specific suitable evidence available.

2.33 Wealden District Council disagree with this approach for the following reasons:
- Wealden District Council is unaware of a standard methodology which identifies pollutants to be assessed in relation to impacts from housing growth or strategic development plans on specific designated features. Taking into account the need to carry out an assessment of issues which are likely to have a significant effect on a European site, Wealden District has monitored nitric oxide (NO), nitrogen dioxide (NO2), nitrogen oxides (NOx), nitric acid (HNO3), ammonia (NH3), particulate ammonium (NH4+), and particulate nitrate (NO3-). Modelled nitrogen deposition and acid deposition fluxes also take account of published data on wet deposition of ammonium (NH4+) and nitrate (NO3-). The key pollutants which vary locally as a result of changes in local traffic flows are NO, NO2, and NH3, but all of the listed pollutants have the potential to affect sensitive habitats and local measurements provide more precision than national-scale models. All of these pollutants are, by definition, included within any assessment of nitrogen or acid deposition whether they are measured locally and modelled explicitly or not.

2.34 Tandridge District Council have no position in regards to this approach for the following reasons:
- It was our understanding that Natural England do not require the monitoring of ‘non-standard’ chemical such as ammonia and will not be objecting where they are excluded. We have also been advised by our consultants that there is currently no standard methodology available to assess ammonia, although it in the process of being researched. However, we reserve our position and may consider monitoring ammonia in the event of the assessment methodology being developed.
- West Sussex County Council: WSCC are not actively involved in this work to date.

**Conversion rates from NOx to N**

2.35 This process involves two stages. Firstly, NOx to NO2 conversion is calculated using Defra’s NOx to NO2 calculator. Secondly, for N deposition, the NO2 value is multiplied by 0.1, as set out in the Design Manual for Roads and Bridges10 (DMRB) guidance. The multiplication of NOx concentrations by a factor is a standard approach set out in DMRB and in Environment Agency guidance11 or as provided in updated guidance.

10 The Design Manual for Roads and Bridges: [http://www.standardsforhighways.co.uk/ha/standards/dmrb/index.htm](http://www.standardsforhighways.co.uk/ha/standards/dmrb/index.htm)
Table 11: Signatory position on conversion rates from NOx to N

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2.36 The named authorities agree with this statement for the following reasons. The approach outlined follows established guidance as set out in the Design Manual for Roads and Bridges and by the Environment Agency.

2.37 Wealden District Council disagree with this statement for the following reasons:
- Wealden District Council has used the best available scientific information. Defra’s NOx to NO2 calculator provides a robust method of calculating NO2 from NOx, albeit that it does not allow for diurnal variations. In order to facilitate its approach to deposition calculations, Wealden District Council has added a diurnal variability to Defra’s NOx to NO2 calculator, based on recent monitoring. Multiplying annual mean NO2 by 0.1 suggests an annual average deposition velocity of 0.1 cm/s. This is too slow a rate for very many habitats (and a higher deposition velocity is thus recommended in the AQTAG(06) guidance). Furthermore, there is strong evidence that applying an annual mean deposition velocity to annual mean concentrations may risk under-predicting the total deposition flux. Wealden District Council has thus taken account of annual and seasonal variations in concentrations and deposition fluxes in their modelling. The DMRB provides a standard approach for assessing the impacts of individual Highways England transport interventions. Highways England does not recommend its method for other types of development. AQTAG(06) also provides annual average deposition velocities which provide an alternative standard approach for assessing impacts in relation to industrial permits. The Centre for Ecology and Hydrology, working on behalf of Defra, has its own standard approach for assessing strategic-level impacts, which does not rely on annual average deposition velocities.

2.38 These named authorities have no position in regards to this approach for the following reasons:
- Tandridge District Council: Awaiting confirmation from consultants
- West Sussex County Council: WSCC are not actively involved in this work to date

*Background improvement assumptions*
2.39 The only Government guidance on this issue (from Defra and DMRB) indicates that an improvement in background concentrations and deposition rates of 2% per annum should be assumed. However, the modelling undertaken by AECOM takes a more cautious approach. Improvements in background concentrations and emission rates follow Defra/DMRB assumed improvements up to 2023, but with background rates/concentrations then being frozen for the remainder of the plan period. This is considered a realistic worst case and, averaged over the plan period, is in line with known trends in nitrogen deposition.

Table 12: Signatory position on background improvement assumptions set out in paragraph 2.39

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2.40 The named authorities agree with this statement for the following reasons: The approach outlined above is considered robust and reasonable. It takes a precautionary approach using a realistic worst case scenario. There is a long history of improving trends in key pollutants (notably NOx) and in nitrogen deposition rates, and there is no reason to expect that will suddenly cease; on the contrary, there is every reason to expect the rate of improvement to increase as more national and international air quality improvement initiatives receive support. Both the Air Quality Consultants model for Wealden Council and the AECOM model include scenarios that make allowances for improvements in background concentrations, nitrogen deposition rates and emission factors, although the relevant Air Quality Consultants scenarios (Scenarios 3 and 5) make a greater allowance for these improvements than the AECOM scenario.

2.41 Wealden District Council disagree with this statement for the following reasons:

- Wealden District Council: WDC has used consistent assumptions for both concentrations and deposition fluxes; acknowledging that one is a direct consequence of the other. For reduced nitrogen, the assumptions follow Defra's national-level forecasts. For oxidised nitrogen, the assumptions largely reflect those of Defra, but also take account of the observed performance of modern diesel vehicles and do not allow for the anticipated performance of currently-unproven technology. A separate set of assumptions has also been tested in which no improvements over and above the current mix of vehicle technology is assumed using the precautionary principle in relation to the need to prove that improvements will take place beyond reasonable doubt. Wealden District Council is concerned about the basis of describing a 2% per annum reduction as 'realistic worst-case' without any supporting evidence. The 2% per annum assumption was developed at a time when NO2 concentrations were predicted to fall appreciably between 2002 and 2010. These falls largely failed to materialise. Furthermore, the choice of 2023 as the year at
which reductions will stop requires justification. Having said this, the future is unknown and the atmospheric chemistry involved is complex. Furthermore, emerging evidence on NOx emissions from vehicles, as well as an emerging focus on addressing NH3 emissions across Europe, means that appreciable falls may occur in the future. Thus, while the approach taken by Wealden District Council examines some of the sources of future uncertainty in more detail than that taken by AECOM, it still does not provide a complete picture. Overall, there is little basis for saying that the ultimate outcome of either approach is correct or incorrect with respect to conditions in the future. The precautionary principle is addressed above. The AECOM approach is likely to provide results within the range of those of Wealden District Council.

2.42 These named authorities have no position in regards to this approach for the following reasons:
- Crawley Borough Council; the evidence to support the adopted Local Plan screened out the need to undertake an air quality assessment and therefore Crawley has no position as we have not commissioned expertise
- West Sussex County Council: WSCC are not actively involved in this work to date ...

Rate of dispersal from the road

2.43 The use of the dispersion model ADMS-Roads, by Cambridge Environmental Research Consultants, calculating at varied intervals back from each road link from the centre line of the road to 200m, with the closest distance being the closest point to the designated sites to the road.

Table 13: Signatory position on the rate of dispersal from the road used

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2.44 The named authorities agree with this statement for the following reasons: This approach follows the Department of Transport’s Transport Analysis Guidance which advises “Beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant”. In modelling work undertaken for the HRA for the South Downs Local Plan and Lewes District Local Plan, modelled transects show that NOx concentrations and nitrogen deposition rates are forecast to fall to background levels well before 200m from the roadside, therefore there is no value in extending transects any further.

2.45 Wealden District Council disagree with this statement for the following reasons:
On average, the rate of dispersal assumed in ADMS-Roads is considered to be robust and has been used by Wealden District Council for its area-wide modelling. However, Wealden District Council has shown that there are significant deviations from this rate of dispersal on a site-by-site basis; but while these can be measured, they cannot be robustly predicted. At a distance of 200m from roads, concentrations become largely indistinguishable from the general background pollution field. This does not, however, mean that this background pollution field is not itself altered by the emissions. In the case of a strategic development plan, which can increase traffic on large numbers of roads, there is the potential for the background concentration field to be affected. The DfTs guidance was not written with the intention of assessing strategic development plans. Wealden District Council has considered the effect of road traffic across the whole of Ashdown Forest, not just within 200m from roads.

2.46 These named authorities have no position in regards to this approach for the following reasons:
- West Sussex County Council (WSCC) are not actively involved in this work to date

**Type of habitat included in the assessment e.g. woodland and heathland**

2.47 Taking the precautionary approach it is assumed that pristine heathland (the SAC feature) is present, or could be present in the future, at any point on the modelled transects irrespective of existing habitat at that location. However, it is recognised that in practice there are affected areas in which heathland is not present and may never be present (as outlined by Natural England below) and this would need including in ecological interpretation of results.

**Table 14: Signatory position on the type of habitat included in the assessment**

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2.48 Natural England add: This is an appropriate method for screening but on the ground it is rarely the case that all areas of a designated site will include all designated features. There are a number of reasons for this; sometimes features are SSSI notified but not part of the SAC/SPA notification and often a site boundary runs to a recognisable feature such as a field boundary or road for practicality reasons. Therefore areas of site may be considered site fabric as they do not contain and never will contain notified features of an N2K designation. This is something that is considered on a site by site basis dependant on specifics and on conservation objectives. If required the “on the ground” characteristics may be used for more detailed screening or if further assessment is required to ascertain whether plans or projects will have an adverse effect on the integrity of the site.
2.49 The named authorities agree with this statement for the following reasons. The approach outlined above takes an appropriate, precautionary and practical approach in modelling and ecological interpretation.

2.50 Wealden District Council disagree with this statement for the following reasons:
- All parts of the designated SAC are subject to protection under the Directive. If areas fall outside the SAC boundary but are notified as SSSI they are subject to the level of protection accorded by domestic law but not protection under the Directive. The protection under the Directive relates to the site's conservation objectives, which are not only maintenance but also restoration of the site's integrity, the extent and distribution of qualifying features, the structure and function of habitats, the supporting processes on which such habitats rely, the populations of qualifying species and their distribution within the site. Therefore, it is irrelevant to say that areas of the site do not currently contain relevant features: they may have the potential to contain such features in future, and they may have a supporting role in relation to parts of the site which currently do contain such features. This is the case unless it definitively and with absolute certainty that an area of the site could never be restored to contain such features and could never have any relevant supporting role to play within the integrity of the site. Wealden District Council are not aware of such evidence. WDC have assessed habitat in the manner mentioned in paragraph 2.50. However, WDC has also produced habitat maps using Earth Observation (EO) (satellite imagery and airborne systems) and site visits to provide an accurate understanding as to the situation on the ground. This is the best scientific information currently available and therefore this information should also be referred to or used in any assessment.

2.51 These named authorities have no position in regards to this approach for the following reasons:
- West Sussex County Council are not actively involved in this work to date

Ecological Interpretation

2.52 The section covers principles and methodology for the interpretation of the air quality modelling work to understand the impact of air quality changes on the ecology of Ashdown Forest SAC.

2.53 The development of dose-response relationships for various habitats clarifies the rate of additional nitrogen deposition that would result in a measurable effect on heathland vegetation, defined as the loss of at least one species from the sward. For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward. The sites covered in the research had a range of different 'conditions' but the identified trends were nonetheless observable. The fact that a given

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13 The cited rates are presented Table 21, page 59 of Caporn et al 2016, to illustrate the trends identified (which apply not just to species richness but, as illustrated by other tables in the same report, to other parameters). That table states that at a background rate of 10kgN/ha/yr an additional 0.3 kgN/ha/yr was associated with a reduction in species richness of 1 in lowland heathland sites. At a background rate of 15kgN/ha/yr the same effect was associated with an incremental increase of 1.3 kgN/ha/yr.
heathland site may not have been included in the sample shouldn’t be a basis for the identified trend to be dismissed as inapplicable. On the contrary, the value of the dose-response research is precisely in the fact that it covered a range of sites, subject to a mixture of different influences, meaning that consistent trends were identified across sites despite differing conditions at the sites involved. Based on the consistent responses (in terms of trend) across the range of habitats studied there is no reason why the identified trends (which have been identified as applying to bogs, lowland heathland, upland heathland, dunes and a range of other habitats) should not apply to all types of heath.

2.54 There is a legal need to consider/identify whether there is an 'in combination' effect. However, there is no automatic legal assumption that all contributors to any effect must then mitigate/address their contribution, no matter how small. Not all contributors to an effect will be equal. Far more likely is that there will be a small number of contributors who are responsible for the majority of the exceedance. The identification of those contributors who need to mitigate must be ultimately based on whether mitigating/removing their specific contribution will actually convey any protection to the European site in terms of achieving its conservation objectives (since this is the purpose of the Habitats Directive) and/or whether mitigating the contribution of certain contributors to any effect will sufficiently mitigate that effect.

2.55 Within the context of a forecast net improvement in nitrogen deposition, rather than a forecast net deterioration, available dose-response data make it possible to gauge whether the air quality impact of a given plan is not just of small magnitude (which could still meaningfully contribute to an effect 'in combination') but of such a small magnitude that its contribution may exist in theory (such as in the second decimal place of the air quality model) but not in practice on the ground. Such a plan would be one where it could be said with confidence that: (a) there would not be a measurable difference in the vegetation whether or not the plan proceeded, and (b) there would not be a measurable effect on the vegetation whether or not the contribution of the plan was ‘mitigated’ (i.e. reduced to the extent that it did not appear in the model at all). It would clearly be unreasonable to claim that such a plan would cause adverse effect 'in combination' or that it should be mitigated.

Table 15: Signatory position on ecological interpretation as part of assessments

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AFWG301
2.56 These named authorities agree with this opinion for the following reasons: The approach outlined above takes an appropriate, precautionary and practical approach in modelling and ecological interpretation.

2.57 Wealden District Council disagree with this opinion for the following reasons:
- The NECR 210 Report and its conclusions should be considered in context including any limitations as duly identified within the report.
- The NECR 210 report does not take into account the actual situation at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. Whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, analysis did not include data relevant to wet heath (M16).
- The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition.
- Summary Table 21 does not represent the full picture in terms of consideration of site integrity. It only concerns itself with species richness and a loss of 1 species. It does not consider graminoid cover which is key importance to site integrity (page 58) or the percentage loss of species richness. If NECR 210 is to be used then Appendix 5 is considered to be more appropriate.
- The text also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017.
- Paragraph 2.10 ignores the 'in combination effect' of plans and/or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16 Commission v. Germany)
- The text at paragraph 2.61 correctly acknowledges the legal requirement of in combination assessment. However, it then elides this with. However, this misses the essential point that under articles 6(3) and (4) if a project may have an adverse effect on integrity on an in combination basis, then it may not proceed unless it is possible to mitigate the impacts so that it can be said with certainty that they will not have that effect (unless the derogation under article 6(4) can be applied). The Directive does not address questions of how or by whom the mitigation should be undertaken. However, unless there is assured effective mitigation in place, it is not permissible to allow a project to proceed simply because its contribution to the in combination impact is relatively minor.

2.58 These named authorities have no position in regards to this approach for the following reasons:
- West Sussex County Council are not actively involved in this work to date

Need for mitigation or compensation measures

2.59 The AFWG has discussed the possible findings of air quality work currently being undertaken, including the potential need for mitigation or compensation for air quality impacts associated with growth identified in Local Plans.

2.60 At present, published HRAs for adopted or emerging Local Plans have not concluded that mitigation or compensation is currently required. However, it is also recognised that the outcomes of ongoing technical modelling and assessments cannot be predicted or predetermined. In this light, the AFWG recognises the value of early discussion of as a 'back-pocket' exercise, just in case they subsequently prove necessary. It is emphasised that initial
suggestions and consideration of potential mitigation/solutions/compensation should not be interpreted as either a recognition that they will prove necessary, nor as a commitment to eventually pursuing such measures.

2.61 It is recognised that Wealden District Council as the SAC host, and Natural England, will necessarily have the key lead roles in identifying potential mitigations and/or compensation to benefit the SAC, although all parties may contribute. It is agreed to maintain a table of mitigation options in a transparent manner on an ongoing basis. This should enable all parties to be fully prepared for the possibility of needing to address effects on the SAC, enabling them to do so (if required) without causing undue delay to the planning process.

**Table 16: Signatory position with regard to the need for mitigation or compensation measures**

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2.62 Wealden District Council disagree with this opinion and propose the following measures:
- It is considered that based on the information currently in the public domain that there is a likely significant effect from new development. This takes into account the fact that the critical load is already being exceeded on the Ashdown Forest, the need to have regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017, and the need to take into account the in combination effect insofar as the effects of projects already consented or constructed. It also takes into account the precautionary principle and the need to guarantee beyond all reasonable doubt that there would not be a likely significant effect. Therefore it is considered that mitigation/compensation measures should be subject of ongoing dialogue between partners.

2.63 These named authorities have no position in regards to this opinion for the following reasons:
- West Sussex County Council are not actively involved in this work to date

3. **Actions going forward**

3.1 The members of the AFWG will continue to work together constructively, actively and on an on-going basis toward a consensus on the matter of air quality impacts on Ashdown Forest SAC associated with growth identified in Local Plans. The AFWG will continue to share evidence and information, and will work cooperatively together to discuss potential mitigation
measures just in case need for these should arise, and will consider other measures to reduce the impact of nitrogen deposition around the Forest as matter of general good stewardship.

3.2 The Government consultation document 'Planning for the right homes in the right places' proposes as a minimum that SCG will need to be updated each time a signatory authority reaches a key milestone in the plan making process. The AFWG recognises that this SCG will need to be updated regularly in line with emerging Government policy and in order to reflect emerging evidence and established knowledge of air quality impact on European nature conservation designations.

Table 17: Signatory position on actions going forward for the AFWG

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3.3 These named authorities disagree with this approach for the following reasons:
- Wealden District Council: WDC disagree that there is an absence of any need for mitigation at this current time and that it is necessary for all parties to work together on the evidence base and mitigation/ compensation as necessary.

4. Summary conclusions

4.1 This Statement of Common Ground has been signed by the following authorities and will be submitted by the SDNPA as part of the evidence base supporting the South Downs Local Plan in March 2018.
Appendix 1: Ashdown Forest SAC Reasons for Designation

The text below is extracted from the Habitats Regulations Assessment for the Pre-submission South Downs Local Plan, published for consultation in September 2017.

1.1 Introduction

Ashdown Forest contains one of the largest single continuous blocks of lowland heath in south-east England, with both European dry heaths and, in a larger proportion, wet heath.

1.2 Reasons for Designation

SAC criteria

The site was designated as being of European importance for the following interest features:

Wet heathland and dry heathland

Great crested newts

1.3 Historic Trends and Current Pressures

During the most recent condition assessment process, 99% of the SSSI was considered to be in either ‘favourable’ or ‘unfavourable recovering’ condition.

The following key environmental conditions were identified for Ashdown Forest SAC/SPA:

- Appropriate land management
- Effective hydrology to support the wet heathland components of the site
- Low recreational pressure
- Reduction in nutrient enrichment including from atmosphere.
RE: Ashdown Forest Statement of Common Ground

Sent: 20 March 2018 09:09

From: TWBC  NE, WDC, MSDC, LDC, ESCC, SDC, TDC

To: [Redacted]

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

Thanks to you and [Redacted] for completing this work. I appreciate that it has been a difficult task. However I do have to make a correction - Tunbridge Wells BC did request that our name was put in the agree box for every item on 31st January as per the attached email. I trust that this can be corrected in the final version and members of the group will note our position which is of course subject to a formal decision of the Council.

Regards

[Redacted]  CMLI

Landscape and Biodiversity Officer

[Redacted] @tunbridgewells.gov.uk

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
cid:image001.jpg@01D2E502.57050DD0

http://archivemanager.wdc.gov.uk/app.html#message/c537f1548-dd36-f0e9-2cf7-f0ed72ee6950[13/12/2018 15:14:10]

AFWG306
RE: Ashdown Forest Draft Statement of Common Ground - Final Draft for comment

Sent: 31 January 2018 16:09

From: TWBC

To: SDNP

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

In relation to the latest draft of the SoCG at present we have no comments to make and wish our name to be entered into the Agree column on all points. Unless you hear from us again before Friday 5th February please take this as our final position.

Regards

CMLI

Landscape and Biodiversity Officer

TWBC

t: 

E: @tunbridgewells.gov.uk

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

cid:image001.jpg@01D2E502.57050DD0

http://archivemanager.wdc.gov.uk/app.html#/message/737be42d-f946-3762-c666-f77d6468e524/[13/12/2018 15:17:55]
RE: Ashdown Forest Statement of Common Ground

Sent: 20 March 2018 09:30

From: TWBC,LDC,MSDC,WDC,RDC,T
To: TWBC,LDC,MSDC,WDC,RDC,TDC,ESCC,TMBC,NE

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB)

Colleagues

Following on from yesterday’s email please do let myself or [redacted] know if you would like to change your signatory position on any of the key matters. Deadline for this is 29th March.

Kind regards

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk facebook twitter youtube
RTPI Award

http://archivemanager.wdc.gov.uk/app.html#message/d1b73eb4-675c-08f7-9d42-5875d5849d62/13/12/2018 15:18:46

AFWG308
From: SDNPA
Sent: 19 March 2018 12:37
To:

Subject: Ashdown Forest Statement of Common Ground
Importance: High

Colleagues

Please find attached the final version of the Ashdown Forest Statement of Common Ground. I am sorry for the delay in sending this out.

I would be grateful if you could have a look through and let me know if your organisation is happy to sign the document. It is up to you whether there is member or officer sign off. I will then need the signature, name and position of the person signing the document. I will also need the logo of your organisation. Please add all of this to the attached signature sheet.

Please can you respond to this email by end of play Thursday 29th March with all the necessary details. Please do ring myself or if you would like to discuss this further. I will assume that if I haven’t heard back from you before Easter that your organisation will not be a signatory.

Kind regards

[Redacted]

[Redacted], North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | facebook | twitter | youtube

http://archivemanager.wdc.gov.uk/app.html#message/d1b73eb4-675e-08f7-54d2-5875d5849d62[13/12/2018 15:18:46]
RE: Ashdown Forest Statement of Common Ground

Sent: 28 March 2018 11:40
From: SDNPA
To: TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: This Message was sent with High Importance.

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments
image001.jpg (14 KB);

Colleagues

A gentle reminder to those of you who have not yet responded on the Statement of Common Ground. We do need to hear from you by 5pm tomorrow (Thursday) as to whether you would like to sign or not. If we have not heard from you by this time we will assume that your organisation does not wish to be a signatory. Please do ring myself or [redacted] if you would like to discuss further.

Kind regards

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | facebook | twitter | youtube
Kind regards

[Contact Information]

[Website Links]

[AFWG311]
RE: Ashdown Forest Statement of Common Ground

Sent: 28 March 2018 19:03

From: TWBC

To: TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC, SDNPA, NE

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

- image002.jpg (66 KB); image004.jpg (67 KB); image005.jpg (14 KB); image001.jpg (2 KB);
- Ashdown Forest SCG signature sheet 29 March 2018.docx (33 KB);

SDNPA

Signature from Tunbridge Wells Borough.

Regards

TWBC

T: [Redacted]
E: [Redacted]

town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
cid:image001.jpg@01D2E502.57050DD0

From: southdowns.gov.uk
Sent: 28 March 2018 11:40

http://archivemanager.wdc.gov.uk/app.html#/message/bfc072c5-3a0c-ca4f-ef2f-a8bd5ab7108a/[13/12/2018 16:06:34]

AFWG312
RE: Ashdown Forest Statement of Common Ground

Sent: 29 March 2018 08:49

From: TDC

To: TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC, SDNPA

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

7 Attachments

- image003.png (4 KB); image006.png (6 KB); image007.jpg (737 B); image008.jpg (66 KB); image009.jpg (2 KB); image010.jpg (67 KB); image011.jpg (14 KB);

[Signature]

Our signature.

Regards

TDC

Tandridge District Council
The Council Offices
Station Road East
Oxted, Surrey
RH8 9BT
RE: Ashdown Forest Statement of Common Ground

Sent: 29 March 2018 11:31

From: SDNPA

To: WDC

CC: TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

1 image001.jpg (14 KB);

WDC

Thank you for the update. It is really unfortunate that WDC are not in a position to sign the document after all the hard work that you and the other authorities have put into the document. The SDNPA will now need to consider its options going forward in regard to the Statement of Common Ground.

I am WFH today and you can give me a ring on [redacted] if you would like to discuss further. I am then on leave until 9th April.

Kind regards

[redacted] South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | facebook | twitter | youtube
From: [redacted] wealden.gov.uk
Sent: 29 March 2018 10:31
To: [redacted] southdowns.gov.uk>
Cc: [redacted] southdowns.gov.uk; [redacted] wealden.gov.uk; [redacted] wealden.gov.uk
Subject: Ashdown Forest Statement of Common Ground

Dear [redacted],

SDNPA

I apologise for not responding sooner, but you may be aware that I have been on leave for a few days.

We have taken advice with regards to the Ashdown Forest Statement of Common Ground (SoCG) and unfortunately we are not in a position to meet your timescale. This is because we need more time to raise outstanding issues and take further advice from consultants before we are able to sign the SoCG.

I am in the office today and back to work on Tuesday if you wish to discuss.

Kind regards

[redacted]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

Communities

Environment

Economy

www.wealden.gov.uk

Facebook

http://archivemanager.wdc.gov.uk/app.html#/message/8feb0f8-0d84-2116-97d9-0359e98c122/[13/12/2018 16:09:29]

AFWG315
Dear Colleagues

As you are aware from your involvement in the Ashdown Forest Working Group on Air Quality Tunbridge Wells Borough Council has over recent months been undertaking traffic modelling and ecological interpretation with regards the likely effects of development on Ashdown Forest SAC. That work is now complete and has been approved by Natural England.

It will now taken through the usual process with members for approval up to Full Council. The first step is a meeting of the Planning & Transportation Cabinet Advisory Board who will consider this matter at their meeting on 10 April 2018. Papers for this meeting are available at http://democracy.tunbridgewells.gov.uk/meetings/fel_listDocuments.aspx?MId=4265&amp;x=1

Please contact me if you have any queries on this work or wish to discuss any aspects of it further.

Kind Regards

TWBC

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS
FW: Wealden Local Plan Update - 12 April 2018

Sent: 16 April 2018 09:54
From: [Redacted] SDNPA
To: [Redacted] WDC
CC: [Redacted]

Note: This Message was sent with High Importance.

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

4 Attachments

- image001.jpg (14 KB);  
- Wealden Local Plan Update 12 April 2018.pdf (14 KB);  
- WDC response to SDLP Pre-Submission LP.pdf (299 KB);  
- WDC SDNPA SCG2018 V3 MB edits.doc (239 KB);

Thank you for your update on the Wealden Local Plan. It is really good news and the South Downs National Park Authority (SDNPA) really does welcome that Wealden District Council (WDC)’s fully recognises and respects that each council (or the Planning Inspector or the Secretary of State depending on the situation) is the “competent authority” for its area and will make decisions based on each council’s specific set of circumstances and the evidence and advice it has available to it. WDC recognises this applies to Local Plans, appeals and to individual applications.

We are planning to submit our Local Plan for examination by the end of April. It is the first Local Plan that will cover the National Park in its entirety and its landscape led seeking to deliver multiple ecosystem services benefits. As you know, WDC objected to the Pre-Submission version of the Local Plan principally in regard to Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA). I am attaching a copy of the letter for your information. Furthermore, WDC and the SDNPA worked for several months with the other affected authorities on a Statement of Common Ground (SCG) for the Ashdown Forest SAC. WDC declined to sign the SCG. Both authorities are also working on a bilateral SCG that deals with all strategic cross-boundary issues shared by the two authorities. I attach a draft of the latest version.

Following on from your letter of objection, we commissioned a considerable amount of further HRA work from our consultants AECOM. As the competent authority, we consider this work to be robust and the conclusions to be beyond reasonable scientific doubt. The revised HRA includes updating our modelling to include ammonia and model verification on measured data provided in the December 2017 AQC report for WDC. The further work comes to similar conclusion as our pre-submission HRA namely that no adverse effects upon the integrity of the Ashdown Forest SAC is expected to result from development provided by the South Downs Local alone or in combination with other plans.

http://archivemanager.wdc.gov.uk/app.html#/message/2eb74878e-07d4-ebf8-2bce-7ec8eb76fbc07/?[13/12/2018 16:17:38]
As all these different streams of work come together, I thought it would be good to seek clarity from you on the WDC approach to the South Downs Local Plan. The principle question I would like to ask you is whether WDC are willing to withdraw their letter of objection in light of Thursday’s update. If this is not the case, I would be grateful if you could set out the reasons for not doing this and explain what your approach will be at our examination.

We also need to complete our individual SCG. The original version simply signposted the SCG on Ashdown Forest SAC and did not go into any detail on the matter. This will now need to be updated and expanded. The key point that I would like to agree with you is that there is more than one way to carry out a robust HRA to support a sound local plan.

It would be really good to hear your thoughts on the matter. If it would be helpful, a face to face meeting with myself and our Director of Planning in the next few days may help to move things forward. We would be happy to meet in Midhurst, Halisham or at our area office at Brighton University.

I look forward to hearing from you.

Kind regards

[Name]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

uk | facebook | twitter | youtube

RTPI Award

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From: [Name]@wealden.gov.uk
Sent: 12 April 2018 16:36
To: [Name]@rother.gov.uk; [Name]@tandridge.gov.uk; [Name]@sevenoaks.gov.uk; [Name]@eastsussex.gov.uk; [Name]@tunbridgewells.gov.uk; [Name]@brighton-hove.gov.uk; [Name]@naturalengland.org.uk; [Name]@wealden.gov.uk; [Name]@southdowns.gov.uk; [Name]@tandridge.gov.uk; [Name]@eastsussex.gov.uk

http://archivemanager.wdc.gov.uk/app.html#message/2eb7487a-07d4-ebf8-2bce-7eceb76fbc07/[13/12/2018 16:17:38]

AFWG318
Subject: Wealden Local Plan Update - 12 April 2018

Dear Colleague,

Please find an update attached covering the latest position on the Wealden Local Plan.

Best regards,

[Signature]

Wealden District Council

[Signature]
Wealden Local Plan Update – 12 April 2018

As previously reported Wealden District Council (WDC) has received advice from Natural England in respect of the impact of air quality on the ecology of the Ashdown Forest Special Area of Conservation (SAC) which has confirmed that there is a likely significant effect in relation to the proposed plan and that an Appropriate Assessment should be carried out by WDC as the 'Competent Authority' under the Habitats Regulations.

On the basis of the advice received WDC has been working with its specialists to update the Wealden District Council Air Quality and Ecology report to inform the Appropriate Assessment and the Habitats Regulations Assessment (HRA) in order to deliver an updated Wealden Local Plan by the end of June for consideration at the Full Council meeting on 18 July 2018.

WDC are aware of the recent s78 Mid Sussex Appeal decisions by the Secretary of State and of the report from the Planning Inspector in relation to the Mid Sussex Local Plan and have considered the impact of these on the Wealden Local Plan and on Wealden's responses to neighbouring authorities plans and applications.

WDC fully recognises and respects that each council (or the Planning Inspector or the Secretary of State depending on the situation) is the "competent authority" for its area and will make decisions based on each council's specific set of circumstances and the evidence and advice it has available to it. WDC recognises this applies to Local Plans, appeals and to individual applications.

The issues raised by WDC with Mid Sussex and the Planning Inspectorate have been responded to by the "competent authority", including by the Secretary of State for the s78 appeals, and consequent decisions made. WDC has decided that it will not be challenging the Mid Sussex appeal decisions or the Mid Sussex Local Plan, having regard to the particular circumstances of those cases.

Similarly we will not as a matter of course challenge individual planning applications submitted to neighbouring councils, simply on the basis that they result in additional trips across Ashdown Forest. It is not the function of WDC to oversee the decisions of neighbouring competent authorities and it would be impracticable to do so. Further, whilst preparing its Local Plan, WDC is discussing with Natural England the approach to be taken to in-combination assessments under the Habitats Directive and Regulations. WDC will consider its position in respect of particular cases in the light of those discussions and any further advice received from Natural England.

As highlighted above WDC are currently undertaking an Appropriate Assessment and HRA as the "competent authority" for the Wealden district, taking into account Natural England advice. This work will determine, based on Wealden's specific set of circumstances and the evidence and advice it has available to it, if there is an adverse effect on the integrity of the Ashdown Forest SAC and other protected sites from the proposed Wealden Local Plan, either alone or in combination with other plans and projects.

WDC will determine all planning applications having regard to this work when it is completed, subject to any further advice arising from discussions with Natural England.

12 April 2018

AFWG320
Colleagues

I would like to arrange the next meeting of the Ashdown Forest Working Group. Mid-Sussex have kindly agreed to host the meeting. In order to find the best date for all of us to meet please can you fill in this doodle poll. I would be grateful if you could circulate this link to anyone else who think would like to attend either in your organisation or an adjoining authority. Please can you do this by end of play Friday 20th April.

https://doodle.com/poll/vcetndyw6bq7qg2

I would also like to invite the Ashdown Forest Stakeholder Forum to part of the meeting. Please can you let me know if you are not happy for this to happen and I will then arrange a separate meeting.

Here are the proposed items for the agenda:
- Notes of previous meetings
- Future membership of the Ashdown Forest Working Group
- Update on Statement of Common Ground
- Update on local plans and HRAs
- Mitigation measures and potential ways forward
- Ashdown Forest Stakeholder Forum

Please do get back to me if you have any queries.

Kind regards

SDNPA
RE: Wealden Local Plan Update - 12 April 2018

Sent: 22 April 2018 14:26
From: [redacted] WDC
To: [redacted] SDNPA

SDNPA/WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (14 KB);

SDNPA

Thank you for your email. [redacted] is on leave on [redacted] but I will pick this up with [redacted] and [redacted] on Tuesday and one of us will come back to you shortly after that.

Best regards

[redacted]

Wealden District Council

[redacted]

From: [redacted]@southdowns.gov.uk
Sent: 20 April 2018 14:58
To: [redacted] WDC
Cc: [redacted]
Subject: RE: Wealden Local Plan Update - 12 April 2018

WDC

Thank you for getting back to me.

Time is of the essence as we are due to submit our Local Plan for examination by the end of the month. I would suggest


AFWG322
that we progress our bilateral statement of common ground (SCG) next week. I will contact [redacted] and [redacted] about this on Monday. The main cross boundary issue that the SCG deals with is housing numbers and I think it will need to remain silent on Ashdown Forest. This is unfortunate as Wealden did not sign the wider statement of common ground on the matter.

I hope that we can continue to work together on Ashdown Forest both through the working group and individually. I would suggest that it would be useful to get a meeting in the diaries after our submission when we can talk about Wealden’s approach to our examination and your further thoughts on your letter of objection. As I said previously I am happy for this to be in Hailsham, Midhurst or at our area office in Falmer.

Kind regards

[redacted]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [redacted]@wealden.gov.uk
Sent: 18 April 2018 11:21
To: [redacted]@southdowns.gov.uk
Cc: [redacted]@southdowns.gov.uk; [redacted]@southdowns.gov.uk; [redacted]@wealden.gov.uk; [redacted]@wealden.gov.uk
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear [redacted] SDNPA

Thank you for your email. I am glad you found the update helpful.

I will discuss the questions you raise with colleagues over the next few working days and come back to you next week with a fuller response.

Best regards

http://archivemanager.wdc.gov.uk/app.html#/message/a2799909-5224-4b44-6813-00eae714a9aa/[13/12/2018 16:43:08]
Wealden District Council

From: [redacted] @southdowns.gov.uk
Sent: 16 April 2018 09:54
To: WDC
Cc: SDNPA/WDC
Subject: FW: Wealden Local Plan Update - 12 April 2018
Importance: High

WDC

Thank you for your update on the Wealden Local Plan. It is really good news and the South Downs National Park Authority (SDNPA) really does welcome that Wealden District Council (WDC) 'fully recognises and respects that each council (or the Planning Inspector or the Secretary of State depending on the situation) is the “competent authority” for its area and will make decisions based on each council’s specific set of circumstances and the evidence and advice it has available to it. WDC recognises this applies to Local Plans, appeals and to individual applications.'

We are planning to submit our Local Plan for examination by the end of April. It is the first Local Plan that will cover the National Park in its entirety and is landscape led seeking to deliver multiple ecosystem services benefits. As you know, WDC objected to the Pre-Submission version of the Local Plan principally in regard to Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA). I am attaching a copy of the letter for your information. Furthermore, WDC and the SDNPA worked for several months with the other affected authorities on a Statement of Common Ground (SCG) for the Ashdown Forest SAC. WDC declined to sign the SCG. Both authorities are also working on a bilateral SCG that deals with all strategic cross boundary issues shared by the two authorities. I attach a draft of the latest version.

Following on from your letter of objection, we commissioned a considerable amount of further HRA work from our consultants AECOM. As the competent authority, we consider this work to be robust and the conclusions to be beyond reasonable scientific doubt. The revised HRA includes updating our modelling to include ammonia and model verification on measured data provided in the December 2017 AQC report for WDC. The further work comes to similar conclusion as our pre-submission HRA namely that no adverse effects upon the integrity of the Ashdown Forest SAC is expected to result from development provided by the South Downs Local alone or in combination with other plans.

As all these different streams of work come together, I thought it would be good to seek clarity from you on the WDC approach to the South Downs Local Plan. The principle question I would like to ask you is whether WDC are willing to withdraw their letter of objection in light of Thursday’s update. If this is not the case, I would be grateful if you could set out the reasons for not doing this and explain what your approach will be at our examination.

We also need to complete our individual SCG. The original version simply signposted the SCG on Ashdown Forest SAC and did not go into any detail on the matter. This will now need to be updated and expanded. The key point that I would like to agree with you is that there is more than one way to carry out a robust HRA to support a sound local plan.
RE: Wealden Local Plan Update - 12 April 2018

Sent: 24 April 2018 17:55

From: WDC

To: SDNPA

CC: SDNPA/WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

4 Attachments

- image001.jpg (14 KB); image002.png (11 KB); image003.png (2 KB); Ashdown Forest SCG signature sheet - Wealden District Council.docx (37 KB);

Dear SDNPA

Thank you again for your emails.

We appreciate that time is of the essence for you, as indeed it is for us.

Our position in relation to the Ashdown Forest Local Authorities Group SoCG was that we needed time to review our position given that text in the SoCG was amended and we were not permitted to amend our text further, which has resulted in some of our responses appearing out of context. Email of 29 March covered this.

We have now reviewed the AF Group SoCG and are prepared to sign it with the proviso that it is recognised that the WDC responses may not directly link with the text prior to the WDC responses and that this is noted within the document. Please find our signature sheet attached.

We are doing this in a spirit of partnership and co-operation which is how we have always approached our discussions and work with our neighbouring authorities, as evidenced by the amount of time we invested in the AF Group SoCG.

I hope this is helpful.

Best regards

[Signature]

Wealden District Council

http://archivemanager.wdc.gov.uk/app.html#/message/ed36fd6b-2575-249f-68f1-06d463147f02/13/12/2018 16:45:50

AFWG325
Good morning WDC

Many thanks for your email updating us on your position with the Ashdown Forest Statement of Common Ground (SCG). I note your comments on why WDC declined to sign the SCG in March. I am sure you understand that the compilation of such a detailed document with a number of signatories is challenging and does necessitate deadlines with which signatory authorities have to comply with. As you know, WDC provided a lot of text written by your consultants for incorporation into the SCG; this resulted in delays to the final version for signature. It is always the case with SCGs and similar documents that at some point a line has to be drawn in the sand after which the signatory authorities can no longer make changes. Everyone can then read the final document and decide whether to sign or not. This is entirely reasonable and allows SCGs to be signed off in a timely fashion. On a personal note, I would add that I was greatly disappointed when WDC decided not to sign the SCG after all the work they had contributed to it.

I will now update you on the SCG. After the decision of WDC not to sign the document it was necessary to prepare a new iteration of the document without the input provided by WDC. This was circulated and signed by all the affected authorities and Natural England. It will form part of our core document library on submission of our Local Plan this month. Therefore the version of the SCG that you have now offered to sign no longer exists.

The preparation of SCGs is meant to be iterative and is often triggered by a local planning authority reaching a key stage in their local plan preparation. As WDC are approaching the Pre-Submission stage of their Local Plan I would suggest that you lead on the next iteration of the SCG. Following on from recent developments I would imagine that many more authorities such as Brighton & Hove and Hastings would want to be signatories of the next iteration.

We are intending to submit our Local Plan for examination this week. I sent you a draft bilateral SCG on Monday, which I am attaching to this email. This deals mainly with housing, but also has a brief section on the Ashdown Forest SPA. I would be grateful if you could let me know by end of play today whether WDC would like any further amendments to this document and whether you would like to sign it. This will then also become part of our core document library. I am sorry
for the short deadline, but I am sure you understand that we need to finalise our statements of common ground before submission. We have been working jointly on this bilateral document since we met in November as part of our Pre-Submission consultation.

The National Park Authority would also like to work in a spirit of partnership and cooperation on all strategic cross boundary issues including Ashdown Forest. As a National Park Authority we take biodiversity very seriously and indeed conserving and enhancing wildlife is part of our first purpose set in law.

It would be really good if we could meet in the next few weeks to discuss Ashdown Forest. We are happy to meet in Hailsham, Midhurst or in a satellite office at Falmer. I think the meeting should include both yourself and our [redacted]. Please can you let me know what dates work for you and where you would like to meet and we will get something in the diary.

Do please give me a ring if you would like to discuss anything I have raised in this email.

Kind regards

[Redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
[Redacted] | facebook | twitter | youtube
RTPI Award

From: [Redacted]@wealden.gov.uk
Sent: 24 April 2018 17:55
To: [Redacted]@south downs.gov.uk>
Cc: [Redacted]@south downs.gov.uk>; [Redacted]@south downs.gov.uk>; [Redacted]@south downs.gov.uk>; [Redacted]@wealden.gov.uk>; [Redacted]@south downs.gov.uk>; [Redacted]@south downs.gov.uk>
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear [Redacted] SDNPA

Thank you again for your emails.

http://archivemanager.wdc.gov.uk/app.html#/message/722c017b7-424a-982a-9bad-514a51960d0b[13/12/2018 16:49:12]

AFWG327
Ashdown Forest Working Group

Sent: 30 April 2018 09:52
From: SDNPA
Required: Tandridge@gov.uk; Sevenoaks@gov.uk; Midsussex@gov.uk; TWBC,
LD, MSDC, WDC, RDC, TDC, ESCC, TMBC

Location: Mid-Sussex DC offices, Haywards Heath

Start Time: 4 June 2018 14:00
End Time: 4 June 2018 16:00
Time Zone: (UTC+00:00) Dublin, Edinburgh, Lisbon, London

Colleagues

Here are the proposed items for the agenda:
- Notes of previous meetings
- Future membership of the Ashdown Forest Working Group
- Update on Statement of Common Ground
- Update on local plans and HRAs
- Mitigation measures and potential ways forward
- Ashdown Forest Stakeholder Forum

Mid-Sussex have kindly agreed to host the meeting at their offices in Haywards Heath. A map of the office location can be found at: http://www.midsussex.gov.uk/my-council/customer-services-and-contact-information/contact-us/where-are-the-council-offices/. As there will be a lot of people attending I would encourage you to travel by train or to car share. Visitor parking is available by main reception off Oaklands Road. Please report to main reception upon arrival and we will collect you all from there.

I will also invite the Ashdown Forest Stakeholder Forum to part of the meeting as discussed previously.

Kind regards

[[Redacted]]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | facebook | twitter | youtube

RE: Ashdown Forest SCG

Sent: 10 May 2018 08:02
From: WDC
To: SDNPA/WDC
CC: SDNPA

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments
image001.jpg (14 KB);

Thanks

Wealden District Council

From: [email protected]@southdowns.gov.uk]
Sent: 09 May 2018 17:48
To: WDC
Cc:
Subject: Ashdown Forest SCG

Hello

We have now submitted our Local Plan for examination and our examination website is now live. I promised that I would send you a link to the finalised SCG on Ashdown Forest. Here it is:


Thanks

http://archivemanager.wdc.gov.uk/app.html#message/f033da40-830c-409f-3eea-1a7417ab6e14/13/12/2018 17:42:21
Ashdown Forest

Sent: 31 May 2018 17:44

From: SDNPA

To: Tandridge.gov.uk; Sevenoaks.gov.uk;

TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

5 Attachments

- Agenda Ashdown Forest 04-06-18.docx (14 KB)
- Draft meeting notes Ashdown Forest 07-02-18.docx (21 KB)
- Draft meeting notes Ashdown Forest 23-11-17.docx (33 KB)
- AFWG Contact List.docx (15 KB)

Colleagues

Please find attached the documents for Monday’s meeting:

- Agenda with named officers down for certain items. Please can you confirm that you are happy to lead on these items.
- Notes from our last two meetings to agree
- Contact list. I would be grateful if you could check it through and get back to me with any updates. I would be grateful if we could have a maximum of two contacts per authority.

We will have members of the Ashdown Forest Stakeholder Forum attending the last half hour of the meeting.

Do please get back to me if have any queries and I look forward to seeing you on Monday afternoon.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

Facebook | SDNPA Twitter | Ranger Twitter | Youtube

http://archivemanager.wdc.gov.uk/app.html#message/7bca2f9a-8b5d-a319-f00b-15b0d3146453[13/12/2018 17:43:02]

AFWG330
Ashdown Forest SAC
2pm Monday 04 June 2018
Mid Sussex District Council Offices, Haywards Heath

AGENDA

1. Introductions and reasons for the meeting

2. Minutes of previous meetings (23-11-17 and 07-02-18)

3. Updates on local plans and HRAs (All to share stage and principle findings)

4. Update from Natural England

5. Future membership of the Ashdown Forest Working Group (All)

6. Future work streams and working arrangements for the Ashdown Forest Working Group including
   a) Future iterations of the Statement of Common Ground
   b) Potential mitigation measures
   c) Exploration of a Strategic Nitrogen Action Plan (SNAP)
   d) Any other work streams (All)

7. Ashdown Forest Stakeholder Forum (Savills), (Savills) and (Wealden Homes)
   a) Updates on the actions of the group and its purpose going forward
   b) Views on a Strategic Nitrogen Action Plan (SNAP) and engagement of the Conservators
   c) Sharing of transport information with the Forum

8. Any other business

AFWG331
Ashdown Forest SAC: Letters of Objection to various planning applications by Wealden District Council

2pm 07 February 2018

Mid-Sussex District Offices, Haywards Heath

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Advisory Service</td>
<td></td>
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<tr>
<td>Brighton &amp; Hove City Council</td>
<td></td>
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<tr>
<td>Crawley Borough Council</td>
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<td>East Sussex County Council</td>
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<td>Hastings Borough Council</td>
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<td>Horsham District Council</td>
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<td>Lewes and Eastbourne Councils</td>
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<td>Mid Sussex District Council</td>
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<td>Natural England</td>
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<td>Rother District Council</td>
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<td>Sevenoaks District Council</td>
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<td>South Downs National Park Authority</td>
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<td>Tandridge District Council</td>
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AFWG332
<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions and reasons for meeting:</td>
<td>None</td>
</tr>
<tr>
<td>• introduced the meeting saying that this was a meeting of the Ashdown Forest Working Group (AFWG). An action of the January meeting was for Wealden District Council (WDC) to provide written clarification on its letters of objection to various planning applications followed by a meeting. The meeting was not to discuss the Statement of Common Ground (SCG). The role of the PAS facilitator was not to be an arbiter or discuss technical details.</td>
<td>HDC</td>
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<tr>
<td>• outlined the objectives of the AFWG as working collaboratively on the strategic cross boundary issue of air quality impact on the Ashdown Forest (AF) SAC arising from traffic associated with new development. It is also to share information to assist traffic modelling for HRA work.</td>
<td>SDNPA</td>
</tr>
<tr>
<td>• apologised for the lack of warning of the objection letters and outlined that WDC is keen to protect their position on AF.</td>
<td>WDC</td>
</tr>
<tr>
<td>2. Housekeeping matters</td>
<td>None</td>
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<tr>
<td>3. Outstanding queries from Ashdown Forest Officers Group meeting on 18-01-18 on letters of objection:</td>
<td></td>
</tr>
<tr>
<td>(a) Selection criteria for letters of objection</td>
<td>None</td>
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<tr>
<td>• circulated a map showing Ashdown Forest and the locations of the planning applications that WDC had objected to.</td>
<td>MSDC</td>
</tr>
<tr>
<td>• WDC said that the map was a snapshot in time as the objections had temporarily paused.</td>
<td>TWBC</td>
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<tr>
<td>• WDC said that the map produced by TWBC doesn’t show the number of planning applications in WDC held in abeyance.</td>
<td></td>
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<td>• Someone queried how far away from AF the objection letters could go and WDC replied that in principle they could extend a long way eg Maidstone</td>
<td></td>
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<tr>
<td>• WDC has taken legal advice which advised it was sound and appropriate for each planning application to have an objection letter rather than one letter covering all planning applications.</td>
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<tr>
<td>• WDC is raising the issue but it is for the competent authority to decide.</td>
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<tr>
<td>• WDC is reserving the right to send more objection letters.</td>
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<tr>
<td>• The letters were sent under delegated powers.</td>
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</tbody>
</table>
- WDC said that every single traffic movement across AF has the potential to be an issue so everything needs to be looked at in combination.
- WDC don’t look at the other evidence submitted as part of a planning application or use their transport model.

(b) Clarification of the WDC approach to adopted and emerging plans
- NE outlined that it is the not their role to advise on specific AQ methodology and that there is more than one approach to methodology.
- WDC is concerned that other local authority plan HRAs may be used against them and will consider legal challenge on a case-by-case basis.
- WDC have received independent verification of their approach
- WDC said that if there had been a material change of circumstances this had to be taken into account for adopted plans.
- Various officers said that the letters were bringing the local planning process into disrepute
- WDC are happy to share their transport model to help explain the letters

4. Matters of clarification on the position statement:

(a) Paragraph 4 states that exceeding the 1,000 AADT threshold is considered to result in likely significant effect (LSE). It is understood that exceeding 1000 AADT does not equate to LSE, but rather is a threshold at which assessment is recommended which may or may not show an LSE (4)
   - 1000 AADT is not being used by WDC and WDC considers 1000 AADT does not equal the 1% PC.
   - NE said that the 1% PC is more scientific than 1000 AADT and sufficiently precautionary to say that an impact is insignificant if it is below 1% PC. If it is above, more investigation is needed but there may not necessarily be a likely significant effect (LSE) and may not need an Appropriate Assessment (AA).
   - Informal agreement that the 7km Zone of Influence (ZofI) remains applicable. Ongoing discussions for any potential outer ZofI. There will be another meeting to discuss with the relevant local authorities.

(b) Paragraph 6 states 'Based on the information published WDC considers that there is a likely significant effect.' Could WDC please clarify which published information includes ecological interpretation which allows for the conclusions of likely significant effects.
   - WDC using the precautionary principle.
   - The ecological report will be published on 16 February

(c) Paragraph 22 states that WDC are objectioning to HRAs where WDC consider them to be 'deficient.' It is queried if this is more a matter of disagreement with other, including industry standard, approaches. Please could WDC clarify this matter?
   - WDC will identify concerns in individual reps to local plans

d) Paragraph 7 states 'the decisions are lawful.' Please could WDC clarify which decisions are being referred to.
   - The WDC position is lawful based on legal advice.

e) The position statement does not address the matter raised in the objection letter to Sevenoaks DC dated 16 August 2017 in regards to the application of a 10km zone for visitor pressure.

WDC to re-convene meetings and invite all
Can WDC please confirm or amend its previous statement that a 7km zone remains applicable whilst further work is carried out by each authority over possible outer zones within their districts.
- There was a letter of objection to Seven Oaks sent in August 2017 on this matter
- Informal agreement that the 7km Zofi remains applicable. Ongoing discussions for any potential outer Zofi. There will be another meeting to discuss with the relevant local authorities.
- NE supports the core 7km zone and access management up to an agreed distance.

### 5. Any further matters of clarification.
- WDC will need to do their HRA first before considering any mitigation/compensation.
- NE said that it has not yet been determined if there is a LSE on AF let alone an adverse effect on integrity.
- NE is reviewing the WDC evidence and is due to respond by 16/02/2018.
- WDC believe there is the potential for impact and is applying the precautionary principle.
- WDC will look at the advice from NE and challenge as necessary
- WDC will test higher numbers if NE consider no LSE at the moment.
- WDC commit to sharing NE advice as soon as possible (once internal processes have been worked through).
- The LPAs are being used as collateral damage
- Several million pounds’ worth of LEP funding in Rother has been put on hold as a result of the WDC actions
- A request was made for WDC to withdraw all letters.
- WDC could not give a timeframe or dates for sharing NE advice.
- WDC said that FOI requests were not applicable as the work was draft. NE to investigate if their letter of advice can be provided under FoI.
- WDC reserved the right to send further letters of objection.

### 6. Any other business and date for next meeting
- Letter received from Savills on the Ashdown Forest Stakeholder Forum.
- Email from Tandridge DC to amend the statement of common ground to deal with planning applications
- Agreed not to include planning applications in SCG as this was contrary to the original decision on content and it was too late to make such as fundamental change
- The next meeting would take place after the SCG was finished.

<table>
<thead>
<tr>
<th>Interested Parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDNPAP</td>
</tr>
</tbody>
</table>
RE: Ashdown Forest

Sent: 3 June 2018 18:30
From: SDNPA
To: WDC
CC: TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB)

Hi WDC

Thanks for letting me know. I thought it sensible for WDC to lead on that item as I think you are the first authority to next reach a milestone in your local plan preparation.

Kind regards

[Contact Information]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

[Website Links]
From: [redacted]@wealden.gov.uk
Sent: 03 June 2018 10:58
To: [redacted]@southdowns.gov.uk
Cc: [redacted]@Tunbridgewells.gov.uk; [redacted]@lewes-eastbourne.gov.uk; [redacted]@tandridge.gov.uk; [redacted]@sevenoaks.gov.uk; [redacted]@midhurst.gov.uk; [redacted]@eastbourne.gov.uk; [redacted]@wealden.gov.uk; [redacted]@tunbridgewells.gov.uk; [redacted]@southdowns.gov.uk; Marie Killip@tandridge.gov.uk; John Trenchard@rother.gov.uk; [redacted]@eastsussex.gov.uk; [redacted]@eastbourne.gov.uk; [redacted]@wealden.gov.uk; [redacted]@tunbridgewells.gov.uk; [redacted]@tmbc.gov.uk; [redacted]@southdowns.gov.uk; [redacted]@sevenoaks.gov.uk; [redacted]@westsussex.gov.uk; [redacted]@naturalengland.org.uk; [redacted]@tunbridgewells.gov.uk; [redacted]@crawley.gov.uk; [redacted]@brighton-hove.gov.uk; [redacted]@tunbridgewells.gov.uk; [redacted]@eastbourne.gov.uk; [redacted]@tandridge.gov.uk; [redacted]@sevenoaks.gov.uk; [redacted]@naturalengland.org.uk; [redacted]@midsussex.gov.uk; [redacted]@crawley.gov.uk; [redacted]@hastings.gov.uk; [redacted]@brighton-hove.gov.uk;

Subject: Re: Ashdown Forest

Dear SDNPA

Thank you for the papers for Monday’s meeting.

Just to let you know that I will be attending to represent Wealden and [redacted] and [redacted] send their apologies.

I can confirm I’m happy to lead on item 6a in place of [redacted]

Best regards

WDC

On 31 May 2018, at 17:57 [redacted]@southdowns.gov.uk wrote:

Colleagues

Please find attached the documents for Monday’s meeting:
  * Agenda with named officers down for certain items. Please can you confirm that you are happy to lead on these items ([(redacted)])
  * Notes from our last two meetings to agree
  * Contact list. I would be grateful if you could check it through and get back to [redacted] with any updates. I would be grateful if we could have a maximum of two contacts per authority.

http://archivermanager.wdc.gov.uk/app.html#message/11a3814b-e651-e7fb-3d6d-0d5aefcc5564e4[13/12/2018 17:48:42]

AFWG337
We will have members of the Ashdown Forest Stakeholder Forum attending the last half hour of the meeting.

Do please get back to me if have any queries and I look forward to seeing you on Monday afternoon.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

Do you love the South Downs Way? Please help us to mend it.
Mend our Way is a new campaign to raise £120,000 to help us fix four damaged sections of the trail.
Find out more and donate www.southdowns.gov.uk/mendourway.

This email is confidential, may be legally privileged and/or contain personal views that are not the Authority's. If you are not the intended recipient, please notify us and delete the message from your system immediately. Under Data Protection and Freedom of Information legislation contents may be disclosed and the Authority reserves the right to monitor sent and received emails.

<Agenda Ashdown Forest 04-06-18.docx>
<Draft meeting notes Ashdown Forest 07-02-18.docx>
<Draft meeting notes Ashdown Forest 23-11-17.docx>
<AFWG Contact List.docx>
RE: Ashdown Forest

Sent: 15 June 2018 16:14

From: SDNPA

To: Tandridge.gov.uk; sevenoaks.gov.uk; TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

3 Attachments

Image001.jpg (36 KB); Meeting notes Ashdown Forest 23-11-17.pdf (217 KB); Draft meeting notes Ashdown Forest 04-06-18.docx (24 KB);

Colleagues

Please find attached the draft notes for our recent Ashdown Forest meeting. I am also attaching the finalised notes from our November meeting.

I have a number of documents that I need to circulate that I will send out shortly along with a Doodle Poll for our September meeting.

Finally, I have been asked by Savile's for the names of officers from all the authorities that attended the meeting. I thought I should check with you all before you did this. Please can you let me know by Friday 22nd June if you are NOT happy with me to provide your name to Savile's.

Kind regards

[Name]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube
Ashdown Forest SAC Working Group Meeting

14:00 am Monday 04 June 2018

Mid Sussex District Council Offices, Haywards Heath

Attendees:
- South Downs National Park Authority (SDNPA)
- South Downs National Park Authority (SDNPA)
- Mid Sussex District Council (MSDC)
- Mid Sussex District Council (MSDC)
- Natural England (NE)
- Natural England (NE)
- Wealden District Council (WDC)
- Lewes and Eastbourne Councils (LDC)
- Tunbridge Wells Borough Council (TWBC)
- East Sussex County Council (ESCC)
- Tandridge District Council (TDC)
- West Sussex County Council (WSCC)
- Rother District Council (RDC)
- Crawley District Council (CDC)
- Brighton & Hove City Council (BHCC)

Apologies: Seven Oaks District Council

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions and reasons for meeting:</td>
<td>All to send names of two contacts to WDC</td>
</tr>
<tr>
<td>• Introduced the meeting and said it was about air quality impacts on the AF SAC.</td>
<td></td>
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<tr>
<td>• This is the first meeting since the SoCG was finalised and this document is now published on the SDNPA Examination website.</td>
<td></td>
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<tr>
<td>• Request for officers to complete contact list and forward details to WDC</td>
<td></td>
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<tr>
<td>2. Minutes from last meeting</td>
<td></td>
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<tr>
<td>• Agreed a change to item 8(i) of minutes of the 23-11-17 meeting.</td>
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<tr>
<td>• WDC queried why representatives of the Stakeholder Forum are attending today.</td>
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<tr>
<td>• Responded that it is to tell us what they are doing and how we could potentially work with them.</td>
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<tr>
<td>• WDC said that WDC has had reasonably regular contact with the Stakeholder Forum.</td>
<td></td>
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SDNPA          WDC

WDC

SDNPA          WDC
3. Updates on Local Plans and HRAs (All to share stage and principle findings)
   - Let □ know if there is a change to the housing numbers table (Appendix 4 of the SoCG) as a working version of the table will be maintained. This was an action from the November meeting of the group.
   - Local Plan updates:
     o SNDPA – LP was submitted at the end of April.
     o WDC – Progressing LP. Will be publishing Local Plan and HRA at the end of June to go through committee cycle and to Full Council mid-July. □ to send a link to HRA work.
     o B&HCC – City Plan Part 2 consultation early July with housing figure as per LP part 1.
     o CBC – Local Plan review over the next year. Housing figure as per adopted LP.
     o RDC – Local Plan Part 2 delayed partly because of AF. □ will send a link to a recent newsletter with timetable and interim approach to AF pending a full HRA.
     o WSOC – Minerals LP to be adopted this month.
     o MSDC – District Plan adopted. Progressing Site Allocations DPD and commissioning separate consultants for air quality and HRA work.
     o TDC – Proposed submission July/August 2018. Emerging HRA work shows no adverse effect on AF.
     o TWBC – New LP delayed. Air quality and ecology practice note as an interim measure.
     o ESCC – Partial review of Waste & Minerals LP. AECOM undertaking the HRA work.
     o LDC – Part 2 small sites proposed submission autumn 2018. Housing figure as per LP part 1.
     o EBC – LP review – Regulation 18 after May 2019

4. Update from Natural England
   - People Over Wind/ Sweetman II judgment is very complex – in summary: if mitigation is involved, this needs to be undertaken at the Appropriate Assessment stage following the screening for likely significant effects stage. Legal advice is currently being sought by NE. There is uncertainty between plan and project level HRAs. □ to provide an update in due course. Recommend we seek our own legal advice.
   - The Wealden judgment has had significant impacts across the country particularly across different sectors, including intensive pig and poultry farming and power stations. NE internal guidance still could be published. Unclear on the progress of the CIEEM Air Quality guidance that was thought to be in preparation. It was noted that the Government consultation on the draft Clean Air Strategy 2018 makes 3 references to provision for local authorities explaining how cumulative impacts of nitrogen deposition on natural habitats should be mitigated and assessed through the planning system.

5. Future membership of the Ashdown Forest Working Group
   - Could there be different types of membership? E.g. attending meetings or correspondence only. □ to check with authorities

□ to circulate Housing numbers table (Appendix 4 of the SoCG)
□ to forward figures for Tandridge to □
□ All let □ know if there is a change to the housing numbers set out in the table
□ to send link to HRA work when published on the WDC website.
□ to send link to a recent newsletter with timetable and interim approach to Ashdown Forest with regard to HRA.
□ to contact some LAs to check membership.

AFWG341
not in attendance as to how they wish to be involved with the group.

### 6. Future work streams and working arrangements for the Ashdown Forest Working Group

(a) Future iterations of the SCG
- Final version of the SoCG published on SNDPA examination website as part of core document library without WDC signature.
- [Name] said that WDC had not been in a position to sign at the end of April rather than they didn’t want to sign. [Name] queried why WDC was not told that the SoCG would be going ahead without WDC.
- The replies were that the SDNPA needed to do a lot of work in a short space of time for their LP submission, and that the timetable and dates were made very clear to the whole group.
- NH asked how WDC could make their views public and the following options were put forward:
  1. By WDC: Withdraw current SoCG and publish earlier draft version with WDC’s signature included. In discussion this was not determined not to be a possible as the SoCG had been signed by all the other affected authorities and published as part of the SDNPA core document library.
  2. By WDC: WDC to provide a statement when they submit their LP to outline their views – this is likely to be pursued.
  3. By SDNPA: WDC to lead on the next iteration of the SoCG as WDC were the next LPA to meet a key milestone in the Local Plan preparation.
- It was emphasised that the SoCG need only be refreshed if there is a material change in circumstances.

(b) Potential mitigation measures
- See RC table. This is an overview of potential measures to reduce background levels of nitrogen. It is a starting point which can be amended and added to as necessary. [Name] to circulate table for comment.
- WDC is doing a lot of work on mitigation which will be included in their HRA. This will contain more detail than the table.
- Mitigation is not currently required by those LPs and HRAs that have been published.

(c) Exploration of a Strategic Nitrogen Action Plan (SNAP)
- A SNAP is not mitigation – may help to reduce background emissions.
- NE could probably lead on a SNAP and will scope the project. NE will report back at end September/October.

(d) Any other work streams
• AECOM has produced a transport model for TWBC. Developers could pay some money for their proposed development to be modelled in the transport model. It would be best to avoid proliferation of transport models.
7. Ashdown Forest Stakeholder Forum (Charles Collins and Paul Dadswell from Savills)

(a) Updates on the actions of the group and its purpose going forward
   - Two representatives from Savills attended the meeting on behalf of the AF Stakeholder Forum. Thanks were given for inviting them to the meeting.
   - The Stakeholder Forum is a voluntary/self-selecting group comprising of developers, agents and a few landowners who set up the Forum with a view to unblock this HRA issue through the DM and PP process.
   - The Forum has formally met 6 times and has TOR. The Forum tries to be open and transparent.
   - The Forum has submitted EIR requests to WDC and tried to obtain the WDC evidence.
   - A number of applications have not been determined by WDC due to this matter. No members of the Forum have chosen to go to appeal yet, but this could be reviewed.

(b) Views on SNAP and engagement of the conservators
   - The Forum is open to ideas on potential mitigation measures if they are required.
   - The Forum would like to input into the RC table.
   - The Forum considers a SNAP could be of benefit.

(c) Sharing of transport information with the Forum
   - TWBC outlined their transport model and said that developers could use this and see it as a way to forward to help developers.
   - The Forum said they would review the transport information in the SoCG (appendix 5).
   - It was agreed that the Forum need not produce their own transport model for the AF to avoid proliferation of transport models.
   - The Forum will review the WDC evidence and HRA when it is available.
   - The Forum would like to keep the channels of communication open.

8. • Next meeting to be held September 2018

LH to arrange next meeting
FW: Ashdown Forest

Sent: 15 June 2018 16:19

From: SDNPA

To: Tandridge.gov.uk; sevenoaks.gov.uk; tmbc.gov.uk; TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMB

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB);

Colleagues

Please see the link below provided by Rother.

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube
rtpl logos

From: @rother.gov.uk]
Sent: 05 June 2018 08:46
To: @southdowns.gov.uk>

SDNPA

Further to yesterday’s meeting, please find attached a link to our Interim approach to HRAs re Ashdown Forest: http://www.rother.gov.uk/HRA

Regards,

Rother District Council

Website www.rother.gov.uk

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------------------------------------------------------------------------------------------------------------------

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This email message has been checked for the presence of computer viruses and malware, however we accept no liability for any unknown virus contained in the message or any attachments.

------------------------------------------------------------------------------------------------------------------

Do you love the South Downs Way? Please help us to mend it.
Mend our Way is a new campaign to raise £120,000 to help us fix four damaged sections of the trail.

RE: Ashdown Forest

Sent: 15 June 2018 16:55
From: SDNPA
To: Tandridge@Tandridge.gov.uk; Sevenoaks@sevenoaks.gov.uk; TWBC@tmbc.gov.uk
TWBC, LDC, MSDC, WDC, RDC, TDC, ESCC, TMBC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

2 Attachments

image001.jpg (36 KB); Appendix 4 AFWG Housing figures.docx (17 KB);

Colleagues

Please find Appendix 4 of the Statement of Common Ground for Ashdown Forest. I have updated the table with news figures from Tandridge. Please let me know if there are any updates. We will have the table as a standing item for future meetings.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

rtpi logos
### Appendix 4 – Housing numbers

This table sets out the various housing numbers approaches for each local planning authority. The numbers in **bold** are those which have been agreed by the Ashdown Forest Working Group at the time of drafting this Statement of Common Ground following the methodology outlined in section 2 of the Statement.

<table>
<thead>
<tr>
<th>Authority Name</th>
<th>Adopted Local Plan housing number</th>
<th>OAN</th>
<th>DCLG new methodology</th>
<th>Numbers used for own LP (and in any modelling work undertaken so far if different)</th>
<th>Numbers used for other LPAs in modelling work</th>
<th>HMA figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crawley Borough Council</td>
<td>5,100 dwellings total 340 dwellings per annum annualised average</td>
<td>675 dwellings per annum</td>
<td>476 dwellings per annum</td>
<td></td>
<td></td>
<td>Northern West Sussex HMA: as for Mid Sussex District Council below</td>
</tr>
<tr>
<td>East Sussex County Council</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Eastbourne Borough Council</td>
<td>5,022 by 2027 240 per annum</td>
<td>400</td>
<td>336 (capped)</td>
<td>No modelling undertaken to date</td>
<td>No modelling undertaken to date</td>
<td>Eastbourne &amp; South Wealden HMA number TBD</td>
</tr>
<tr>
<td>Lewes District Council</td>
<td>6,900 345 per annum</td>
<td>520</td>
<td>483</td>
<td>345 LP plus an additional +50% allowance for Newick</td>
<td>Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum Tandridge – OAN 470 per annum</td>
<td>520 (higher end) Lewes District (including the Park) within the Coastal West Sussex HMA</td>
</tr>
</tbody>
</table>

14 December 2018
<table>
<thead>
<tr>
<th>Authority Name</th>
<th>Adopted Local Plan housing number</th>
<th>OAN</th>
<th>DCLG new methodology</th>
<th>Numbers used for own LP (and in any modelling work undertaken so far if different)</th>
<th>Numbers used for other LPAs in modelling work</th>
<th>HMA figure</th>
</tr>
</thead>
</table>
| Mid Sussex District Council            | The emerging Mid Sussex District Plan 2014-2031 sets a minimum housing provision figure of 16,390 homes.  
For the purposes of calculating the five-year housing land supply a 'stepped trajectory' will be applied through the calculation of a 5-year rolling average. The annual provision in this stepped trajectory is **876 dwellings per annum for years 2014/15 until 2023/24 and thereafter, from 1st April 2024, 1,090 dwellings per annum until 2030/31, subject to future HRA on further allocated sites, to meet unmet needs of neighbouring authorities.** | 14,892 (an average of 876 dwellings per annum for 2014-2031) | 1,016 dwellings per annum for 2016-2026 | See second column | Growth assumptions for surrounding authorities used in the transport model:  
Crawley – 6,908  
Wealden – 8,988  
Lewes – 6,032  
Brighton & Hove – 14,301  
Horsham – 16,701  
Tandridge – 6,395 | Northern West Sussex HMA  
Crawley – 675  
Horsham – 650  
Mid Sussex – 876  
= 2,201 dwellings per annum |
<p>| Rother District Council                | 335 net dwellings pa                                                                                | 363 pa             | 469 pa (capped)                                           | n/a                                                                               | n/a                                        | Hastings and Rother HMA (as at 2014): 767 pa |
| Sevenoaks District Council             | 165 / yr 3,300 over 20 year (2006-2026)                                                           | 12,400 (2015-35) 620 pa | 698pa                                                     | 620 / 698                            | n/a                                        | Tonbridge &amp; Malling Tunbridge Wells |</p>
<table>
<thead>
<tr>
<th>Authority Name</th>
<th>Adopted Local Plan housing number</th>
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<th>DCLG new methodology</th>
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<th>Numbers used for other LPAs in modelling work</th>
<th>HMA figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Downs National Park Authority</td>
<td>There are several figures currently operating across the National Park but not one park-wide figure</td>
<td>447</td>
<td>Not applicable</td>
<td>250</td>
<td>Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum Tandridge – OAN 470 per annum</td>
<td>Coastal Sussex HMA: 274 Eastbourne and Wealden HMA: 14 Northern West Sussex HMA: 14 Central Hants: 144</td>
</tr>
<tr>
<td>Tandridge District Council</td>
<td>Submission Local Plan 6,200 homes 2013 to 2033 (310 per annum)</td>
<td>470</td>
<td>645</td>
<td>TBC</td>
<td>470</td>
<td>470</td>
</tr>
<tr>
<td>Tunbridge Wells Borough Council</td>
<td>The adopted Core Strategy figure is 300 per annum</td>
<td>648 (SHMA 2015)</td>
<td>692</td>
<td>648</td>
<td>As above</td>
<td>Tunbridge Wells Borough is considered to be in a HMA which includes Sevenoaks, Tonbridge and Tunbridge Wells and extends to include Crowborough, Hawkhurst and Heathfield.</td>
</tr>
</tbody>
</table>

14 December 2018
<table>
<thead>
<tr>
<th>Authority Name</th>
<th>Adopted Local Plan housing number</th>
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<th>HMA figure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wealden District Council</td>
<td>450 dwellings per annum of 9,600 in total 2008 - 2027</td>
<td>950 DPA</td>
<td>1247 (check)</td>
<td>11,456 (total) for Ashdown Forest modelling 11,724 for Lewes Downs and Pevensey Levels (revised figures post March 2017 Draft WLP).</td>
<td>2014 tempro data</td>
<td>Not yet determined.</td>
</tr>
<tr>
<td>West Sussex County Council</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>
RE: Ashdown Forest

Sent: 18 June 2018 14:11

From: SDNPA

To:                
SDNPA

TWBC, LDC, WDC, NE, MSDC, RDC, TDC, ESCC, TMDC

CC: SDNPA

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

2 Attachments

image001.jpg (36 KB); Ashdown Forest SAC Potential measures to reduce backgroud levels of nitrogen.docx (28 KB);

Colleagues

Following on from our recent meeting on Ashdown Forest here is the table of potential measures to reduce background levels of nitrogen in Ashdown Forest. Please can you have a look through and get back to [redacted] with any proposed amendments or comments. Please can you do this by Friday 6th July. This will then be fed back to Natural England as it can feed into the Strategic Nitrogen Action Plan (SNAP).

I am also forwarding the table to Savile's as agreed.

Kind reagrd

[redacted]; South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

http://archivemanager.wdc.gov.uk/app.html#/message/1e7a0feb-f168-b311-47a0-27dd79719808/[14/12/2018 11:29:57]
<table>
<thead>
<tr>
<th>Solution</th>
<th>Summary and Comments</th>
<th>Source of Idea and Sources of Further Information</th>
</tr>
</thead>
</table>
| Habitat Management                           | Habitat measures that potentially help mitigate (historic and on-going) nitrogen deposition impacts and secure improvement of habitat quality while N deposition remains above Critical Load.  
Conclusions from Stevens and others (2013), as not included in 2004 review  
"There is some potential for mitigating the impacts of nitrogen deposition through on-site management although this varies greatly between habitats and management practice. It is likely that small changes in management and adherence to appropriate guidelines could partially improve habitat suitability and/or increase nitrogen removal.  
The majority of management practices do not remove significant quantities of nitrogen (with the exception of removing biomass or topsoil). Furthermore, management of a suitable intensity to remove sufficient nitrogen to fully offset nitrogen added by atmospheric deposition is likely to damage the habitat and result in a number of unintended consequences.  
Further research is needed to determine the impacts of individual management practices on the nitrogen budget in different habitats. Further research is also needed to explore the potential for novel management techniques to remove nitrogen from sites.  
For an individual site where nitrogen is identified as a pressure, a manager can look at current management and compare this with the management recommendations in the report to make changes where appropriate.  
All management recommendations that remove nitrogen from the site move it elsewhere and have the potential for unintended consequences. Consequently there is no substitute for reducing the amount of nitrogen deposited onto a site which can only be achieved through emission controls”.  
(Source: Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review (2016)  
Provided by Rebecca Ingram, NE)                                                                                           | Natural Resources Wales  
‘Review of the effectiveness of on-site habitat management to reduce atmospheric nitrogen deposition impacts on terrestrial habitats’  
| Turf-stripping                               | High potential to both mitigate Nitrogen impacts on habitat suitability and remove the Nitrogen from the system. Supported by some evidence (Natural Resources Wales)                                                     | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Rotavating                                   | High potential to both mitigate Nitrogen impacts on habitat suitability and remove the Nitrogen from the system. But more evidence needed (Natural Resources Wales).                                                                  | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Cutting                                      | High potential to both mitigate Nitrogen impacts on habitat suitability and remove the Nitrogen from the system. But more evidence needed (Natural Resources Wales).                                                                  | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Additional Grazing or mowing                 | McGibbon (1993) and Auld, Davies & Pickess (1992) respectively describe large scale Surrey and Dorset restoration projects where grazing stock (Hebridean sheep, goats and cattle amongst others) are being used to remove scrub and reinvigorate the dwarf-shrub heathland vegetation. | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Hydrological Management                      | Spatially targeted source and landscape-scale measures, while taking account of trends in background N deposition at a site level.                                                                                     | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Identifying and targeting local emission sources and potential local and regional measures to further reduce nitrogen emissions, concentrations and deposition. | Mitigation effect unknown.                                                                                                                                                                                             | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
| Management of Farm Animals and Farming practices | Detailed in NE’s Nitrogen Theme Plan 2015.  
Measures and improvements could be applied with a certain distance of SAC boundary.  
Grants / funding for physical improvements? For example:  
- Grooved floors for dairy cow crucible housing (mitigation effect 0-20%)  
- Partially slatted floors for pig housing (mitigation effect 10-50%)  
- Acid scrubbers fitted to air outlets of mechanically ventilated pig or poultry housing (mitigation effects: 70-90%)  
- Belt removal systems for laying hens to enable air-drying of manure (mitigation effects 10-50%)  
- Covers for slurry tanks and manure heaps  
- Tree belts/screening.                                                                                                         | Natural England’s  
Atmospheric Nitrogen  
Theme Plan                                                                                                                |
<table>
<thead>
<tr>
<th>Solution</th>
<th>Summary and Comments</th>
<th>Source of Idea and Sources of Further Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>designated sites</td>
<td>Grants could be tied according to SAC proximity? Some other 'non-physical' improvements difficult to monitor or enforce?</td>
<td></td>
</tr>
<tr>
<td>Nitrogen Absorbing Materials / Barriers</td>
<td>Long-term solution since technologies are in the early stages of development with high associated costs. The use of a photocatalytic barrier next to the road, to recapture NOx emissions from vehicular exhausts. The barrier is coated with a titanium dioxide catalyst, which converts NOx into NO2.</td>
<td><a href="https://www.airqualitynewss.com/2017/08/02/10633/">https://www.airqualitynewss.com/2017/08/02/10633/</a></td>
</tr>
<tr>
<td>Nitrogen absorbing roadside barriers / canopies</td>
<td>Landscape and visual impact may rule this option out.</td>
<td></td>
</tr>
<tr>
<td>'CityTree'</td>
<td>More discrete, but still incongruous in rural environment and currently very expensive technology.</td>
<td><a href="https://cities-today.com/how-a-pollution-eating-tree-is-cleaning-cities-air/">https://cities-today.com/how-a-pollution-eating-tree-is-cleaning-cities-air/</a></td>
</tr>
<tr>
<td>Shelterbelts / Natural Tree Barrier</td>
<td>Building on existing knowledge of deposition velocities, Freer-Smith and others (2004) and Fuji and Lawton (2008) undertook studies looking at trees' removal of particles from the atmosphere in the field and under laboratory conditions respectively. Conclusions from the 2004 review “From this discussion it is clear that wooded shelterbelts effectively capture particulates, including their metal component, thereby reducing transport to sites further away from the road. However, their role in preventing the spread of gaseous pollutants is less clear, although there is some evidence to suggest that they act as a physical barrier to NOx transport, changing dispersal patterns rather than taking up the pollutant. There is evidence to suggest that plants can act as temporary and even permanent sinks for VOCs, but more research is needed to determine which species or vegetation types have the highest uptake.” - Cost effective - Potential land-take from the very habitats it serves to protect.</td>
<td>Natural England Commissioned Report NEC1199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td>Road traffic measures / Highways Initiatives</td>
<td>Traffic emissions generated at any given site are essentially determined by three factors: - The amount and type of vehicles flowing past a site; - The way vehicles are driven (e.g. their speed) and the level of congestion; - The emission performance of vehicles, which is dependent on age and technology. Traffic emissions can, therefore, be reduced or mitigated by implementing measures that address these factors, for example, by reducing traffic flows. The highways authorities primarily responsible for implementing such measures are the Highways Agency in relation to motorways and trunk roads and county councils and unitary authorities with regard to all other roads. Other actors including the planning authorities, transport providers and local businesses can also be involved in providing solutions. Overviews of the types of measures that can be used to reduce traffic emissions and improve air quality are provided by Defra (2009a) and the Highways Agency (2005). While many of these measures have been predominantly implemented in urban areas, there may also be potential for them to be used more widely, for example, in relation to emissions from roads that threaten sites designated for their nature conservation importance.</td>
<td>Natural England Commissioned Report NEC1199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td>Reducing traffic flows</td>
<td>The most direct way to reduce traffic emissions is to limit the number of vehicles passing a site, or to prevent particular types of vehicle from doing so. This can be achieved directly through traffic restrictions or relocating a road, or more indirectly by influencing peoples' travel behaviour. In general, such measures will reduce all types of vehicle emissions in equal measure proportionate to the level of traffic reduction.</td>
<td>Natural England Commissioned Report NEC1199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td>Solution</td>
<td>Summary and Comments</td>
<td>Source of Idea and Sources of Further Information</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td><strong>Influencing travel behaviour</strong></td>
<td>Travel behaviour can be influenced at a local level and more generally through travel awareness campaigns, walking and cycling campaigns and promotion of public transport. Detailed assessment of the Sustainable Travel Town demonstrations in Darlington, Peterborough and Worcester between 2004–2009 estimated that their comprehensive set of measures to adjust travel behaviour reduced car trips and traffic volumes by 7%. Promoting this behavioural shift cost an estimated 4p/vehicle km removed (Sloman and others 2010). Travel behaviour can be addressed at a specific location working with organisations and individuals, for example, in relation to schools, businesses and tourist attractions. Schemes have been developed in small towns, such as Kendal in Cumbria (<a href="http://www.goeasy.org.uk/Accessed">http://www.goeasy.org.uk/Accessed</a> April 2014), as well as in larger urban areas. Travel plans can reduce vehicle trips by 10-15% (Sloman and others 2010; Cairns and others 2004).</td>
<td>Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td><strong>Promoting low-emission vehicles</strong></td>
<td>The inherent emissions performance of any vehicle is determined by its fuel type, such as petrol, diesel or electric, and the vehicle emissions standard to which it conforms (Section 4.3). Hence, newer vehicles have lower emissions. Encouraging retrofitting of emissions-control equipment or enabling use of alternative low-emission fuels, such as electricity or gas, would also help to reduce vehicle emissions significantly.</td>
<td>Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td><strong>Low Emission Zone (LEZ)</strong></td>
<td>Originally MSDC suggestion. Now developed in HIF bid. Traffic regulations can be used to restrict vehicles not meeting a specific emission standard from entering an area or using a particular road and are known as Low Emission Zones (LEZs). The most high profile of these is in London, which is focused on reducing particulates by targeting HGVs and vans. A study (Barratt 2013) has shown that the LEZ has significantly reduced black carbon and fine particulates (PM2.5) by 20% over 4 years, although it has had no impact on coarser particulates (PM10) or on nitrogen dioxide levels. Smaller UK cities with LEZs include Norwich and Oxford, and a number of places are assessing their potential use (Low Emission Zones in Europe, 2013). Norwich has adopted a limited approach confined to a single road, which could be adopted in more rural areas. Defra has provided guidance for local authorities in relation to LEZs and the promotion of retrofit emission-exhaust control technology (Defra 2009b/c).</td>
<td>Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td><strong>Congestion Charge/Toll roads</strong></td>
<td>Logical application of the Polluter Pays Principle. Revenue generating. But likely to be politically unacceptable.</td>
<td>Natural England’s Atmospheric Nitrogen Theme Plan</td>
</tr>
<tr>
<td><strong>Partnership working and promotion</strong></td>
<td>A voluntary approach to reducing emissions from road traffic can be achieved by working in partnership with local transport operators or businesses whose vehicles regularly drive past a site. Local authorities have used the framework of bus and freight quality partnerships to establish such voluntary agreements (Confederation of Passenger Transport 2000). These have been used to set emission criteria for vehicles operating on certain routes or areas within a city or town.</td>
<td>Natural England Commissioned Report NECR199 The ecological effects of air pollution from road transport: an updated review (2016) Provided by Rebecca Ingram, NE</td>
</tr>
<tr>
<td><strong>Re-Routing HGVs - Re-locating HGV stopover at Millbrook Car Park (north of Nutley), within Wealden District</strong></td>
<td>Highway England figures show that 77 per cent of NO2 levels close to motorways come from HGVs, diesel cars and vans on the road network (source: Environmental Health News <a href="http://www.ehn-online.com/news/article.asp?id=16602">http://www.ehn-online.com/news/article.asp?id=16602</a>). This car park directly adjacent sensitive lowland heathland habitat north of Nutley serves as a night-time HGV stopover (Formal or informal unclear). A survey is needed to establish the origin/destination of these HGVs. Is the A22 their direct route? Or are they heading into the Forest because it is a pleasant stopover? Could a local bye-law prevent HGV over-night stays at the Car park? Could an alternative HGV stop-over be provided elsewhere in a less sensitive location? At what cost? Responsibilities – Conservators of AP, ESCC, WDC?</td>
<td>Tandridge DC suggestion</td>
</tr>
</tbody>
</table>
Compensation

The terms mitigation and compensation have very specific meanings in relation to Natura 2000 sites. Mitigation measures are confined to those that minimise impacts whilst compensation measures are those required to maintain the coherence of a Natura 2000 site if an adverse effect on its integrity cannot be ruled out, there are no alternative solutions, and there are over-riding public interests in favour of development. (Accessed December 2014).

Compensatory Habitat Creation

Summary and Comments

"Mitigation by compensation of the effects of road transport pollutants is an alternative approach, but one that often requires ongoing management, and for which care is needed to minimise the impact of air pollution from roads."

"However, re-creation of typically nutrient-poor habitats in the vicinity of roads is not recommended. It is the low nutrient status of these systems that are key to their species diversity and inclusion of rare species. Inputs of nitrogen from motor vehicles on the road in the form of NOx, NH3 and HONO could be significant. These pollutants may act as fertilisers, changing the nature of the habitat and perhaps losing its ecological interest or conservation value."

Heathland can be re-created on existing poor quality grassland or conifers.

Local example of RSPB Broadwater Warren in Tunbridge Wells has successfully created heathland habitat that now hosts Woodlark and Nightjar.

Evidence suggests heaths in southern England are affected by habitat fragmentation and have contracted in area over the last 60 years.

Anderson references Webb's work (1994) which shows how to identify suitable sites, and other research demonstrates how this might be achieved where former heath has been converted to poor quality grassland (Smith, Webb & Clarke, 1991), or to conifers (Parker & McNeilly, 1991; Anderson & Dudley, 1994). Anderson notes that creation of heathland habitats usually focuses on heather rather than other species, so can lead to creation of 'heatherlands'.

NPPF emphasis on networks of habitats, stepping stones and connectivity (p.4114, 117). So new habitat necessarily adjacent to the existing Ashdown Forest designation? Or scope for 'stepping stone' habitats as mitigation?

Q: Logical assumption that new habitats away from the road network would be less vulnerable to roadside nitrogen deposition. Could effectively compensate harm caused by development to roadside habitats? Although would still be vulnerable to nitrogen deposition from other sources (e.g. International, farming)

Source of Idea and Sources of Further Information

Natural England Commissioned Report NER199
The ecological effects of air pollution from road transport: an updated review (2016)
Provided by Rebecca Ingram, NE

IPEN 'Habitat Fragmentation: Theme Plan'

RSPB Broadwater Warren - good local example of heathland habitat creation.

P. ANDERSON
Ecological restoration and creation: a review

NPPF

Planning Solutions

Mitigation / Solution

Summary and Comments

Source of Idea and Sources of Further Information

Local Plan policies promoting sustainable transport alternatives

Mitigate impacts with wider commitments to sustainable and traffic reduction measures.

Cited by SDNPA HRA.

Issue: Degree of positive impact is hard to quantify relative to critical lead?

Planning and Infrastructure - SDS 106 & CIL

Local planning policy instruments, such as Section 106 and the Community Infrastructure Levy, can be used to encourage new developments near a site to adopt low emission vehicles and implement support infrastructure, such as electric-vehicle charging points. A number of local authorities are using this type of approach to help mitigate transport-related air-quality problems. Several leading local authorities have developed associated guidance with Defra (Low Emission Strategies Partnership 2010).

Natural England Commissioned Report NER199
The ecological effects of air pollution from road transport: an updated review (2016)
Provided by Rebecca Ingram, NE

Phasing / Grampian Conditions

MSDC Local Plan example of 'stepped up' trajectory.

Not mitigations, but temporary solutions allowing for long-term implementation of mitigation or compensation measures.
RE: Ashdown Forest

Sent: 18 June 2018 14:51

From: TWBC

To: SDNPA/LDC/MSDC/RDC/TDC/ESCC

CC: SDNPA

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

4 Attachments

image002.jpg (66 KB); image004.jpg (67 KB); image005.jpg (36 KB); image003.jpg (2 KB);

SDNPA

Just a point of clarity and a thought under compensation – Broadwater Warren RSPB is not in Tunbridge Wells but is in Wealden close to Royal Tunbridge Wells. Yes it is successfully creating heathland that attracts some of the species associated with AF as are some other sites around Royal Tunbridge Wells but presumably these areas would suffer the similar levels of pollution to that experienced at AF and so will not truly provide compensation?

Regards

TWBC

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS


AFWG357
RE: Ashdown Forest

Sent: 18 June 2018 15:07

From: SDNPA

To: @Tandridge.gov.uk; @sevenoaks.gov.uk; @twdc.gov.uk; @tmbc.gov.uk; TWDC,WDC,NE,TWBC,TDC,ESCC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

Colleagues

Here is a link to a doodle poll for our September meeting. Please can you respond by end of play Friday 22nd June so that I can then send a meeting invite out:

https://doodle.com/poll/qnkc4wkn4re8md2z

Kind regards

[Signature]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube
RE: Ashdown Forest

Sent: 21 June 2018 13:12
From: [Redacted] NE
To: [Redacted]; [Redacted]; [Redacted]
CC: [Redacted] (NE); TWBC/WDC/RDC/TDC/ESCC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

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6 Attachments

image001.jpg (36 KB); image002.png (1 KB); image003.png (1 KB); image004.png (1 KB); image005.png (1 KB); image006.png (1 KB);

---

C.c [Redacted] NE

Hi SDNPA

November Minutes
Thanks for sending this round. The finalised notes from the November meeting still aren’t quite right regarding the 1% PC of critical load/level as the text still says that over 1% there will be an LSE. This is not necessarily the case as relevant designated habitats sensitive to air quality may not be located within the zone of influence for air quality impacts and/or the background levels could have “headroom” for an increase. I would suggest the text is amended as follows:

"NE advice: The threshold is not arbitrary and is based on robust science – process contributions below 1% cannot be properly modelled and changes in air quality cannot be seen in the ecology at these levels. Process contributions above 1% of the relevant critical load/level require further consideration as to whether a likely significant effect can be ruled out. If LSE cannot be ruled out then proposals should be considered through an Appropriate Assessment.”

June Minutes
With regard to the draft meeting minutes from 4th June, Item 6 states “NE to scope out a SNAP for AF and to report back at the next AF meeting in Sept/Oct”. [Redacted] and I mentioned at the meeting that, due to other critical deadlines, we are unable to begin scopeing a SNAP until September/October earliest. As the next meeting is likely to be mid September, unfortunately it is unlikely that we will have much if any progress to report.

Reference to guidance in the Defra Clean Air Strategy
The Clean Air Strategy is currently a consultation document so as far as I am aware, there is no firm definition of what this

http://archivemanager.wdc.gov.uk/app.html#/message/b4454d44c-4055-d8bd-94ee-37de9b4b5c0b?14/12/2018 11:34:04

AFW359
will be. In the future there will be early results from the national SNAPs pilots but this information is not yet available. Additionally our internal roads guidance will be published imminently. The references do not refer specifically to Natural England guidance so there may be other guidance coming forward either directly from Defra or from the Environment Agency or others but I am not aware of anything specific at this stage.

Sweetman II / People Over Wind

I have been busy beavering away in the background talking to legal and National colleagues about streamlining the admin burden that we will all have following the ECJ ruling whilst still fully complying with the regulations. I have proposals to put to you so will send a separate email on that.

I hope the above is helpful but if you have any queries then please do let me know and I will do my best to help.

Kind regards

Natural England

My associated office is Worthing but please send post to Mail Hub, Natural England, County Hall, Spetchley Road, Worcester WR5 2NP marked for my attention.

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

Follow us:  

From:  
Sent: 15 June 2018 16:15 
To:  

http://archivemanager.wdc.gov.uk/app.html?message=b4454d4a-4055-d8bd-94ee-37de9b4b5c0f[14/12/2018 11:34:04]

AFWG360
Colleagues

Please find attached the draft notes for our recent Ashdown Forest meeting. I am also attaching the finalised notes from our November meeting.

I have a number of documents that I need to circulate that I will send out shortly along with a Doodle Poll for our September meeting.

Finally, I have been asked by Savile’s for the names of officers from all the authorities that attended the meeting. I thought I should check with you all before you did this. Please can you let me know by Friday 22nd June if you are not happy with me to provide your name to Savile’s.
Subject: Ashdown Forest Ecology Monitoring report

Dear Colleague,

Please see below for the link to the Ashdown Forest Ecology Report which is now published on the Wealden website. Please note that this report is on a long term study which extends beyond the three year report.

http://www.wealden.gov.uk/Wealden/Residents/Planning and Building Control/Planning Policy/Evidence Base/Planning Evidence Base Habitat Regulations Assessment.aspx

The documents are the report and appendices dated July 2018.

The Ashdown Forest, Pevensey Levels and Lewes Downs Air Quality reports will be published before the start of the Representations consultation period.

Best regards,

Wealden District Council
01323 443230

AFWG362
Dear Colleague,

Following previous emails on the subject I am writing to let you know that the HRA evidence base is now available on our website. This includes an updated air quality report for Ashdown Forest, as well as updated air quality reports for Lewes Downs and Pevensey Levels, all dated August 2018. The ecology report for Ashdown Forest was uploaded in July.

http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Evidence

The latest version of the Wealden Local Plan HRA will be available on 13th August as part of the Wealden Local Plan Regulation 19 representation stage.

Best regards

[Name]

Wealden District Council
9422-44000
From: [redacted]@wealden.gov.uk
Sent: 07 July 2018 09:22
To: [redacted]@TWBC
Cc: [redacted]

Subject: RE: Wealden Local Plan Update - 28 June 2018

Dear [redacted] TWBC

Please find attached the letter which went out to agents and applicants on 2 July.

The documents you refer to will be published in the near future – we will let you know when they have been.

Best regards

[redacted]

Wealden District Council
[redacted]

From: [redacted]@Tunbridgewells.gov.uk
Sent: 04 July 2018 11:08
To: [redacted] WDC

WDC/SDNPA/HBC/RDC/LDC

TWBC/SDNPA

ESCC/TDC

Dear [Name],

WDC

Thank you for your email and the clarification. I believe that you have recently written to applicants and/or agents describing how you will deal with mitigation for air quality on current and future applications. Under the Duty to Cooperate it would be helpful if these could be shared with the Air Quality Group and adjacent Planning Authorities so that we can fully understand Wealden’s position and intentions. I would then be grateful if you could provide copies or links to any correspondence on this matter issued on or after 28th June 2018.

On a first read of your HRA I note reference in the appendix to the following reports which in so far as I am aware are not on your web site or have previously been published:


Can I please ask for copies of these documents or a link to where they are published on your web site?

Kind Regards

TWBC

[Name]

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

cid:image001.jpg@01D2E802.07000DD0

AFWG365
Dear Colleague

Following my email below and the attached update of 28 June I am writing to clarify that in the update note of 28 June the reference in paragraph 4 to Natural England advice relates to the Discretionary Advice Service (DAS) input from Natural England received earlier this year indicating that there was a likely significant effect and that an Appropriate Assessment was required. Natural England will be consulted on the Appropriate Assessments and Habitats Regulations Assessment through Regulation 19 and WDC will have regard to those representations prior to submission of the plan.

Best regards

[Signature]

Wealden District Council

[Signature]

From: WDC
Sent: 27 June 2018 17:20
Dear Colleague

Please see below for the link to the Ashdown Forest Ecology Report which is now published on the Wealden website. Please note that this reports on a long term study which extends beyond the three year report.

http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/Evidence
The documents are the report and appendices dated July 2018.

The Ashdown Forest, Pevensey Levels and Lewes Downs Air Quality reports will be published before the start of the Representations consultation period.

Best regards

WDC
RE: Wealden Local Plan Update - 28 June 2018

Sent: 24 July 2018 08:43
From: SDNPA

SDNPA/WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments
image001.jpg (36 KB);

WDC

I look forward to hearing back from you.

[Signature]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube
rtpl logos

From: [email]@wealden.gov.uk]
Sent: 23 July 2018 21:05
To: [email]@southdowns.gov.uk>
Cc: [email]@southdowns.gov.uk; [email]@southdowns.gov.uk; [email]@wealden.gov.uk>

http://archivemanager.wdc.gov.uk/app.html#/message/635be200-f8dc-cea1-2283-c10a027a5773/[14/12/2018 12:32:49]
Subject: Re: Wealden Local Plan Update - 28 June 2018

Dear SDNPA

Thank you for your email.

As I am sure you will appreciate we have been tied up with progressing our Local Plan but I will speak with colleagues in relation to your points and come back to you once I have done so.

Best regards

WDC

On 16 Jul 2018, at 08:14, Lucy Howard@southdowns.gov.uk> wrote:

WDC

Thank you for the email setting out your position. Following on from our recent meeting I am attaching the action notes as discussed. Apologies for the delay in sending them out. It would be good if we could finalise them so I would be grateful for your and Marina’s feedback on them. Looking through both the email and the notes, I would be grateful if you could provide some clarification.

In your email you state that you are not challenging neighbouring local planning authorities ie the competent authorities on their conclusions on the adverse impact on the Ashdown Forest SAC. However, in our meeting in June you confirmed that your representation on the Pre-Submission version of the South Downs Local Plan still stands. As you know your representation objects to both the Local Plan and its HRA. I would therefore be grateful if you could clarify your position in regard to the South Downs Local Plan. As you know we are at examination with our plan and it would be useful to update our Inspector.

I look forward to hearing back from you. Looking further ahead, the Ashdown Forest Working Group will be meeting in September. It would be very useful to have an update from WDC on the proposed mitigation measures and tariff relating to Ashdown Forest along with your Local Plan, HRA and supporting documents.

Kind regards

[Redacted]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

<image003.jpg>

From: [Redacted]@wealden.gov.uk]
Sent: 11 July 2018 18:43
To: [Redacted]@tunbridgewells.gov.uk>

http://archivemanager.wdc.gov.uk/app.html#/message/635be200-f8dc-ccaa1-2283-c10a027a5773/[14/12/2018 12:32:49]

AFWG369
The SAMMs meeting on 20 July will need to focus on the SAMMs issues so we will not be covering air quality issues at that meeting.

Our Representation consultation period will run from 13 August to 8 October, assuming Full Council approval on 18 July, with all relevant documents published by then if not before.

My understanding from the last Ashdown Forest Officers Group meeting was that all neighbouring authorities had determined that mitigation was not required in relation to their plans and their planned development. As set out in the Wealden Local Plan update note of 28 April we have recognised that, as competent authorities, neighbouring councils have reached that conclusion on the basis of their specific circumstances, evidence, input from their consultants and their professional judgement and that we are not challenging that. For our part based on our specific circumstances, evidence, input from our consultants and our professional judgement we have come to a different conclusion.

We are happy to discuss our conclusion further at an appropriate point and in the meantime we remain committed to work with colleagues in neighbouring authorities, Natural England and other organisations on the longer term progression of a SNAP as confirmed and
discussed at the last meeting and we look forward to receiving a copy of the SNAP draft scoping document, anticipated in the autumn.

Best regards

WDC

Wealden District Council

From: [redacted]@Tunbridgewells.gov.uk
Sent: 09 July 2018 09:57
To: [redacted]
Cc: [redacted]@sevenoaks.gov.uk; [redacted]@midsussex.gov.uk; [redacted]@randrews-eastbourne.gov.uk; [redacted]@eastsussex.gov.uk; [redacted]@lfb.gov.uk; [redacted]@tmbc.gov.uk; [redacted]@srotham.gov.uk; [redacted]@southdowns.gov.uk; [redacted]@hastings.gov.uk; twbc@local.gov.uk; [redacted]; [redacted]@eastsussex.gov.uk; [redacted]; [redacted] (NE);
Subject: RE: Wealden Local Plan Update - 28 June 2018

WDC

Apologies the SAMMs meeting is on the 20 July 2018 not September. Hopefully the email now makes sense!

Kind regards

TWBC

Town Hall, Royal Tunbridge Wells, Kent, TN1 1RS

From: TWBC
Sent: 09 July 2018 09:21
To: WDC
Cc: WDC

SDNPA

HBC

http://archivemanager.wdc.gov.uk/app.html#message/635be200-f8dc-cc4a-2283-c010a027a6773/[14/12/2018 12:32:49]
RE: Wealden Local Plan Update - 28 June 2018

Sent: 26 July 2018 18:22

From: [Redacted] WDC

[Redacted] SDNPA

[Redacted] TWBC/SDNPA/WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB);

Dear [Redacted] SDNPA

Thank you for your email.

I have now spoken to colleagues and can confirm that, as I fed in at the AF LA Group meeting on 4th June, we will be publishing a document which sets out our response to the SDNPA (and other LAs) Statement of Common Ground.

We feel we need to do this given that the document was published without our input.

We are in the process of reviewing the document we will be publishing but due to leave commitments we will not be completing this review until mid to late August and will aim to publish after that.

Once we have published we will review the representation we have made in relation to the SDNPA Plan and I think it likely that we will withdraw the representation at that point.

I hope this is helpful.

Best regards

Wealden District Council

http://archivemanager.wdc.gov.uk/app.html#/message/dcbf82a7-c92d-ea95-0845-33871544d199/[14/12/2018 12:34:17]
Dear Colleague

You are invited by Mid Sussex and Wealden District Councils to a technical briefing on the Wealden Local Plan Habitats Regulation Assessment (HRA). This will be held at Mid Sussex District Council Offices at Oaklands, Oaklands Road, Haywards Heath RH16 1SS on 3 September 2018 at 1pm – 3pm.

This session follows discussions between Mid Sussex District Council and Wealden District Council on HRA and plan making issues, out of which it was agreed that such a briefing session involving other relevant authorities would be useful.

The Proposed Submission Wealden Local Plan was approved by Full Council on 18 July 2018. The committee papers and submission documents are available to view on the Wealden Council website.

http://council.wealden.gov.uk/mgAi.aspx?ID=46073#mgDocuments

The submission includes the Plan HRA and a mitigation strategy.

The Proposed Submission Wealden Local Plan and supporting documents will be available for consultation between 13 August 2018 and 8 October 2018 and the timing of this meeting is designed to help frame any responses.

Mid Sussex District Council adopted the Mid Sussex District Plan in March 2018 and has commenced work on a further site allocations DPD to address the balance of the District Plan housing requirements.

Please contact @midsussex.gov.uk and/or @wealden.gov.uk if you have any queries.

Kind regards

WDC

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling +44 (0) 1444 458 166 and remove this email and its attachments from your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.
Dear Colleague

Ahead of Monday’s meeting please find attached a confidential draft version of the Wealden interim air quality mitigation strategy tariff guidance. Comments are pending from East Sussex County Council, therefore the document may be further updated. However, we wanted to provide the draft tariff guidance to our partners with time to absorb ahead of Monday’s meeting.

Thanks and regards

[Redacted]

Planning Policy Manager | Environment and Community Services

AFWG374
Original Appointment

From: [Redacted]
Sent: 07 August 2018 15:34
To: [Redacted]
Subject: Wealden Draft Local Plan - Ashdown Forest

When: 03 September 2018 13:00-15:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.
Where: Council Chamber

Dear Colleague,

You are invited by Mid Sussex and Wealden District Councils to a technical briefing on the Wealden Local Plan Habitats Regulation Assessment (HRA). This will be held at Mid Sussex District Council Offices at Oaklands, Oaklands Road, Haywards Heath RH16 1SS on 3 September 2018 at 1pm – 3pm.

This session follows discussions between Mid Sussex District Council and Wealden District Council on HRA and plan making issues, out of which it was agreed that such a briefing session involving other relevant authorities would be useful.

The Proposed Submission Wealden Local Plan was approved by Full Council on 18 July 2018. The committee papers and submission documents are available to view on the Wealden Council website.

[URL]

The submission includes the Plan HRA and a mitigation strategy.

The Proposed Submission Wealden Local Plan and supporting documents will be available for consultation between 13 August 2018 and 8 October 2018 and the timing of this meeting is designed to help frame any responses.

Mid Sussex District Council adopted the Mid Sussex District Plan in March 2018 and has commenced work on a further site allocations DPD to address the balance of the District Plan housing requirements.

Please contact [Redacted] and/or [Redacted] if you have any queries.

Kind regards,

[Redacted]

[Redacted] email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling +44 (0) 1444 458 166 and remove this email and its attachments from

AFWG375
your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.
Proposed Submission
Wealden Local Plan
Habitats Regulations Assessment
Agenda

- Introductions
- Background
- Aim and purpose of the workshop
- Wealden Local Plan HRA and mitigation
- Partnership approach going forward
- Next steps
WLP – HRA Introduction

• Focus on Ashdown Forest Air Quality and the Habitats Regulations Assessment for the Wealden Local Plan
• Brief update on the HRA and conclusions
• Mitigation Strategy
• Timescales
• Moving Forward
Stages Recap

Stage 1: Screening for Likely Significant Effect
Stage 2: Appropriate Assessment
   a) Consideration of current conditions
   b) Consideration of impact upon integrity from Plan alone and in combination
   c) Consideration of mitigation measures to avoid impact
Stage 3: Assessment of Alternative Solutions
Stage 4: Imperative Reasons of Overriding Public Interest
Updates Since Last Meeting

- New transport model allowing bespoke inputs including housing and employment taken from Ashdown Forest SoCG
- New housing and employment scenarios
- Updated air quality methodology taking into account emerging discussions
- Review of ecology taking into account literature review
- Advocate General Advice
Likely Significant Effect

The WLP alone (14,250 dwellings) will have a likely significant effect alone and in combination.

1) Critical load exceeded
2) Over 1000 AADT alone and in combination
3) 1% process contribution exceeded

Please note that mitigation cannot be considered at this point
Appropriate Assessment (a & b)

- Critical load/levels are currently exceeded
- Future critical loads and levels will be exceeded
- Additional pollution will be introduced by the WLP alone and in combination
- The level of concentrations depend upon the vegetation type and location
- Currently there is an adverse impact upon the Ashdown Forest
- In 2028 this adverse impact will continue and be exacerbated and mitigation is required
Appropriate Assessment (c)

- Consideration of national reductions considered as part of assessment
- National reductions in traffic emissions should reduce baseline for nitrogen deposition and a proportion of direct contributions

However

- Critical load remains to be exceeded
- Reasonable scientific doubt about vehicle emission reductions over the next 10 years
- Reduction in emissions from other sources and restoration measures cannot be taken into account
- Other mitigation measures are therefore required
Mitigation

A package of measures

1) Measures relating to the strategy - employment provision and settlement self sufficiency
2) Measures at development site to facilitate electric vehicles and routing options
3) Measures to promote behavioural change and facilitate EV usage beyond the development site
4) Direct measures to reduce emissions at source

Long term infrastructure outside of plan period also identified
Tariff

- Tariff document circulated
- Similar in concept to SAMMS
- Interim document that can be modified to meet the needs of others if necessary
- Tariff document also includes reducing traffic impacts on Lewes Downs and Pevensey Levels
Timetable

• Publication for Representations between 13th August 2018 to 8th October 2018
• Receipt of NE consultation response on AA 8th October 2018
• WLP submission for examination December 2018 after consideration of NE response
• Work on mitigation strategy and liaison with ESCC – already commenced
Next Steps

• Action Plan for mitigation strategy to be developed and testing of options where necessary
• Wider discussions beyond WLP including SNAP welcomed
• Decision notices on planning consents released October 2018
With regards to the email below, it would be helpful as Statutory Consultees, if you are able to consider the Draft Interim Mitigation Strategy alongside / as part of the Wealden Local Plan Habitats Regulations Assessment.

Please feel free to contact me should you have any queries.

Kind regards

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Web: www.wealden.gov.uk/planningpolicy
Ashdown Forest Working Group

Sent: 21 September 2018 16:03
From: SDNPA
To: TWBC, LDC, WDC (NE);
TCI@Tandridge.gov.uk; sevenoaks.gov.uk; midsussex.gov.uk;

WDC@mbc.gov.uk; WDC/TWBC/RDC/TDC/ESCC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

[Image001.jpg (36 KB)]

Colleagues

Please complete this doodle poll on potential dates for the next Ashdown Forest Working Group by end of play Friday 28th September:

http://link.e.doodle.com/uni/wf/click
 upn=8dN9s8i47QY5TMe13Sp5s9jSHK59YEKv2D80mjr9TQq53MAP16Nd0scp1DasYDD94_D5WJX11hN-2Bs1-
2EVrphIN7ISqTItHpxHAXeu0d8205-2R-206Gl-2FmrnRFjGkF3hnuuTob3P3fAYurpUqDnHBBApUFJY-2B-2PYQOGmM2w3-
2FCl9WFrD3RIKAh9-2FvSyk1Uy-2BYvVRJQpsq7ZmgD2Oj2SS9i8SFr-
2EhwBegf6MlyCrndytYfB6s5eckyXS0JBQMyLuw7uMqOCIRpyE0n3z1rCuOhbRPsMW2ZkEHa7vcs-
2EFvK+MrbUDRa6cpPddgtGfy3BAlpOeYqEAlfIkcp2ckifGqITl6Wtd-2BGQ-3D-3D

Thanks

[Contact information]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

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Joint response on Wealden Pre-Submission Local Plan

Sent: 2 October 2018 17:05

From: SDNPA

To: WDC SDNPA TWBC LDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

2 Attachments

- image001.jpg (36 KB); Joint response of SDNPA TWBC and LDC to Wealden Pre-Submission Local Plan.pdf (1 MB);

Good afternoon

Please find attached the joint response from the South Downs National Park Authority, Tunbridge Wells Borough Council and Lewes District Council on the Proposed Submission Wealden Local Plan August 2018 (Regulation 19) Consultation.

I would be grateful if you would confirm safe receipt.

Kind regards

[Redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

rtpi logos

http://archivemanager.wdc.gov.uk/app.html#/message/038e3ce9-d025-76db-39a5-493cc6ac26c9/[14/12/2018 13:03:46]
RE: Joint Representation on Wealden Local Plan

Sent: 3 October 2018 09:55

From: SDNPA

Re: Joint Representation on Wealden Local Plan

WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB);

Thanks Marina. I will be in touch to talk about the agenda for the next AFWG meeting.

---

From:  [redacted]@wealden.gov.uk]
Sent: 02 October 2018 17:43
To:  [redacted]@southdowns.gov.uk>
Cc:  [redacted]@southdowns.gov.uk>; [redacted]@lewes-eastbourne.gov.uk>; [redacted]@tunbridgewells.gov.uk>; [redacted]@southdowns.gov.uk>; [redacted]@wealden.gov.uk>; [redacted]@wealden.gov.uk>
Subject: RE: Joint Representation on Wealden Local Plan

Dear [Name],

SDNPA

I can confirm that the joint representation has been received. We will consider it and get back to you regarding your offer of a meeting to discuss the representation. I believe I have sent my availability for the next Ashdown Forest Working Group so hopefully I will be able to attend.

Kind regards

[Name]

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

Web. www.wealden.gov.uk

From: [Name]@southdowns.gov.uk
Sent: 02 October 2018 17:08
To: [Name] WDC

Subject: FW: Joint Representation on Wealden Local Plan

Hi [Name] WDC

I have just sent you the joint representation from ourselves, Lewes and Tunbridge Wells and I wanted to send you a separate email.

Regrettably after a comprehensive review of the HRA and the corresponding elements of the Proposed Submission Local Plan we feel compelled to object. This is because it contradicts our own evidence on a cross boundary issue and contains policies that could potentially affect our plan areas.

We would be happy to meet and discuss our response at any time with you and your new Director. I also hope see you at the next Ashdown Forest Working Group.

Kind regards

[Name]

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube
FW: Ashdown Forest Working Group

Sent: 11 October 2018 14:47

From: [REDACTED] SDNPA WDC
       TWBC LDC NE


TWBC
Location: Mid-Sussex District Council, Haywards Heath

Start Time: 29 November 2018 10:00

End Time: 29 November 2018 12:00

Time Zone: (UTC+00:00) Dublin, Edinburgh, Lisbon, London

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

Ashdown Forest SAC Potential measures to reduce background levels of nitrogen.docx (28 KB);

-----Original Appointment-----

From: [REDACTED] Southdowns.gov.uk>
Sent: 11 October 2018 15:08 LDC WDC

SDNPA

       [REDACTED] Tmbc.gov.uk;
       [REDACTED] Kent.gov.uk

Subject: Ashdown Forest Working Group

When: 29 November 2018 10:00-12:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Mid-Sussex District Council, Haywards Heath

Agenda to follow
The Ashdown Forest Stakeholder Forum have asked to attend part of the meeting in order to provide an update on their

http://archivemanager.wdc.gov.uk/app.html#message/303283c3-3b59-3529-c7c7-d978af7b42ec/[14/12/2018 13:07:39]

AFWG394
work. Please let me know if you are not happy for them to attend. If I do not hear from anyone by Friday 19th October, I will assume that you are all happy for them to attend.

As discussed at our last meeting please can you have a look at this table of potential measures to reduce background levels of nitrogen in Ashdown Forest. Please can you send your comments to [name] at Natural England.
RE: Ashdown Forest Working Group

Sent: 19 October 2018 17:57

From: NE; TWBC; LDC; WDC

To: TWBC; RDC; TDC; ESCC

CC: WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

Wealden Local Plan Update 19 October 2018 v3.pdf (150 KB);

Dear all

WDC

On behalf of [Redacted], please see attached the latest Wealden Local Plan update. This statement will be uploaded onto our website on Monday.

Have a good weekend.

Kind regards

WDC
Wealden Local Plan Update – 19 October 2018

As previously reported the submission Wealden Local Plan was considered by Full Council on 18 July and subsequently published for representations between 13 August and 8 October.

Following the conclusion the Council are in the process of ensuring that all representations are loaded into the consultation portal and work is underway to analyse the responses received.

WDC have undertaken a Habitats Regulations Assessment as the “competent authority” for the Wealden district. This work has determined, based on Wealden’s specific set of circumstances and the evidence and advice it has available to it, that there is an adverse effect on the integrity of the Ashdown Forest SAC, either alone or in combination with other plans and projects.

The Council is proposing a range of mitigation measures as defined in emerging policy AF2 and the recently published mitigation tariff, which will allow development to proceed up to the level of 950 dwellings per annum but not beyond this, within the period of the plan (2013 to 2026). These mitigation measures will also ensure that any adverse air quality impacts resulting from proposed development in the Wealden Local Plan will not worsen the current condition of Lewes Downs SAC and Pevensey Levels SAC and Ramsar.

As part of undertaking the necessary Appropriate Assessment for both the plan and individual planning applications the Council has consulted with Natural England. Their response is set out within the consultation portal. The regulations require WDC to consider the position of Natural England before completing the Appropriate Assessments and making final decisions on planning applications and the submission of the plan.

The work to consider the position of Natural England is underway and requires the Council to consult with our consultants and legal advisors. We will also be liaising with other relevant local authorities. This work is being prioritised in line with the Council’s commitment to proceed with the plan this year and be able to determine applications as soon as possible. It is currently expected that this work will be completed around the end of November and so we will be seeking extensions of time from applicants until the 14th December. This will allow time to process applications following publication of our position and further applications to be heard at the planning committee meetings on 6th and 13th December respectively. Where possible the Council will look to shorten this timeline and if appropriate, provide updates during the course of our consideration to ensure that parties are well informed of our direction of travel.

AFWG397
RE: Joint response on Wealden Pre-Submission Local Plan

Sent: 24 October 2018 09:26

From: SDNPA

WDC

CC: WDC SDNPA TWBC LDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB);

Morning WDC

We would be content for the rep to remain joint with the SDNPA as single contact.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

rtpl logos

From: [redacted]@wealden.gov.uk]
Sent: 18 October 2018 14:18
To: [redacted]@southdowns.gov.uk>

Hi SDNPA

I tried to call but you were unavailable so I am emailing, hopefully, with a small query.

We are currently inputting representations onto our on-line system and are just about to upload the joint comments from SDNPA, Lewes DC and Tunbridge Wells BC. Where we have a joint response our system requires a contact name as well as the organisation. We are able to add the three authorities under the organisation and we can identify that the response is joint, but we can only have one contact name. Alternatively we could duplicate the representations under each local authority using the signatory name on the letter. I know you are probably busy at the moment, but I would be grateful if you could confirm how you would like us to proceed (including the contact name if it is to be inputted as a single response).

Kind regards

WDC

Sent: 02 October 2018 17:05
To: LDF SDNPA TWBC TWBC LDC
Cc: 
Subject: Joint response on Wealden Pre-Submission Local Plan

Good afternoon

Please find attached the joint response from the South Downs National Park Authority, Tunbridge Wells Borough Council and Lewes District Council on the Proposed Submission Wealden Local Plan August 2018 (Regulation 19) Consultation.

I would be grateful if you would confirm receipt.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

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http://archivemanager.wdc.gov.uk/app.html#message/15053d0b-99ab-8880-4e55-3897abd92e2b/[14/12/2018 13:13:31]
RE: Joint response on Wealden Pre-Submission Local Plan

Sent: 24 October 2018 09:30
From: WDC
To: SDNPA

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

image001.jpg (36 KB);

---

SDNPA

Sorry — I didn’t see your email before I sent mine. Thank you and it will be uploaded shortly.

Kind regards

WDC

---

From: [redacted]@southdowns.gov.uk
Sent: 24 October 2018 09:26
To: WDC
Cc: WDC/SDNPA/LDC/TWDC/

Subject: RE: Joint response on Wealden Pre-Submission Local Plan

Morning WDC

We would be content for the rep to remain joint with the SDNPA as single contact.

Kind regards

[Contact Information]
Hi SDNPA

I tried to call but you were unavailable so I am emailing, hopefully, with a small query.

We are currently inputting representations onto our on-line system and are just about to upload the joint comments from SDNPA, Lewes DC and Tunbridge Wells BC. Where we have a joint response our system requires a contact name as well as the organisation. We are able to add the three authorities under the organisation and we can identify that the response is joint, but we can only have one contact name. Alternatively we could duplicate the representations under each local authority using the signatory name on the letter. I know you are probably busy at the moment, but I would be grateful if you could confirm how you would like us to proceed (including the contact name if it is to be inputted as a single response).

Kind regards

WDC

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I would be grateful if you would confirm safe receipt.

Kind regards

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

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Communities

Environment

Economy

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@wealdenDC

Sign up to MyWealden to access our services online


AFWG402
Dear All,

I am writing further to my email, below, and the Wealden Local Plan update dated 19th October 2018. As you will be aware Wealden District Council has commissioned consultants and legal advisors to help consider the advice of Natural England prior to completing the appropriate assessment of the Wealden Local Plan. I would like to confirm that Wealden District Council’s consultants have also been asked to consider the joint response of Lewes District Council, Tunbridge Wells Borough Council and South Downs National Park Authority and the report undertaken by AECOM for Tunbridge Wells concerning Wealden District Council’s response to the South Downs Local Plan, in order to complete the appropriate assessment.

If you have any questions or you would like to discuss this aspect of this work, please do not hesitate to contact me.

Kind regards

[Signature]

WDC
Dear All,

Further to meetings of the Ashdown Forest Working Group, Wealden District Council has prepared its Ashdown Forest SoC-G Position Statement. The purpose of the document is to provide the WDC position on the Ashdown Forest SoCG. As explained at the meetings of the Ashdown Forest Working Group once this document is published the Council will withdraw its representations/objections to the South Downs Local Plan.

The Position Statement will be available on-line later today and can be found using the following link: http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building/Control/Planning_Policy/Evidence/Plan/Planning_Evidence/Plan_Habitat_Regulations_Assessment.aspx

If you have any questions, please feel free to contact me.

Marina

Wealden District Council | Council Offices | Uckfield Lane | Uckfield | East Sussex | BN22 9AX
Web: www.wealden.gov.uk
Wealden District Council

Position Paper
Ashdown Forest SAC Statement of Common Ground

October 2018
Position Paper
Ashdown Forest SAC Statement of Common Ground
October 2018

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1.0 Purpose and Scope of this Paper

1.1 Wealden District Council was involved in the preparation of the Ashdown Forest SAC Statement of Common Ground. However it was not a signatory to the final Statement of Common Ground dated April 2018, which can be found on the South Downs National Park Authority website1.

1.2 This paper documents the involvement of Wealden District Council and provides the Statement of Common Ground that Wealden District Council was prepared to sign.

2.0 Background

2.1 Wealden District Council is required to undertake work in relation to air quality impacts through policy WCS 12 of the Wealden Core Strategy adopted in February 2013 which states “The Council will also undertake further investigation of the impacts of nitrogen deposition on the Ashdown Forest Special Area of Conservation so that its effects on development in the longer term can be more fully understood and mitigated if appropriate.” Monitoring work to better understand nitrogen deposition commenced in 2014.

2.2 Wealden District Council attended the first meeting of what is now referred to as Ashdown Forest Working Group on 9th May 20172. This group is chaired by the South Downs National Park Authority. A number of meetings took place within 2017 and 2018 which resulted in discussions concerning a statement of common ground. Content was discussed which resulted in a draft Statement of Common Ground which was circulated on 30th January 2018, which is attached at Appendix A.

2.3 Wealden District responded to this draft, which is provided at Appendix B, and was subsequently asked to change some comments. Ultimately an agreement was reached with the South Downs National Park Authority as to what Wealden District Council could include. Emails and the amended comments in this regard are provided at Appendix C.

2.4 The Working Group, without Wealden District Council, subsequently amended the statements in relation to introductory paragraphs, whilst retaining Wealden District Council’s response to the original text. This was produced as the Final Statement of Common Ground circulated on 19th March 2018. This is provided at Appendix D.

2.5 Wealden District Council sent an email on 29th March 2018 explaining that “We have taken advice with regards to the Ashdown Forest Statement of

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2 Minutes of meetings are available as part of the Statement of Common Ground
Position Paper
Ashdown Forest SAC Statement of Common Ground
October 2018

Common Ground (SoCG) and unfortunately we are not in a position to meet your timescale. This is because we need more time to raise outstanding issues and take further advice from consultants before we are able to sign the SoCG.” In response South Downs National Park Authority (SDNPA) advised “It is really unfortunate that WDC are not in a position to sign the document after all the hard work that you and the other authorities have put into the document. The SDNPA will now need to consider its options going forward in regard to the Statement of Common Ground”. The Statement of Common Ground was subsequently published without Wealden District Council input. Appendix E provides the relevant emails.

2.6 The final version of the Statement of Common Ground, without input from Wealden District Council, can be found on the South Downs National Park Authority website3.

3.0 Wealden District Council's Position

3.1 Wealden District Council’s position as at March 2018 is shown in the document at Appendix D. However, it should be noted that there are some discrepancies between the context and Wealden District Council’s position owing to the fact that the context was changed after Wealden District Council stated its position (the original context is provided in the Draft Statement of Common ground at Appendix B).

4.0 Redacted Information

4.1 Draft information concerning the position of other local authorities has been redacted from the appendices, in order to avoid any misunderstanding.

4.2 The names of participants of meetings/emails, contained within the appendices of this document, have been redacted for the purposes of General Data Protection Regulations (GDPR).

5.0 Situation Post March 2018

5.1 Wealden District Council has updated its methodology for both transport modelling and air quality modelling taking into account the discussions concerning the statement of common ground, Natural England DAS advice, and emerging good practice within relevant industries. This information and updated modelling methodologies can be found on the Council’s website. Having said this, the principles of the statement concerning interpretation of information remain relevant.

Wealden Position Paper

Sent: 2 November 2018 16:51

From: TWBC

To: WDC; TWBC/LDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

3 Attachments
[image001.jpg (66 KB); image003.jpg (67 KB); image004.jpg (2 KB)]

Dear WDC

On behalf of SDNPA and at Lewes DC and myself at Tunbridge Wells Borough Council we thank you for your email dated 30 October 2018 and the attached "Position Paper: Ashdown Forest SAC Statement of Common Ground (SoCG)".

WDC had mentioned several times that Wealden would be producing a response to the signed SoCG and so we are pleased that this commitment has been honoured and believe that it will be helpful in understanding and/or reconciling different approaches.

Just to be clear essentially as we understand it you are broadly relying upon the draft version of the Statement of Common Ground circulated in March 2018, which forms Appendix D of your Position Note. Paragraph 5.1 of your document states that some details may have changed in your now published supporting documents for your HRA. We take it from this that Wealden's position on each point, agree or disagree, remains as stated in the March 2018 document although the reasoning for that position may have altered slightly. We would be grateful if you could confirm whether this understanding is correct or not.

There are two further points which we hope you can clarify. Firstly in relation to paragraph 2.13 of the Statement of Common Ground on the matter of geographical coverage for traffic modelling for an individual authority your position was that you did not agree (2.15) as "the statement could be interpreted that the in combination assessment is limited to that which the LPA decides". Wealden has since issued a statement to the effect that HRAs for each LPA and the approach taken are a matter for them as the Competent Authority and that Wealden would not raise any objection. Can it be assumed then that this

http://archivemanager.wdc.gov.uk/app.html#/message/571169e0-0e1e-09d6-cce9-3c536351c9f2/14/12/2018 13:26:20

AFWG409
statement to disagree no longer stands?

Secondly in your email you state “that Wealden District Council’s consultants have also been asked to consider the joint response of Lewes District Council, Tunbridge Wells Borough Council and South Downs National Park Authority and the report undertaken by AECOM for Tunbridge Wells concerning Wealden District Council’s response to the South Downs Local Plan, in order to complete the appropriate assessment”.

Can we ask that once the review is complete whether you intend to consult with Lewes District Council, Tunbridge Wells Borough Council and South Downs National Park Authority and Natural England to discuss any issues raised by the review before proceeding to publish the results? Again this may be helpful in understanding and/or reconciling different approaches.

We look forward to hearing from you. Please do contact me if anything is unclear or you need further information.

Kind Regards

TWBC
Dear TWBC

Thank you for your email and your comments made.

In response to your first point, I can confirm that your understanding is correct that Wealden's position on each point remains as stated in the March 2018 document although the reasoning may have altered slightly.

In relation to paragraph 2.13 of the Statement of Common Ground on the matter of geographical coverage for traffic modelling, I have been considering the wording in the context of the Statement of Common Ground. It would be helpful to have a conversation about this element of your email to better understand this and help with the response.

In terms of further consultation, I can confirm that it is our intention to consult/discuss with yourselves our additional work for the appropriate assessment. We have commissioned four specialists in order to complete the appropriate assessment. We have engaged Counsel for legal matters, Air Quality Consultants for air quality matters and ecologists to deal with the ecological matters. We have also engaged Centre for Ecology and Hydrology (CEH) for their expertise in this field. The information that we receive will be phased and we anticipate that it will all come together to be further discussed before Christmas break at the latest. This does not mean we cannot provide initial indications prior to this time, and there is an opportunity to update the Air Quality working group and the end of November. We will also seek advice from Natural England how they wish to be involved as they have provided their advice as statutory consultee.

I am on leave from today until 16th November. I have copied in [name] our new Director, and [name] so
that they are aware and if you, [REDACTED], or [REDACTED] need to contact them in my absence.

Kind regards

[REDACTED] WDC

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
[REDACTED] [REDACTED] [REDACTED] | Web. www.wealden.gov.uk

From: [REDACTED]@Tunbridgewells.gov.uk
Sent: 02 November 2018 16:52
To: [REDACTED] WDC
Cc: [REDACTED]@southdowns.gov.uk; [REDACTED]
Subject: Wealden Position Paper

Dear [REDACTED] WDC

On behalf of [REDACTED] at SDNPA and [REDACTED] at Lewes DC and myself at Tunbridge Wells Borough Council we thank you for your email dated 30 October 2018 and the attached “Position Paper: Ashdown Forest SAC Statement of Common Ground (SoCG)”.

[REDACTED] had mentioned several times that Wealden would be producing a response to the signed SoCG and so we are pleased that this commitment has been honoured and believe that it will be helpful in understanding and/or reconciling different approaches.

Just to be clear essentially as we understand it you are broadly relying upon the draft version of the Statement of Common Ground circulated in March 2018, which forms Appendix D of your Position Note. Paragraph 5.1 of your document states that some details may have changed in your now published supporting documents for your HRA. We take it from this that Wealden’s position on each point, agree or disagree, remains as stated in the March 2018 document although the reasoning for that position may have altered slightly. We would be grateful if you could confirm whether this understanding is correct or not.

There are two further points which we hope you can clarify. Firstly in relation to paragraph 2.13 of the Statement of Common Ground on the matter of geographical coverage for traffic modelling for an individual authority your position was that you did not agree (2.15) as “the statement could be interpreted that the in combination assessment is limited to that which the LPA decides”. Wealden has since issued a statement to the effect that HRAs for each LPA and the approach taken are a matter for them as the Competent Authority and that Wealden would not raise any objection. Can it be assumed then that this statement to disagree no longer stands?

http://archivemanager.wdc.gov.uk/app.html#message/70b40586-6df0-bb16-19bd-19784ca27baa/14/12/2018 13:26:54

AFWG412
Secondly in your email you state "that Wealden District Council’s consultants have also been asked to consider the joint response of Lewes District Council, Tunbridge Wells Borough Council and South
RE: Ashdown Forest Working Group

Sent: 9 November 2018 10:06

From: WDC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

1 Attachments

C-293.17 and 294.17 Judgment.pdf (90 KB);  

Dear all

You may be aware already, however the ECJ gave judgment yesterday in the C-293/17 and C-294/17 cases. I have attached the Judgement for your information.

Best wishes

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

Web. www.wealden.gov.uk/planningpolicy

From: [Redacted]

Sent: 19 October 2018 17:57

To: [Redacted]


AFWG414
Subject: RE: Ashdown Forest Working Group
Hi SDNPA

Thanks for sending me the papers. I confirm I will be attending.

I hope the examination isn’t too stressful.

Regards

WDC
Subject: Ashdown Forest Working Group meeting 29-11-18

Colleagues

I am sending these papers out a little early as I will be busy with our hearings over the next few weeks. I am attaching:

- Agenda. Please can you have a look through it and let me know if you would like anything changed or added. In particular, [redacted] and [redacted] please can you confirm whether you are happy to lead on certain items.
- Draft notes from our last meeting to go through at the meeting.
- Potential measures table. Please add to and send to [redacted] at Natural England.
- Housing figures table which is a standing item on the agenda and we will go through at the meeting.

Just to let you know that our Local Plan hearings start on Tuesday 13th November at the South Downs Centre, Midhurst. We will be discussing the HRA under Legal Compliance on the first day. There is plenty of seating if you would like to come along and listen to the discussion. Here is a link to our examination website:


Do please get back to me if you have any queries.

Kind regards,

[redacted]

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH

Facebook | SDNPA Twitter | Ranger Twitter | Youtube
FW: Representations to the WLP Reg 19 consultation

Sent: 29 November 2018 17:18

From: SDNPA

To: TWBC/WDC/ESCC/RDC

2 Attachments

Representations to the draft WLP - Consortium.pdf (9 MB); image001.jpg (36 KB);

Message
Please find attached the rep on the WDC LP from the Forum.

South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | Facebook | SDNPA Twitter | Ranger Twitter | Youtube

From: [mailto: [mailto: [mailto: [mailto: [mailto:]
Sent: 29 November 2018 18:18
To: [mailto: [mailto: [mailto: [mailto: [mailto:]
Cc: [mailto: [mailto: [mailto: [mailto: [mailto:]
Subject: FW: Representations to the WLP Reg 19 consultation

Good to meet you today.
As discussed please find attached the reps made by the Ashdown Forest Stakeholder’s Forum on the Wealden Reg 19 LP
I’ve copied [mailto: as I have his email address – I will leave you to distribute to the rest of the Working Group and to liaise with Paul on any further meetings
Kind regards

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Mend our Way is a new campaign to raise £120,000 to help us fix four damaged sections of the trail.

http://archivemanager.wealden.gov.uk/app.html

13/12/2018
RE: Representations to the WLP Reg 19 consultation

Sent: 3 December 2018 10:01
From: TWBC/LDC/
To: TWBC/RDC/TDC/ESCC

Note: Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

4 Attachments

Less

Dear TWBC

We haven’t yet had a chance to read the guidance. We have simply shared it for information as requested.

Kind regards

Web. www.wealden.gov.uk/planningpolicy

From: Tunbridgewells.gov.uk>
Sent: 03 December 2018 09:57
To: Tunbridgewells.gov.uk>

http://archivemanager.wealden.gov.uk/app.html#/message/d354c1c4-5b1a-ad4c-48b1-34cfde659cc0[13/12/2018 16:57:26]
Hi WDC

Thanks for this. As far as we can see at present this does not affect our approach to Ashdown Forest and so our position is unchanged. Happy to discuss any matters that you think would affect our approach if you can set out any reasons that you think it should.

Regards

[Signature]

TWBC

---

From: @wealden.gov.uk
Sent: 03 December 2018 09:38
To: @sevenoaks.gov.uk; @midsussex.gov.uk; @tandridge.gov.uk
Subject: RE: Representations to the WLP Reg 19 consultation


AFWG421
Hello

Please find attached the link to the updated EU HRA Guidance.


Kind regards

Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
www.wealden.gov.uk/planningpolicy

From: [redacted]@southdowns.gov.uk
Sent: 29 November 2018 17:19
To: [redacted]@Tunbridgewells.gov.uk; [redacted]@wealden.gov.uk; [redacted]@tandridge.gov.uk; [redacted]@sevenoaks.gov.uk; [redacted]@mid sussex.gov.uk; [redacted]@lewes.gov.uk; [redacted]@east sussex.gov.uk; [redacted]@tmbc.gov.uk; [redacted]@west sussex.gov.uk; [redacted]@kent.gov.uk; [redacted]@kent.gov.uk; [redacted]@wealden.gov.uk
Subject: FW: Representations to the WLP Reg 19 consultation

Please find attached the rep on the WDC LP from the Forum.

South Downs National Park Authority
Centre.

http://archivemanager.wealden.gov.uk/app.html#/message/d3541c4-5b1a-ad4c-48b1-34c.fde659cc0f[13/12/2018 16:57:26]

AFWG422
From: [redacted]
Sent: 29 November 2018 18:18
To: [redacted]@southdowns.gov.uk>
Cc: [redacted]@Tunbridgewells.gov.uk; [redacted]@savills.com>
Subject: FW: Representations to the WLP Reg 19 consultation

SDNPA
Good to meet you today.
As discussed please find attached the reps made by the Ashdown Forest Stakeholder’s Forum on the Wealden Reg 19 LP.
I’ve copied [redacted] in as I have his email address – I will leave you to distribute to the rest of the Working Group and to liaise with [redacted] on any further meetings
Kind regards

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Find out more and donate www.southdowns.gov.uk/mendourway

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Marina

Thank you for that point of clarification.

Kind Regards

TWBC

Further to the Ashdown Forest Working Group Meeting and the email below, the Council has taken advice with regards to the geographical scope of transport modelling. The Council is now able to confirm a change to its position to agree that part of the Statement of Common Ground (2.13).

From our discussions at the last working group, we are happy to include this in the review of the Statement of Common Ground - which will be discussed at the next meeting.

Kind regards

WDC

Sent from my iPhone
Hi [name] WDC

Thank you for this. Clearly there is a need for further discussion and we will also need to consult our own experts before doing so. I am grateful for the early release of this report but we should probably wait until we have the other report that you refer to before discussing the matter further and we would also want to involve Natural England in any discussions.

I have as you can see shared this with Natural England as the statutory consultee and our partners in this work, Lewes DC and SDNPA as it may have a bearing on their work also.

Wishing you a very happy Christmas.

Regards

[message from TWBC]

---

Dear [name] WDC,

You may recall that Tunbridge Wells BC asked for comments on a report written for Tunbridge Wells BC concerning Air Quality and Ashdown Forest SAC. Our consultants have written a report in response, as requested and which I attach. The report does refer to other work undertaken for Wealden District Council which is not yet complete so I am unable as yet to provide that document until the new year. Having said that I have read the contents and it does read as a stand-alone report.

AFWG425
I am sorry to send it so close to the Christmas holidays, but we received it yesterday and I did not wish to wait to share it until after Christmas.

Happy to discuss further, however it is very technical in nature and any questions would need to be referred to our consultants.

Kind regards
Dear SDNPA

Update on Wealden's Duty to Co-operate

Further to your representations on the Proposed Submission Wealden Local Plan, received in October, I am writing to request that you write an update letter which I can pass on to the Inspector at the time of submission which will be on 11 January 2019.

Your representations said that Wealden District Council had failed on the Duty to Co-operate which is required by the NPPF in its preparation of the Local Plan. The Council intends to defend its position on this at Examination and is currently compiling the evidence of communication between local authorities in this regard. Notwithstanding this, we take the relationships between local authorities very seriously and have taken several actions to prove our on-going co-operation in recent weeks as follows:

1. Withdrawal of objection to the South Downs National Park Local Plan on 29th October 2018 before the hearing sessions in November.

2. Draft Memorandum of Understanding with Eastbourne Borough Council is being discussed in December 2018.

3. Consideration and draft agreement to accept undersupply of Gypsy and Travellers sites from Lewes District Council in December 2018.

4. Reply to Tunbridge Wells Borough Council's consultants queries in December 2018.

5. Meeting with Rother District Council to further consider air quality and hydrology on the Pevensey Levels.

7. Meeting of Strategic Planning Group took place on 2nd November involving officers and elected members from East Sussex District and Boroughs, Mid Sussex District Council and Tunbridge Wells Borough Council and East Sussex County Council.

As you will be aware Duty to Cooperate is about engagement and not necessarily a duty to agree. In view of all the above activity and other numerous informal conversations between officers and members over the past few months it would be appreciated if you would inform the Inspector that you are withdrawing your comments and confirm that Wealden District Council is meeting the Duty to Co-operate.

Regards

Yours sincerely

WDC

SDNPA
04 January 2019

Wealden District Council
Vicarage Lane
Hailsham
East Sussex BN27 2AX

Dear WDC

Duty to Cooperate

Thank you for your letter dated 20 December 2018 about the Duty to Cooperate and our joint response to the Pre-Submission Wealden Local Plan with Lewes District Council and Tunbridge Wells Borough Council.

Thank you for providing an update on your recent actions to meet the Duty to Cooperate including the withdrawal of your objection to the Pre-Submission South Downs Local Plan. As we said in our letter dated 02 October 2018 we reluctantly made the decision to object to your Plan on three grounds including not having met the Duty to Cooperate. Although the recent actions highlighted in your letter are noted and appreciated, they are not sufficient for us to withdraw our letter of objection. Furthermore, as you know we are in the middle of our Local Plan examination and would not want to undermine the position that we have presented on this matter to our Inspector.

I would like to wish you luck with your Local Plan examination and I look forward to working with you on air quality issues relating to Ashdown Forest through the working group.

SDNPA
Hi Isabel

Here are the draft notes for our last meeting. Please note that these are not agreed and so are subject to change.

Good luck with the submission!

SDNPA

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From: [redacted]@wealden.gov.uk
Sent: 16 January 2019 08:34
To: [redacted]@southdowns.gov.uk>
Cc: [redacted]@southdowns.gov.uk>; Marina Brigginshaw
Subject: RE: Ashdown Forest meeting and DTC

Hi

I hope you're well. Is there any chance of us receiving the draft notes of the AF meeting on 29 November by tomorrow? We are putting together all the papers for the submission of the WLP, we have referred to this meeting in our background paper on the duty to co-operate, and it would be good to have the notes.

You may know that I asked for the notes of the Strategic Planning Members Group to be amended and recirculated in response to [redacted] and one other Local Authority, and these were reissued yesterday. I hope this was helpful for you.
Kind regards

Director of Planning, Policy and Environmental Services
Wealden District Council

From: @southdowns.gov.uk>
Sent: 04 January 2019 13:44
To: @wealden.gov.uk>
Cc: @southdowns.gov.uk>
Subject: RE: Ashdown Forest meeting and DTC

Hi Isabel

A happy New Year to you too.

Apologies for the delay in answering your letter. It has literally just now gone out.

We haven’t typed up the notes from the last Ashdown Forest meeting yet. will probably do that next week and can send them on to you. It will be on the understanding that they are draft though.

Thanks
Ashdown Forest SAC Working Group Meeting

10:00 am Thursday 29th November 2018

Mid Sussex District Council Offices, Haywards Heath

Attendees:
- South Downs National Park Authority (SDNPA)
- Mid Sussex District Council (MSDC)
- Wealden District Council (WDC)
- Lewes and Eastbourne Councils (LDC)
- Tunbridge Wells Borough Council (TWBC)
- East Sussex County Council (ESCC)
- Tandridge District Council (TDC)
- Sevenoaks District Council (SDC)
- West Sussex County Council (WSCC)
- Rother District Council (RDC)
- Crawley District Council (CDC)
- Brighton & Hove City Council (BHCC)

For Agenda Item 9: [Redacted] – Ashdown Forest Forum


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<tr>
<th>Agenda Item</th>
<th>Actions</th>
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<tr>
<td><strong>1.</strong> Introductions and reasons for meeting:</td>
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<tr>
<td>- Introduced the meeting and said it was about air quality impacts on the AF SAC.</td>
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<td>- Introductions were made and apologies given.</td>
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<td><strong>2.</strong> Notes of previous meeting (04-06-18)</td>
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<td>- The notes of the meeting held on the 4th June 2018 were agreed.</td>
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<td>- All actions were completed or will be discussed during the meeting.</td>
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<td>- Noted that the Ashdown Forest Forum did not respond with any comments following receipt of the ‘Summary of potential solutions to address background air quality’ table.</td>
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3. Updates on Local Plans and HRAs (All to share stage and principle findings)
   - Local Plan updates:
     - SDNPA – Examination in progress. The HRA was discussed, but air quality and Ashdown Forest was not. Same item to be discussed on Tuesday 4th December hearing.
     - WDC – Submission January 2019. Reg 19 consultation responses are on-line. A number of responses have been received in relation to HRA matters.
     - B&HCC – City Plan Part 2 Reg 18 consultation next summer. Updated HRA work by AECOM.
     - CBC – Local Plan review over the next year. HRA work by AECOM and NE no objection.
     - RDC – Reg 19 Development and Site Allocations (DaSA) Local Plan in progress. Submission of DaSA in January 2019. HRA work by AECOM.
     - WSCC – Minerals LP adopted. Work on a soft sand review will progress.
     - MSDC – District Plan adopted. Progressing Site Allocations DPD and commissioned separate consultants for transport, air quality and HRA work.
     - TDC – Submission January 2019. AECOM did air quality part of HRA.
     - TWBC – Reg 18 consultation next summer. Updated HRA work.
     - ESCC – Partial review of Waste & Minerals LP. HRA work being undertaken.
     - EBC – New LP Reg 18 consultation next autumn. HRA work by AECOM.
     - SDC – Regulation 19 published now. Submission after 24/1. AECOM HRA concluding no adverse effect on Ashdown Forest.

4. Updates on housing figures for Appendix 4 of Ashdown Forest Statement of Common Ground
   - A discussion was held on the layout of the table with some suggested comments on amended column headings.

5. Update from Natural England
   - Not discussed as Natural England not present.

6. Feedback on objections to the Pre-Submission Wealden Local Plan
   - Summarised the responses received to Policies AFI and AF2.
     - For Policy AFI comments included that the HRA does not consider the precautionary principle, the effectiveness of mitigation, the type of development being considered, housing numbers suggested should be higher, and there was also some support for the approach taken.
     - For Policy AF2, similar comments were received.
   - Comments, including objections, received with regard to duty to co-operate.
- WDC will now finalise the HRA following consideration of Natural England’s advice.
- WDC is seeking advice from air quality and ecology consultants as well as legal advice from Counsel.
- There was a general discussion on the recent CJEU judgment (Kokott) in relation to farming in the Netherlands and nitrogen deposition and whether it is likely to have any implications for HRA work currently being undertaken. There were differing views emerging from the group. All agreed that the group would ask Natural England for its views and to clarify the process on how it would update local authorities on case law.

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<td>(not in relation to Ashdown Forest)</td>
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<td>■ to ask Natural England about the process for updating local authorities on case law.</td>
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7. Issues arising from draft policies AF1 and AF2 of Pre-Submission Wealden Local Plan
- All agreed it would be beneficial for WDC to update the group on its latest work such as evidence and legal advice following submission of its LP.

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<td>■ to add to the agenda for next meeting of the group</td>
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8. Future work streams and working arrangements for the Ashdown Forest Working Group

(a) Future iterations of the SoCG
- Agreed that due to the unique nature of the issue the SoCG would need to remain bespoke, but the group would see what the new template from PAS may suggest. Renewal of SoCG to be standing item on the agenda and will be discussed at the next meeting.

(b) Lewes Downs and Pevensey Levels
- A separate group to be established to discuss matters relating to the Pevensey Levels.
- This new group will keep the Ashdown Forest Working Group informed of any relevant matters.
- Lewes Downs to be discussed as part of the Ashdown Forest Working Group.

(c) Exploration of a Strategic Nitrogen Action Plan (SNAP)
- Not discussed as Natural England not present.

(d) Scoping and responsibilities for future monitoring and studies in relation to air quality
- All our work on air quality needs to be informed by on-site monitoring.
- Likely to be discussed at WDC LP EiP
- EBC and CBC to start monitoring for their new local plans
- Standing item for this group’s meetings

9. Ashdown Forest Stakeholder Forum (Judith Ashton)
- ■ outlined the points raised in the Ashdown Forest Forum’s response to the WDC LP publication. This includes querying the evidence base, querying the HRA, mitigation (if necessary) should be considered in partnership with the other local authorities, viability of mitigation, and cost assumptions of mitigation.
- The Forum will wait to see how WDC responds on matters before deciding what to do next.
- The Forum has sought technical and legal advice.
- WDC and SDNPA provided ■ with an update on LP matters.

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<tr>
<td>■ to circulate a link to the representation to the WDC LP publication received from the Ashdown Forest Forum.</td>
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AFWG434
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<th>10. Any other business</th>
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<tr>
<td>• WDC is working with ESCC on a HIF bid for strategic transport, education and Ashdown Forest mitigation funding. This could include capital funding for a website, electric vehicle infrastructure and monitoring equipment. The HIF bid will be submitted by the 1st March 2019.</td>
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<tr>
<td>• WDC to send the group the bid on submission and details of the projects</td>
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<td>• to send a Doodle Poll for a meeting in February</td>
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