Duty to Cooperate
Background Paper - Appendix SDNP

Wealden Local Plan

Submission Document

January 2019
How to Contact Us

Planning Policy
Wealden District Council
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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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If you, or somebody you know, would like the information contained in this document in large print, Braille, audio tape/CD or in another language please contact Wealden District Council on 01323 443322 or info@wealden.gov.uk
From: [Redacted]
Sent: 29 October 2018 15:32
To: [Redacted]
Cc: [Redacted]
Subject: Wealden District Council Representations to the South Downs Local Plan

Dear [Redacted],

Please find attached the Council’s letter and attachments as discussed.

Kind regards

[Redacted]


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

Director & Deputy Chief Executive
Planning, Policy & Environmental Services

1

SDNP1
Re: Wealden District Council’s Representations (Regulation 19) to the South Downs Local Plan

I am writing with reference to the representations made by Wealden District Council to the South Downs Local Plan at Regulation 19 (Proposed Submission) stage. I would be grateful if you would inform the Planning Inspector examining the South Downs Local Plan that the Council formally withdraws its representations/ objection to the South Downs Local Plan.

The Council’s position on the Ashdown Forest SAC in terms of air quality is outlined in a Statement which is available on the Council’s website. I attach this document for ease of reference. The Position Statement outlines where the Council agrees and disagrees to the topic areas covered in the Ashdown Forest Statement of Common Ground.

Yours faithfully

Marina Brigginswaw
Head of Policy and Economic Development

South Downs National Park Authority

ENC.
Dear Sirs,

Re: South Downs Local Plan – Pre Submission

Please find below Wealden District Council’s response to the South Downs National Park Local Plan (Pre Submission) – specifically relating to the Pre Submission Habitat Regulations Assessment (HRA). Comments relate to both legal requirements and soundness. If not stated otherwise the representations relate to air quality, in particular relating to Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA), Lewes Downs SAC and Pevensey Levels SAC and Ramsar Site.

1.0 In combination assessment

1.1 It is noted that the air quality modelling undertaken for Lewes Downs SAC was undertaken in 2015 (paragraph 5.3.37) and therefore it is assumed that the assessment was undertaken in combination with the Wealden District Core Strategy which was adopted in February 2013. Alternatively the assessment with regards to Ashdown Forest SAC uses an objectively assessed housing need (OAHN) figure of 832 dwellings per annum. It is assumed that air quality was not modelled for Pevensey Levels SAC and Ramsar Site. The current OAHN for Wealden District is 950 dwellings per annum, although the emerging Wealden Local Plan currently has a reduced housing requirement which does not meet the OAHN of 950 dwellings per annum. Whilst the Core Strategy is the adopted Plan for Wealden District it is understood that as part of the Duty to Co-operate Group it has been agreed that emerging plans would be taken into account in assessments.
1.2 It should also be taken into account that the Wealden District Core Strategy does not include a windfall allowance. Permissions in addition to the Wealden District Core Strategy housing requirement have been granted. As a result any modelling undertaken using the Wealden District Core Strategy will underestimate impacts from this area. This is of particular importance to Lewes Downs SAC.

1.3 It is also unclear as to how the 832 dwellings per annum, attributed to Wealden District within the HRA, have been distributed in the transport model. Developments in different locations have different impacts on roads crossing the Forest. Without knowledge of the distribution it is unclear if the model over estimates or underestimates the in combination contribution. In this regard, appropriate modelling of locations of development within Wealden District is vital in any transport model.

1.4 The base case contained within the HRA is the measured flows on the roads in question at 2017. It is explained that although the Local Plan is backdated to 2014 that housing and employment development that has been delivered and occupied between 2014 and 2017 is allowed for in the measured baseline flows. Therefore the assessment only considers allocations in the Local Plan, allocations in Neighbourhood Plans, unimplemented planning permissions and windfall. The assessment therefore does not take into account the in combination impact with development that has already taken place. This is further addressed in Section 4.0.

2.0 Area affected by exhaust emissions

2.1 It is noted that paragraph 2.6.2 states that vehicle exhaust emissions only have a local effect within a narrow band along the roadside, within 200m of the centreline of the road. Beyond 200m emissions are considered to have dispersed sufficiently that atmospheric concentrations are essentially background levels. The rate of decline is steeply curved rather than linear. In other words concentrations will decline rapidly as one begins to move away from the roadside, slackening to a more gradual decline over the rest of the distance up to 200m. It should be explained within the HRA that this is a generic view not taking into account topography, road alignment and vegetation type. Work has not been undertaken within the HRA to consider impacts on specific designated areas taking into account different types of pollutants. The assessment is therefore lacking in this regard.

3.0 Future Emissions

3.1 The text within the HRA (paragraph 2.6.13) explains that

*Given that the assessment year (2033) is a considerable distance into the future, it is important for the air quality calculations to take account of improvements in background air quality and vehicle emissions that are expected nationally over the plan period. Making an allowance for a realistic improvement in background concentrations and deposition rates is in line with the Institute of AirQuality Management (IAQM) position as well as that of central government.*

It should be noted that the IAQM guidance relates to NO₂ concentrations only, which will be dealt with later.

3.2 It is further stated (paragraph 2.6.14) that

*However, due to some uncertainty as to the rate with which projected future vehicle emission rates and background pollution concentrations are improving, the precautionary assumption has been made in this assessment that not all improvements projected by Defra will occur. Therefore, the air quality calculations assume that conditions in 2023 (an approximate midpoint between the base year and the year of assessment) are representative of conditions in 2033 (the year of assessment).*
3.3 From the methodology contained within the HRA it is understood that the assessment considers the concentration of oxides of nitrogen, nitrogen deposition, and rates of acid deposition derived from sulphur and nitrogen (paragraphs 2.6.4 and 2.6.5).

3.4 In its assessment of air quality regarding Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC\(^1\) Wealden District Council has published the results of different scenarios of emission reductions as well as looking into additional pollutants such as ammonia. The studies carried out on behalf of Wealden District Council show that if a reduction in NOx takes place it would have beneficial reductions overall, at the end year date of the plan, for both nitrogen and nitrogen deposition. However, it is not necessarily the case that ammonia emitted from vehicles will decrease over time, which has the potential to impact upon the ecological integrity of the designated areas.

3.5 The monitoring survey at Ashdown Forest SAC\(^2\) has shown that the critical level for annual mean NH\(_3\) (ammonia) concentrations is being exceeded close to certain roads within the Ashdown Forest SAC, but these are also achieved albeit to a lesser extent at other locations away from roads. The spatial patterns in the measured concentrations suggest that emissions from road traffic are driving these exceedances.

3.6 The modelling undertaken on behalf of Wealden District Council regarding Ashdown Forest SAC, Lewes Downs SAC and Pevensey Levels SAC concluded that the annual mean critical levels for NH\(_3\) are being exceeded close to certain roads.\(^2\) The HRA does not consider the impact of ammonia on the designated features of Ashdown Forest SAC, Pevensey Levels SAC and Ramsar site and Lewes Downs SAC and in this regard it is considered incomplete.

3.7 Nutrient-nitrogen and acid-nitrogen deposition are influenced, amongst other factors, by concentrations of NO\(_x\) and ammonia, however, the relationship between these emissions and nitrogen deposition is non-linear due to the changes to the chemical processing of NO\(_x\) species in the atmosphere. Future concentrations of NO\(_x\) are expected to fall, albeit not as rapidly as historically predicted. On the other hand, ammonia levels are predicted to increase into the future. This has implications on future year predictions of nitrogen deposition, with potential to overestimate reductions in nitrogen deposition.

3.8 There is uncertainty with regards to projected future vehicle emissions of NO\(_x\) and this alone would mean that a precautionary approach should be used within the HRA. If there is a decrease in NO\(_x\) concentrations from vehicles, the interaction between NO\(_x\) and nitrogen deposition has not been considered as well as the role of ammonia in this regard. This is a particular issue as the levels of emissions of ammonia from vehicles in the future is unknown, is not currently regulated, and there is a potential for emissions to increase\(^3\). This provides an added reason for the need to apply the precautionary principle when considering the impact of emissions. In this regard the HRA is considered to be incomplete.

3.9 The modelling only considers the base date and one date in the future (last year of the Plan period). By assuming that there is a reduction by the end of the plan period it cannot take into account the potential damage caused by the emissions at the higher level (earlier in the plan period) prior to new technologies reducing the level of NO\(_x\). This provides an additional reason to use the precautionary level of pollutant in the assessment.

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1. \text{http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CoreStrategy/CoreStrategyLibrary/Planning_Evidence_Base_Habitat_Regulations_Assessment.aspx}
2. The studies took into account the impact of the emerging Wealden Local Plan which includes allocations above the adopted Local Plan alone and in combination with other Local Plans.
3. Ammonia emissions are currently associated with technology used to reduce NO\(_x\) in vehicles.
3.10 Further to this the reduction in NOx from sources other than vehicles is even less certain than vehicle emission reduction. Changes in national and international policy with regards to NOx emitters is inherently uncertain and provides further justification for the use of the precautionary principle.

3.11 The importance of the use of the precautionary principle in HRA is explained within the HRA paragraph 2.2.6.

4.0 Consideration of likely significant effect and Appropriate Assessment

4.1 It is clear from the HRA that a likely significant effect could not be ruled out for Lewes Downs SAC and Ashdown Forest SAC/ SPA. Therefore an appropriate assessment is undertaken.

4.2 The David Tylodesley and Associates (DTA) Handbook identifies that European case law has established that in the circumstances of the cases considered, an assessment cannot be regarded as ‘appropriate’ if it:

a. Is merely a summary or broad-brush assessment of the implications;
b. Is a selective examination not taking account of all material points;
c. Is incomplete;
d. Leaves important matters still to be assessed;
e. Does not contain a complete list of the qualifying features present in the site which are likely to be effected;
f. Contains findings that are preliminary in nature, lacking definitive conclusions;
g. Lacks sufficient precision;
h. Fails to provide conclusions capable of removing all reasonable scientific doubt as to the effects on the site where the competent authority is minded to proceed with the project;
i. Lacks adequate information or reliable and updated data concerning the qualifying features.

4.3 Further, MANAGING NATURA 2000 SITES The provisions of Article 6 of the ’Habitats’ Directive 92/43/EEC (European Commission) report⁴ states:

In the first place, an assessment should be recorded. A corollary of the argument that the assessment should be recorded is the argument that it should be reasoned.

Article 6(3) and (4) requires decision-makers to take decisions in the light of particular information relating to the environment. If the record of the assessment does not disclose the reasoned basis for the subsequent decision (i.e. if the record is a simple unreasoned positive or negative view of a plan or project), the assessment does not fulfil its purpose and cannot be considered ‘appropriate’. (European Commission Page 35).

4.4 As identified in Section 3, the HRA uses an optimistic scenario for emissions reduction not substantiated by certainty. Notwithstanding the fact that the critical load is exceeded in future year scenarios even with reductions in emissions the assessment does not have any reference to the conservation objectives as required by Regulation 102 of the Conservation of Habitats and Species Regulations 2010 or consideration of the impact upon site integrity.

4.5 The conservation objectives for Ashdown Forest SAC are:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.5

4.6 It is noted that although the HRA predicts future level of pollutants within the HRA, the need to restore to achieve favourable conservation status of its qualifying features is not discussed in addition to any ecological matters on Ashdown Forest relevant to pollutants.

4.7 Further to this MANAGING NATURA 2000 SITES The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (European Commission) report (page 35) states that it is important to note that the underlying intention of this combination provision is to take account of cumulative impacts, and these will often only occur over time. In that context, one can consider plans or projects which are completed; approved but uncompleted; or not yet proposed.

It further states in relation to appropriate assessment

In addition to the effects of those plans or projects which are the main subject of the assessment, it may be appropriate to consider the effects of already completed plans and projects in this ‘second level’ of assessment. Although already completed plans and projects are excluded from the assessment requirements of Article 6(3), it is important that some account is still taken of such plans and projects in the assessment, if they have continuing effects on the site and point to a pattern of progressive loss of site integrity. Such already completed plans and projects may also raise issues under Article 6(1) and (2) of Directive 92/43/EEC if their continued effects give rise to a need for remedial or countervailing conservation measures or measures to avoid habitat deterioration or species disturbance.

4.8 A recent European Court Case European Commission v Federal Republic of Germany (Case C-142/16) (2016/C 165/14) considered this matter and concluded that an assessment was incomplete as it did not take into account development already in existence.

4.9 In addition to lack of consideration of conservation objectives it is also submitted that the HRA does not take into account the current situation with regards to pollutants and site integrity. The overall lack of consideration of site integrity and conservation objectives, including the lack of consideration of cumulative impacts in this regard, results in an incomplete HRA.

5.0 Proportionality

5.1 It is noted that at paragraph 2.2 the HRA describes what is considered a proportionate assessment. However, it is considered that Plans that allocate sites, and propose that these sites are deliverable, should have a greater level of assessment than a strategic plan which does not distribute growth to certain areas. It is submitted that the South Downs National Park Local Plan (Pre Submission) is a plan that has potential for direct effects.

5 http://publications.naturalengland.org.uk/publication/6183967367626752
MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission) report states:

Of obvious relevance are **land-use plans**. Some have direct legal effects for the use of land, others only indirect effects. For instance, regional or geographically extensive spatial plans are often not applied directly but form the basis for more detailed plans or serve as a framework for development consents, which then have direct legal effects. Both types of land-use plans should be considered covered by Article 6(3) to the extent that they are likely to have relevant significant effects on a Natura 2000 site (page 32).

5.2 In relation to land use plans which distribute growth it is considered that the assessment should meet the requirements of the Habitats Directive and Conservation of Habitats and Species Regulations 2010. In relation to considering likely significant effects MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission) report states

**Determining whether a plan or project is likely to have a significant effect will have practical and legal consequences. Therefore, when a plan or project is proposed, it is important that, firstly, this key issue is considered, and that, secondly, the consideration is capable of standing up to scientific and expert scrutiny** (Page 33).

6.0 **Pevensy Levels SAC and Air Quality**

6.1 It is concluded in paragraph 10.8.1 that in relation to Pevensy Levels SAC that no impact pathways have been identified that could result in likely significant effects as a result of the SDNP Local Plan. It is therefore concluded that there will be no likely significant effect upon the SAC and Ramsar site alone or in-combination with any other project or plan.

6.2 Wealden District Council has undertaken air quality modelling on Pevensy Levels SAC, which shows that pollution levels are exceeded in certain scenarios. Wealden District Council has commissioned Natural England to consider the impact of the air quality assessment, undertaken on behalf of Wealden District Council, on both the SAC and Ramsar features. Conclusions have not yet been provided to Wealden District Council however the need for an evidence based response on matters including the impact of air quality on water courses has been raised by Wealden District Council. **It is considered that the HRA for South Downs Local Plan is lacking in full consideration of the likely significant effect of potential impacts on Pevensy Levels SAC and Ramsar Site with regards to air quality**

7.0 **Ashdown Forest SPA**

7.1 The HRA at paragraph 4.3.1 states that

**Ashdown Forest is located more than 12km from the SDNPA. Following visitor surveys and discussions between Natural England and relevant authorities in 2016 a zonal approach was discussed for new Local Plans. This established an inner zone of 400m to 7km where new residential development would be required to provide Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) contributions and a 7km to broadly 9km outer zone where SAMM only would be required. As the SDNPA is located far beyond 9km, this impact pathway does not require further consideration within this HRA either alone or in combination with other projects or plans.**
7.2 It should be noted that agreement has not been reached by the authorities with regard to an outer zone. It is expected that a HRA would include some form of assessment, based on evidence, to show that there is no likely significant effect, as identified in paragraph 5.2 of this representation. Evidence is within the public domain that allows such work to be undertaken. The HRA is considered incomplete in this regard.

8.0 Further information to note

8.1 Wealden District Council has placed in the public domain the methodology used to model the air quality arising from growth within the Wealden Local Plan. This data was not released until after the publication of the HRA of the South Downs Local Plan. This follows a bespoke methodology arising from extensive work on Ashdown Forest and looks at a wider range of pollutants than contained within the HRA of the South Downs National Park Local Plan. The work undertaken on behalf of Wealden District Council therefore cannot be compared to this study which uses a standard modelling methodology. It is considered that the approach undertaken by Wealden District Council is the most appropriate when undertaking an Appropriate Assessment owing to the extensive monitoring and bespoke nature of the work undertaken to date.

8.2 It is also noted on 31st October that a consolidated version of “The Conservation of Species and Habitats Regulations 2017” was laid before Parliament. The new Regulations will cover England and Wales and their territorial waters out to 12nm. The new Regulations will come into force on 30th November 2017 (after submission of this representation) and will replace the 2010 Habitats Regulations which will change the Regulations. Regulation 102 will become Regulation 105.

9.0 Conclusions

9.1 In conclusion it is considered that:

1) The assessment contained within the Habitat Regulations Assessment makes unsuitable assumptions in terms of the reduction of NOx in future years and therefore does not follow the precautionary principle in this regard. There is also an absence of specific consideration of ammonia and the role of ammonia in nitrogen deposition in future years which requires to be remedied.

2) The in combination assessment is limited, and does not identify those limitations such as the absence of permissions granted in Wealden District above the adopted Core Strategy for the Lewes Downs SAC assessment.

3) A generic and standard approach has been undertaken to modelling and the limitations of that approach has not been discussed and accounted for. In this regard the conclusions of pollutants are considered to be an underestimate.

4) It is considered that the content of the appropriate assessment contained within the HRA is not ‘appropriate’ owing to the lack of any analysis and lack of reasoned arguments against the conservation objectives and consideration of impact upon site integrity considering cumulative effects.

5) It is expected that the HRA would provide further information and analysis to explain why there is not considered to be a likely significant effect with regard to Poveseay Levels SAC concerning to air quality and Ashdown Forest SPA with regards to recreational pressure.

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8 Authorities include Wealden District Council, Lewes District Council, Mid Sussex District Council, Sevencoks District Council, Tandridge District Council and Tunbridge Wells Borough Council

SDNP9
6) Overall the HRA is incomplete and therefore any conclusions drawn are incorrect with regards to the requirements of the Conservation of Species and Habitats Regulations 2010 as amended.

Yours faithfully

Marina Brigginshaw
Head of Planning Policy and Economic Development
RE: Wealden Local Plan Update - 28 June 2018

Sent: 30 July 2018 17:11
From: [Email Address]
To: [Email Address]
CC: [Email Address]

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

1 Attachments
image001.jpg (36 KB);

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

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rtpi logos
Dear [Name],

We are happy with the note of our June meeting and have no comments on it.

Best regards

[Name]

Director Planning Policy and Economic Development
Wealden District Council

From: [Name]@southdowns.gov.uk
Sent: 27 July 2018 09:09
To: [Name] WDC
Cc: [Name]
Subject: RE: Wealden Local Plan Update - 28 June 2018

Thank you for the email.

It would be useful if you could send me a link to your response to the Statement of Common Ground when you have published it.

Also, it would be good housekeeping if we could sign off the action notes from our June meeting. I would be grateful if you could get back to me with any comments before I go on leave next week (Thursday 2nd August).

Do please get back to me if you would like to discuss this further.

Kind regards

[Name]

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

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### Meeting notes

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introductions and reasons for meeting (SDNPA)</td>
<td>Attendees introduced themselves and their role and reasons for meeting were outlined: to discuss the progress of the authorities’ respective Local Plans and Ashdown Forest SAC.</td>
</tr>
<tr>
<td>2. Progress on the South Downs Local Plan and its HRA (SDNPA)</td>
<td>provided an update on the progress of the South Downs Local Plan – the SDLP was submitted for examination on 27th April 2018. A Programme Officer has been appointed and some initial communication with the inspector has begun. The hearings are expected to be held later in the year.</td>
</tr>
</tbody>
</table>
| 3. The Representation of WDC on the Pre-Submission South Downs Local Plan (WDC) | WDC advised that, at the time of this meeting, they had not yet reviewed the Submission version of the SDNPA HRA. WDC will review after they complete the HRA work for the WDC Local Plan.  

WDC advised that the content of the letter of 12th April still stands and consider that there should be a reciprocal view that WDC can make valid judgments in their own local plan and HRA work.  

WDC advised that their representation on the Pre-Submission South Downs Local Plan still stands. WDC agreed to let SDNPA officers know about appearing at EiP and are content to commit to early notification of SDNPA officers of the nature and extent of issues to be raised. |
| 4. Progress on the Wealden Local Plan and its HRA (WDC)                    | WDC will publish the WDC Local Plan and associated HRA work on 27th June 2018. The WDC Local Plan will go through the WDC committee cycle through to Full Council on 18th July. Reg 19 consultation is intended to be mid-August to mid-October for 8 years. |
The WDC LP will seek to meet OAN at 950 dpa using methodology similar to the new methodology. Most development in the south of the district. The plan period is 2013-2028 – 10 years from adoption due to highways issues with A27.

Determination of planning applications remain on hold until mitigation is put in place. There will be a modified version of AF1 will be included in the WDC LP.

| 5. Any other business (SDNPA) | None. |
From: [redacted]@wealden.gov.uk
Sent: 26 July 2018 18:23
To: [redacted]@southdowns.gov.uk
Cc: [redacted]@wealden.gov.uk

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

Dear [redacted],

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

[redacted]

Director Planning Policy and Economic Development
Wealden District Council

http://archivemanager.wdc.gov.uk/app/html/message/1752215a-8134-06ab-a37d-16c12a32cb38[14/12/2018 12:56:18]
Also, it would be good housekeeping if we could sign off the action notes from our June meeting. I would be grateful if you could get back to me with any comments before I go on leave next week (Thursday 2nd August).

Do please get back to me if you would like to discuss this further.

Kind regards

[Signature]

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

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Sent: 26 July 2018 18:23
[Email body]

Dear [Name]

Thank you for your email.

I have now spoken to colleagues and can confirm that, as 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.

http://archivemanager.wdc.gov.uk/app.html#/message/dbb7c95-2f0f-55ca-59b2-e8033b77c3cd/14/12/2018 12:55:40

SDNP16
I hope this is helpful.

Best regards

Director Planning Policy and Economic Development
Wealden District Council

I look forward to hearing back from you.

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

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ripl logos
Dear [Redacted],

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

[Redacted]

Director Planning Policy and Economic Development

On 16 Jul 2018, [Redacted]@southdowns.gov.uk wrote:

[Redacted]

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 [Redacted] 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 i.e. 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]

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

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<image003.jpg>

From: [Redacted]@wealden.gov.uk
Sent: 11 July 2018 18:43
To: [Redacted]@Tunbridgewells.gov.uk>
Cc: [Redacted]@wealden.gov.uk>; [Redacted]@southdowns.gov.uk> [Redacted]

http://archivemanager.wdc.gov.uk/app.html#message/dfbb7c95-2f0c-55ca-59b2-e8033b77e3ed[14/12/2018 12:55:40]

SDNP18
RE: Statement of Common Ground

Sent: 26 April 2018 11:40

From: [WDC]

To: [SDNP]

CC: [SDNP]

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

1 Attachments

image001.jpg (14 KB);

Thanks is in a meeting at the moment. I will ask him to sign as soon as he is out.

Kind regards

[SDNP]

From: [southdowns.gov.uk]

Sent: 26 April 2018 09:10

To: [SDNP]

CC: [SDNP]

Subject: RE: Statement of Common Ground

Hi,

Thanks for the quick turnaround. I am happy with your changes and have accepted them all and taken the track changes off. Please can you arrange for someone at WDC to sign and then send it back. This morning would be great if possible or as soon as possible after that.

Many thanks

[SDNP]

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

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DUTY TO COOPERATE STATEMENT OF COMMON GROUND

BETWEEN: Wealden District Council and the South Downs National Park Authority

DATE: April 2018

1. Introduction

1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between Wealden District Council (WDC) and the South Downs National Park Authority (SDNPA). It sets out the position and understanding with respect to key relevant duty to cooperate matters, and agreed actions to resolve outstanding matters. It is not binding on any party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

2. Context

2.1 Section 62 of the Environment Act 1995 requires all relevant authorities, including local authorities such as WDC, to have regard to the purposes of national parks. These are:
   • To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
   • To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

2.2 As a National Park Authority and Local Planning Authority, plan-making for the SDNPA is subject to the National Planning Policy Framework (NPPF) whereby Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 9 on page 4 of NPPF is policies relating to the development of sites within a National Park.

2.3 Furthermore, paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads, referenced in the NPPF at this point makes clear that the Government recognizes that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

2.4 Approximately 7% of Wealden District falls within the South Downs National Park. All statutory planning responsibilities within the National Park area of the district falls to the National Park Authority.

2.5 The district of Wealden including that part which is within the SDNP is considered by WDC as falling wholly within the wider Wealden HMA, as identified in the WDC Housing Market Position Statement1 and the Wealden District Council’s Strategic Housing Market

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Assessment (SHMA). Based on the documents above, it is also considered by WDC that the wider Wealden HMA would include Eastbourne Borough and Tunbridge Wells Borough, as having the strongest relationships with the Wealden District, and would also include the Districts of Lewes, Mid Sussex and Rother to a lesser extent.

2.6 The South Downs National Park HEDNA however uses different HMA boundaries for the purposes of its analysis, and considers that Wealden falls within the smaller Eastbourne Housing Market Area (HMA), which follows district administrative boundaries and includes Wealden District and Eastbourne Borough only. It is accepted that HMA’s can legitimately overlap, and this does not impact on the unmet housing need issue arising between the two parties, for the reasons set out below. Both the authorities work in partnership together to ensure that strategic planning issues are properly and holistically addressed.

3. Purpose and objectives

3.1 The SDNPA is preparing its first Local Plan – the South Downs Local Plan (SDLP). The SDLP is a landscape-led plan, with ecosystem services (the goods and services we get from the natural environment) at its heart. The SDLP will provide a comprehensive development plan document to cover the whole of the National Park, and will include a policy to address all types of development, with the exception of minerals and waste.

3.2 The purpose of this SCG is to demonstrate clearly and concisely how strategic cross-boundary matters relevant to the SDLP, which are specific to both authorities, have been and will continue to be jointly addressed. These focus on the issue of addressing objectively assessed development needs, particularly housing needs, and on how points of disagreement between the parties are being positively resolved. Further detail is given in the South Downs National Park Duty to Cooperate Statement, and in the jointly prepared documents referred to below.

4. Addressing unmet housing need

4.1 It is agreed between the parties that the housing supply and objectively assessed need both within and outside of the South Downs National Park, is as set out in Table 1 below:

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2 Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016)
3 Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016), Section 2 (Defining the Housing Market Area).
4 South Downs National Park Duty to Cooperate Statement, 2017
Table 1: Housing supply and need in the Wealden part of the South Downs National Park

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1 SDLP & NDP housing allocations plus commitments plus windfall (to be provided over the Local Plan period 2014-33)
2 South Downs HEDNA 2017 (Table 4)
3 The difference between SDNP OAN and SDNP annualised provision (previous two columns)
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6 Taken from the Wealden OAN Update Draft Paper: 2013-2028 (Regeneris Consulting; March 2017) and as advised by WDC. The OAN methodology includes the part of the SDNP in the District.
7 This is the difference between the total plan provision and the total OAN, for the whole area (both within and outside SDNP). This assumes annualised average delivery of 450 dpa over the JCS period, whereas for the first five years of the Plan period there has been a much higher rate of completions (column F) and therefore a lower annual unmet need

4.2 The unmet housing need arising within the National Park in Wealden is very low, and is considered negligible when compared with the wider district and HMA, but may need to be addressed together with the wider unmet need through the local plan process. WDC is currently reviewing its Local Plan and will be consulting on its Pre-submission Local Plan in the near future. However a key issue is the impact of development on the Ashdown Forest Special Area of Conservation (SAC), which WDC considers a significant constraint in accordance with national policy and of European environmental protection legislation. In addition to this, constraints also potentially include the need and delivery of an off line A27 and waste water treatment in relation to the Pevensey Levels.

4.3 Both the SDNPA and WDC are members of the East Sussex Local Plan Managers Group and the East Sussex Strategic Planning Members Group (ESSPMG), which was set up in 2013 to enhance and endorse cooperation at the political level. All ESSPMG member authorities are signatories to a memorandum of understanding, which was drawn up to formalise and give direction to ensure active, constructive and ongoing joint working arrangements. The memorandum of understanding sets out the group’s key purposes as raising awareness of cross boundary issues; and to explore any matters of concern to understand how they are affecting development and/or delivery of plans.

5.0 Ashdown Forest

The South Downs National Park is located at its closest point 13km from the Ashdown Forest Special Protection Area (SPA). Work is underway by a number of local planning authorities including WDC on producing a Statement of Common Ground on recreational disturbance to the Ashdown Forest SPA. It is advised by Natural England and agreed between the two authorities that the SDNPA do not need to be a signatory to this
document. This is because development in the National Park does not have an impact upon the SPA in terms of recreational impact. The National Park also provides a large recreational area for its residents as an alternative to Ashdown Forest.

This Statement of Common Ground does not 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.

Signed on behalf of Wealden District Council

Date: 26th April 2018
Position: Director of Planning Policy and Economic Development

Signed on behalf of the South Downs National Park Authority

Date 26/4/18
Position DIRECTOR OF PLANNING.
on Ashdown Forest. I understand that [REDACTED] will be back at work in November so can I suggest the following dates:

- Anytime Wednesday 15th November
- The afternoon of Monday 20th November

In order to reduce travel times can I suggest that we meet at our Stanmer Offices?

Kind regards

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

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Last chance to have your say on the South Downs Local Plan.
The final pre-submission consultation runs until 21 November 2017.
Find out more, read the South Downs Local Plan and submit your comments www.southdowns.gov.uk/localplan

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.

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Sign up to MyWealden to access our services online

Re: Tomorrow’s meeting

Sent: 11 June 2018 20:23

From: WDC

To: SDNP

CC: 

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

1 Attachments

image001.jpg (36 KB);

Thanks - see you tomorrow

Best regards

Director Planning Policy and Economic Development

On 11 Jun 2018, at 09:29, [email]@southdowns.gov.uk> wrote:

Colleagues

Please find attached the proposed agenda for tomorrow’s meeting. Please do get back to me if you have any queries.

Thanks

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

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<image001.jpg>
Ashdown Forest SAC
South Downs National Park Authority and Wealden District Council
10:00 am Tuesday 12 June
Unit 60, Sussex Innovation Centre, University of Sussex

1. Introductions and reasons for meeting (SDNPA)

2. Progress on the South Downs Local Plan and its HRA (SDNPA)

3. The Representation of WDC on the Pre-Submission South Downs Local Plan (WDC)

4. Progress on the Wealden Local Plan and its HRA (WDC)

5. Any other business (SDNPA)
From: [Redacted]@wealden.gov.uk
Sent: 26 April 2018 08:43
To: [Redacted]@southdowns.gov.uk>
Cc: [Redacted]@wealden.gov.uk>
Subject: Statement of Common Ground

Hi [Redacted]

I have made some amendments to the statement in relation to the following:

1) the Districts OAHN does include SDNP.
2) We are seeking through our plan to meet our OAHN
3) The SPA statement

I am in a meeting this morning, but feel free to contact me and I will pick up my emails on my return.

Kind regards

[Redacted]@wealden.gov.uk

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


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Environment
Economy

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Facebook

http://archivemanager.wdc.gov.uk/app.html#message/1f3f04a-aaa7-549d-537b-fd29993d8ce9[13/12/2018 17:21:18]
Re: Wealden Local Plan Update - 12 April 2018

Sent: 25 April 2018 11:23
From: [Redacted]
To: [Redacted]
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

Sent from my iPhone

On 25 Apr 2018, at 10:08, [Redacted]@southdowns.gov.uk wrote:

Hi,

Thanks for letting me know. Tomorrow morning would be fine but the earlier the better!!

Thanks

[Redacted]

Planning Policy Manager, South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | facebook | twitter | youtube
<image001.jpg>
Subject: Re: Wealden Local Plan Update - 12 April 2018

Dear [Redacted],

I am currently in London on a PAS course and I have been tasked to finish the SDNP SoCG. I have some changes to make but as you can appreciate I am currently tied up. Would you accept tomorrow morning for my submission.

Kind regards

[Redacted]

Sent from my iPhone

On 25 Apr 2018, [Redacted]<@southdowns.gov.uk> wrote:

Good morning [Redacted],

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

http://archivemanager.wdc.gov.uk/app.html#/message/f0f5e3cf-6f64-bb3c-e1239-5f88b22bdc8b/13/12/2018 17:14:12]
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 Director of Planning. 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]

Planning Policy Manager, South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
www.southdowns.gov.uk | facebook | twitter | youtube
<image001.jpg>

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

Dear [Redacted],

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. The 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

[Name]
Director Planning Policy and Economic Development
Wealden District Council

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

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 that we progress our bilateral statement of common ground (SCG) next week. I will contact [Name] about this on Monday. The main cross boundary issue that the SCG should address 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

[Name]

http://archivemanager.wdc.gov.uk/app.htm#/message/ff85f13cf-8f64-bb3c-1239-5fbb82286e1b/13/12/2018 17:14:12]
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]@southdowns.gov.uk; [REDACTED]@wealden.gov.uk; [REDACTED]@wealden.gov.uk
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear [REDACTED],

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

[REDACTED]

Director Planning Policy and Economic Development
Wealden District Council

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

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 SDNP 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.

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, Hailsham or at our area office at
Brighton University.

I look forward to hearing from you.

Kind regards

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4. **Addressing unmet housing need**

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<td>SDLP housing provision (total)</td>
<td>SDLP housing provision (A divided by 19 years)</td>
<td>OAN inside SDNP</td>
<td>Unmet need inside SDNP (C minus B)</td>
<td>Local Authority Local Plan provision for whole area</td>
<td>Local Authority Actual Net Housing Provision since adoption of Core Strategy</td>
<td>Local Authority OAN per annum (whole area)</td>
<td>Total annual unmet need against current Joint Core Strategy target</td>
<td>(E-G)</td>
</tr>
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between the two authorities that the SDNPA do not need to be a signatory to this document. This is because the National Park is outside the 7km buffer zone and acts as a natural draw to visitors away from Ashdown Forest.

This Statement of Common Ground does not 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.

Signed on behalf of Wealden District Council

Date
Position

Signed on behalf of the South Downs National Park Authority

Date
Position

South Downs Centre, North Street, Midhurst, West Sussex, GU29 9DH
T: 01730 814810
E: info@southdowns.gov.uk
www.southdowns.gov.uk
Chief Executive: Trevor Beattie
Dear [Redacted]

We have looked at the revised statement – in relation to housing figures and HMA only. I attach our comments and changes in this regard. This includes agreeing the OAN etc.

I am happy to agree some wording with [Redacted] and the SPA. I believe she is at meeting on Friday in Wealden and I expect we can agree something then.

Kind regards

[Redacted]

From: [Redacted]@southdowns.gov.uk
Sent: 04 April 2018 10:49
To: [Redacted]
Cc: [Redacted]
Subject: RE: SDNPA Statement of Common Ground

Hi [Redacted]

Following on from [Redacted] email below, I have made some further changes seeking to address the comments you made in the document.

With regards the OAN for Wealden, I have accepted the change to a figure of 950 dpa, however be aware that this significantly increases the overall shortfall in Wealden. It is important that you are happy with this analysis so please do check the figures.
Also I am not entirely clear where the 950 comes from exactly. I have cited the Regeneris analysis from 2017 which has figures very close to 950 but not precisely 950 (these I think relate to an affordable housing-led OAN). Perhaps you could clarify, and check that the citation is correct.

I am not sure of the best way forward regarding wording of the last paragraph (Ashdown Forest) – although I am aware you have been discussing with her recently – so I have not made further changes to that. It is probably best if you pick that up with [redacted] directly next week.

Please let me know what you think so that we can progress, subject to changes to the last paragraph [redacted] returns from leave next week, but if you can respond this week then all the better – in which case please liaise with myself.

Thanks, kind regards

[redacted]

Local Plan Lead
South Downs National Park Authority

[redacted]

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

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

From: [redacted]
Sent: 29 March 2018 16:04
To: [redacted]
Cc: [redacted]; [redacted]; [redacted]; [redacted]; [redacted]
Subject: RE: SDNPA Statement of Common Ground

Hi

Good to talk earlier and thank you for your response on this statement of common ground.

I will hand it over to my colleague [redacted] to address the housing figures and HMA configuration.

In regards to green infrastructure, I understand your council's approach which is shared by other authorities. I think it best not to refer to GI in the document.

As regards Ashdown Forest, we will need to amend the last paragraph of the statement. Also, with the SPA it is probably best if we cross reference ongoing work. I will hand that over to [redacted].

I am on leave next week but back in on the 9th.

Many thanks

[redacted]

Planning Policy Manager, South Downs National Park Authority
Sent: 21 March 2018 11:49

Subject: SDNPA Statement of Common Ground

Dear [Name],

Thank you for sending us through your statement of common ground. I have made some tracked changes and comments. To provide some further information concerning the HMA I attach our position statement which identifies our HMA. In addition, you may also wish to include green infrastructure as a cross boundary strategic issue as the SDNPA have identified GI opportunities in Wealden - see page 21 of the document

https://www.southdowns.gov.uk/wp-content/uploads/2016/12/South-Downs-Green-Infrastructure-Framework-March-2016.pdf. This document seeks a partnership approach to GI to take the framework forward. We have previously responded to state that it is for Wealden to identify key GI projects and that we would do this at a district scale taking into account any cross boundary considerations, as relevant.

In relation to other cross boundary strategic issues that are relevant – albeit a newer issue for SDNPA (as I believe you are looking to attend relevant partnership meetings) is the Ashdown Forest SPA. I also believe that Lewes Downs SAC may in your area, which again is relevant both to SDNPA and Wealden District in terms of terms of potential strategic issues.

Kind regards

[Name]

BSc (Hons) MA MRPI | Head of Planning Policy and Economic Development | Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX

@wealden.gov.uk | Web: www.wealden.gov.uk
DUTY TO COOPERATE STATEMENT OF COMMON GROUND

BETWEEN: Wealden District Council and the South Downs National Park Authority

DATE: April 2018

Introduction:

This Statement of Common Ground (SCG) is a jointly agreed statement between Wealden District Council (WDC) and the South Downs National Park Authority (SDNPA). It sets out the position and understanding with respect to key relevant duty to cooperate matters, and agreed actions to resolve outstanding matters. It is not binding on any party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

Context:

Section 62 of the Environment Act 1995 requires all relevant authorities, including local authorities such as WDC, to have regard to the purposes of national parks. These are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

As a National Park Authority and Local Planning Authority, plan-making for the SDNPA is subject to the National Planning Policy Framework (NPPF) whereby Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 9 on page 4 of NPPF is policies relating to the development of sites within a National Park.

Furthermore, paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads, referenced in the NPPF at this point, makes clear that the Government recognizes that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

Approximately 7% of Wealden District falls within the South Downs National Park. All statutory planning responsibilities within the National Park area of the district falls to the National Park Authority.

The district of Wealden including that part which is within the SDNP is considered by WDC as falling wholly within the wider Wealden HMA, as identified in the WDC Housing Market Position Statement and the Wealden District Council’s Strategic Housing Market Assessment.


SDNP41
Based on the documents above, it is also considered by WDC that the wider Wealden HMA would include Eastbourne Borough and Tunbridge Wells Borough, as having the strongest relationship with the Wealden District, and would also include the Districts of Lewes, Mid Sussex and Rother to a lesser extent.

The South Downs National Park HEDNA however uses different HMA boundaries for the purposes of its analysis, and considers that Wealden falls within the smaller Eastbourne Housing Market Area (HMA), which follows district administrative boundaries and includes Wealden District and Eastbourne Borough only. It is accepted that HMA's can legitimately overlap, and this does not impact on the unmet housing need issue arising between the two parties for the reasons set out below. Both the authorities work in partnership together to ensure that strategic planning issues are properly and holistically addressed.

Purpose and objectives

The SDNPA is preparing its first Local Plan – the South Downs Local Plan (SDLP). The SDLP is a landscape-led plan, with ecosystem services (the goods and services we get from the natural environment) at its heart. The SDLP will provide a comprehensive development plan document to cover the whole of the National Park, and will include a policy to address all types of development, with the exception of minerals and waste.

The purpose of this SCC is to demonstrate clearly and concisely how strategic cross-boundary matters relevant to the SDLP, which are specific to both authorities, have been and will continue to be jointly addressed. These focus on the issue of addressing objectively assessed development needs, particularly housing needs, and on how points of disagreement between the parties are being positively resolved. Further detail is given in the South Downs National Park Duty to Cooperate Statement, and in the jointly prepared documents referred to below.

Addressing unmet housing need

It is agreed between the parties that the housing supply and objectively assessed need both within and outside of the South Downs National Park, is as set out in Table 1 below:

Table 1: Housing supply and need in the Wealden part of the South Downs National Park

<table>
<thead>
<tr>
<th>HMA / District area</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDLP housing provision (total)¹</td>
<td>SDLP housing provision (A divided by 15 years)</td>
<td>OAN inside SDNP²</td>
<td>Unmet need inside SDNP²</td>
<td>Local Authority Local Plan provision</td>
<td>Local Authority OAN per annum (whole area)³</td>
<td>Local Authority OAN per annum (whole area)³</td>
<td>Total annu. over-supply</td>
</tr>
<tr>
<td>Wealden</td>
<td>48</td>
<td>3</td>
<td>10</td>
<td>7</td>
<td>450</td>
<td>579</td>
<td>950</td>
</tr>
</tbody>
</table>

¹ Wealden District Council Strategic Housing Market Assessment Final Report (August 2016)
² Wealden District Council Strategic Housing Market Assessment Final Report (August 2016), Section 2
³ Defining the Housing Market Area
⁴ South Downs National Park Duty to Cooperate Statement, 2017

This OAN figure was based on the whole Wealden District on an administrative boundary basis so there is a risk of double counting with the SDNPs own work on their OAN.

Commented: The Core Strategy was a jointly adopted with the SDNP so the 450 per annum figure would have included both completions and commitments within the SDNP. Not sure why there is reliance to outside the SDNP here.
The unmet housing need arising within the National Park in Wealden is very low, and is considered negligible when compared with the wider district and HMA. However, this may need to be addressed together with the wider unmet need through the local plan process. WDC is currently reviewing its Local Plan and will be consulting on its Pre-subsmission Local Plan in the near future. However a key issue is the impact of development on the Ashdown Forest Special Protection Area of Conservation (SPAC), which WDC considers a significant constraint that has maintained the unmet need for the area cannot be met without compromising other key requirements of national policy and of European environmental protection legislation. In addition to this, constraints also include the need and delivery of an off-site A27 and waste water treatment in relation to the Pevensey Levels.

Both the SDNPA and WDC are members of the East Sussex Local Plan Managers Group and the East Sussex Strategic Planning Members Group (ESSPMG), which was set up in 2013 to enhance and endorse cooperation at the political level. All ESSPMG member authorities are signatories to a memorandum of understanding, which was drawn up to formalise and give direction to ensure active, constructive and ongoing joint working arrangements. The memorandum of understanding sets out the group’s key purposes as raising awareness of cross boundary issues; and to explore any matters of concern to understand how they are affecting development and/or delivery of plans.

Habitat Regulations Assessment – air quality impact assessment

It is agreed between the parties that there is a strategic cross boundary issue of how to assess air quality impacts on the Ashdown Forest Special Area of Conservation (SAC) and Lewes Downs SAC, predominantly arising from traffic associated with new development. The assessment methods are being considered through the Ashdown Forest Statement of Common Ground to which both authorities are signatories.

Signed on behalf of Wealden District Council

Date
Position

---


SDNP43
Hi [Name],

Thank you for coming back to me and for the information. I really appreciate it.

With regard to your HRA consultants would they be able to get back to you within the next 10 days? This would provide additional clarity if you were happy to do this.

Kind regards,

[Your Name]

Senior Planning Policy Officer | Environment and Community Services
Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel: 01435 600 000 | Fax: 01435 600 001 | Email: enquiries@wealden.gov.uk | Web: www.wealden.gov.uk/planningpolicy

[From: [Redacted]@southdowns.gov.uk]

Sent: 29 January 2018 15:42
To: [Redacted]@wealden.gov.uk>
Cc: [Redacted]@wealden.gov.uk; [Redacted]@southdowns.gov.uk>
Subject: RE: Ashdown Forest Transport Model

Hi [Name],

I have spoken with my colleague who leads for planning policy on housing numbers and he has advised that we don’t break down the trajectory to MSOA level (or indeed any level below district). However we have looked into this further, taking the following approach:

Looked at the total supply over our LP period 2014/15 to 2032/33 and subtract from this total:

- Any assumed late phasing growth arising from Lewes and Ditchling NDPs which is assumed to happen from April 2029,
- An assumed 4 year windfall supply (for years 2029/30 to 2032/33) extrapolated from the total windfall figure for the SDLP Plan period, and
- Completions that have occurred in the first 3 years of the SDLP i.e. 2014/15 to 2016/17.

The figures that come out, which relate to the period 2017/18 to 2028/29, are:

- Lewes district in the National Park – 980 homes
- Wealden district in the National Park – 38 homes.

I have spoken with our HRA consultants on distribution for our own modelling work but they are unable to confirm that they can get back to me on this before the deadline in your email below.

Do let me know if there are any questions that you would like to discuss.

Best wishes,


Senior Planning Policy Officer
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

Please consider the environment before printing
Thanks for the email. I will ask my colleague [REDACTED] to get back to you with our housing numbers.

Kind regards

[REDACTED]

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

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RTPI Award

From: [REDACTED]@wealden.gov.uk]
Sent: 25 January 2018 16:23
To: [REDACTED]@southdowns.gov.uk>
Cc: [REDACTED]@wealden.gov.uk>; [REDACTED]@southdowns.gov.uk>

Subject: Ashdown Forest Transport Model

Dear [REDACTED]

Wealden District Council is currently re-running its transport model to help determine impacts upon Ashdown Forest SAC, Pevensey Levels SAC and Lewes Downs SAC in relation to air quality for the forthcoming publication of the Wealden Local Plan due to be published for committees in April. In the spirit of the statement of common ground, that has yet to be finalised, I would like to confirm the housing numbers that we are using for your area.

We have taken the information you have provided for the statement of common ground as a starting point but we have had to adapt this to meet Habitat Regulations Assessment for the Wealden Local Plan. This means that we have had to assume the amount of growth in your area up until 2028 (the end date of the Wealden Local Plan) as opposed to the end date of 2033 which is contained in the table in the statement of common ground taken from your Pre Submission Local Plan- September 2017.

Our transport model splits your area into several areas based on middle super output areas. I attach a plan of your area identifying the zones to assist. We have used the numbers in the South Downs National Park Pre Submission Local Plan (September 2017) to allocate housing numbers to these areas. These include; Lewes 875 dwellings, Ditchling 15 dwellings and Kingston 11 dwellings. These have been added to the figures in the adopted Lewes Local Plan and are shown in the table below.

<table>
<thead>
<tr>
<th>MSOA</th>
<th>Housing numbers</th>
</tr>
</thead>
</table>


SDNP47
We have also looked at Neighbourhood Plans that are currently adopted or at an advanced stage within your area and those that allocate sites for growth.

In order to meet our timescales for the Local Plan we need to run the model the next week. I would be grateful if you could let me know close of play Monday if you have any concerns with regards to the numbers that we are proposing to use.

Kind regards,

---

Senior Planning Policy Officer | Environment and Community Services
Wealden District Council | Council Offices | Vicarage Lane | Hallsham | East Sussex | BN27 2AX
wealden.gov.uk | Web. www.wealden.gov.uk/planningpolicy

---

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---


SDNP48
Hi

I have accepted all your track changes and enclose the final version of the action note. We will now start work on the Statement of Common Ground and will send you a draft shortly.

Thanks

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

Hi

Please find attached our comments.

Kind regards

http://archivemanager.wdc.gov.uk/app.html#message/00860ff2-9a40-fee6-aa08-b52f824d77b[12/12/2018 17:14:03]
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Wealden District Council

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Find out more and donate www.southdowns.gov.uk/mendourway
WEALDEN DISTRICT COUNCIL & SDNPA DUTY TO COOPERATE MEETING

WESTFIELD HOUSE, LEWES

20 NOVEMBER, 2017

Attendees: 

<table>
<thead>
<tr>
<th>Session</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introductions</td>
</tr>
</tbody>
</table>
| 2       | Principles of Memorandum of Understanding | Agreed to work on a Statement of Common Ground (SCG) between Wealden District Council (WDC) and South Downs National Park Authority (SDNPA) to include the following:  
• Unmet housing need  
This would signpost a wider SCG on Ashdown Forest. |
| 3       | Ashdown Forest | The redacted Ashdown Forest SAC Air Quality Monitoring & Modelling report published by Wealden DC (WDC) was discussed.  
explained that it was not possible for the SDNPA to test the results of the monitoring stations as their locations were redacted.  
MB confirmed that the redacted information would not be released by WDC due to fears of vandalism, theft and sabotage.  
suggested that the information could be shared 'consultant to consultant.'  
confirmed that WDC would not agree to this arrangement as the consultant would hold the information on SDNPA’s behalf and would be liable to requests under the Environmental Information Regulations (EIR).  
requested the specific regulation under which the information was being held further to her email dated 10-11-17.  
 stated that the question had been passed on to WDC lawyers and the response would be provided when received.  
There was a detailed discussion of the draft WDC representation, which required further work before submission.  
The main points arising at that stage were:  
• No analysis of conservation objectives  
• The future years scenarios are not precautionary  
• The in combination assessment of housing levels is an underestimate as it omits windfall of Wealden |
District as the Wealden District Core Strategy does not include a windfall allowance.

<table>
<thead>
<tr>
<th></th>
<th>Housing numbers in the Wealden District Core Strategy</th>
<th>There is a small unmet need of 8 no. homes for that part of Wealden District that is in the National Park. WDC will give further thought to meeting this if they manage to meet their own unmet need.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Matters arising from WDC comments on Preferred Options</td>
<td>No major matters arising</td>
</tr>
<tr>
<td>6</td>
<td>Update on Wealden Local Plan</td>
<td>The Pre-Submission consultation is scheduled for March 2017 subject to the findings of the HRA. No decision has been made on draft policy AF1 on Ashdown Forest. Further discussion may be needed with the SDNPA with regard to an offline A27 for the purposes of the WLP.</td>
</tr>
<tr>
<td>9</td>
<td>Actions going forward</td>
<td>• SDNPA to draft SCG and forward to WDC for comment &lt;br&gt;• SDNPA and WDC to continue work on the Ashdown Forest SCG</td>
</tr>
</tbody>
</table>
Hi [Name],

Lewes is probably the best place. Maybe we could use a room at LDC or ESCC. I know ESCC have meeting rooms within their reception that they may be happy with us to use.

Hi [Name],

That was on my to do list for today so well reminded!! I have a meeting in Worthing in the morning and will be on the train. Lewes, Brighton or Shoreham would suit us. Have you got any preferences and I will make the necessary arrangements.

Thanks

[Name]

Planning Policy Manager, South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
[Email]
[Website] | facebook | twitter | youtube

[Email]

[Website]/app.html/#message/50525a7b-7849-bf96-7352-a3eb4d75ce11/[12/12/2018 15:19:09]
contacted me to explain that you have issues with using the Falmer offices for the meeting on Monday. Is it possible for you to come to us as both of our diaries are very tight and it will cause us some issues having to get to Worthing. Alternatively is there anywhere on the A27/ Brighton we could meet or possibly Lewes.

Kind regards

[B Sc (Hons) MA MRTP | Head of Planning Policy and Economic Development | Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
@wealden.gov.uk | Web. www.wealden.gov.uk

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RE: Meeting

Sent: 17 October 2017 17:36

From: [Redacted]
To: [Redacted]
CC: [Redacted]

Excellent. Thank you. I will send a meeting invite.

Planning Policy Manager, 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: 17 October 2017 17:35
To: [Redacted]@southdowns.gov.uk>
Cc: [Redacted]@wealden.gov.uk>, [Redacted]@southdowns.gov.uk>
Subject: RE: Meeting

In the absence I have added the meeting to her diary. So I imagine that both [Redacted] will attend. I will ask [Redacted] to contact you with regards to draft comments ahead of the meeting.

Kind regards

From: [Redacted]@southdowns.gov.uk
Sent: 17 October 2017 17:03
To: [Redacted]@wealden.gov.uk>
Cc: [Redacted]@wealden.gov.uk>, [Redacted]@southdowns.gov.uk>
Subject: RE: Meeting

Thanks for the prompt response. Can we say 2pm rather than 1.30? It would be good if you could confirm who will be
attending from Wealden and it would be helpful if we could have sight of your draft comments on the plan in advance of the meeting.

Thanks

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

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From: [redacted]@wealden.gov.uk
Sent: 17 October 2017 16:53
To: [redacted]@soutdowns.gov.uk>
Cc: [redacted]@wealden.gov.uk>; [redacted]@soutdowns.gov.uk>
Subject: RE: Meeting

Hi [redacted]

Monday 20th November is the only available option. Shall we say 1.30pm at the Stanmer Offices?

Kind regards

[redacted]

[redacted] (Hons) MA MRPI | Planning Policy Manager | Environment and Community Services
Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
[redacted]@wealden.gov.uk | Web. www.wealden.gov.uk/planningpolicy

From: [redacted]@soutdowns.gov.uk>
Sent: 17 October 2017 16:30
To: [redacted]@wealden.gov.uk>
Cc: [redacted]@wealden.gov.uk>; [redacted]@soutdowns.gov.uk>
Subject: Meeting

[redacted]

Following on from our chat on Friday it would be good if we could get a date in the diary to discuss the Pre-Submission South Downs Local Plan and our strategic cross-boundary issues. Our intention is to draw up memorandums of understanding with all the districts within the National Park including Wealden. One purpose of our meeting would be to agree issues to be addressed in the MoU. This MoU would of course be in addition to the Statement of Common Ground

RE: Baseline data request

Sent: 31 May 2017 12:35
From: [redacted] WDC
To: [redacted] SDNP

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

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

---

That would be great.

Thanks

---

From: [redacted]@lewes.gov.uk
Sent: 31 May 2017 12:37
To: [redacted]
Subject: RE: Baseline data request

Hi,

I'm based in Lewes (for now) so would a meeting here at Southover House be ok for you? I could book a room for 1030?

---

From: [redacted]@wealden.gov.uk
Sent: 31 May 2017 12:27
To: [redacted]
Subject: RE: Baseline data request

Hi

I am working at home on Tuesday so I can come and meet you in the morning sometime. I am not sure where you are based?

---

http://archivemanager.wealden.gov.uk/up.html#message/5a5dc440-0a54-1bce-3301-b6ba408fc864[14/12/2018 11:26:45]
From: [Redacted]@lewes.gov.uk
Sent: 31 May 2017 12:26
To: [Redacted]
Subject: RE: Baseline data request

Thank you

Yes I would like to, can you make next week sometime? I only have appointments Monday, otherwise flexible to meet here or Hailsham.

From: [Redacted]@wealden.gov.uk
Sent: 31 May 2017 12:18
To: [Redacted]
Subject: RE: Baseline data request

Hi [Redacted]

I am just looking into this as it is information that TWBC has requested so hopefully I can get back to you shortly. Would you like to meet sometime soon?

Kind regards


From: [Redacted]@lewes.gov.uk
Sent: 31 May 2017 12:15
To: [Redacted]
Subject: Baseline data request

Hi [Redacted]

The SDNPA together with LDC are in the process ofcommissioning transport modelling and air quality assessment for the Ashdown Forest. As you will be aware from the DtC meeting at the Park the other week both authorities will be consulting on pre-submission plans in the autumn and need to meet committee cycles beginning this summer.

We are building a transport model rather than rely on the AADT figures to ensure we have as robust and accurate an approach as possible. To that end can I please request that you provide the following information to us as soon as possible?

http://archivemanager.wealden.gov.uk/app.html#/message/5a6dc440-0a54-1bce-8301-b6bc408f6d4a/14/12/2018 11:26:45
Archive Manager

- Base flows on the roads through the SAC/SPA
- Average vehicle speeds on these roads
- Percentage heavy goods vehicles on these roads

I believe this information should not be sensitive or restricted and I would hope is readily available to pass to us. As you will be aware this information is needed in order for us to undertake the air quality calculations in line with the DMRB methodology. It would be expedient to use the same baseline data you have, both for consistency and the significant time-saving to us in not initiating fresh traffic counts to establish the base flows, which are already known.

I trust this is something you are able to share forthwith in the interests of collaborative working.

Kind Regards,

Planning Policy Lead
Planning Policy
Lewes District & Eastbourne Borough Councils

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http://archivemanager.westden.gov.uk/app.html#/message/5a6dc440-0a54-1bce-8301-b66e408fc864/f/14/12/2018 11:26:45]
follow up on data request

Sent: 2 June 2017 13:01
From: [Redacted]
To: [Redacted]

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

1 Attachments

Amended Ashdown Forest proposal.JPG (416 KB);

Hi [Redacted],

I've just received the attached from the consultant preparing our model. We are preparing to model the significant roads through the SAC, representative of the worst case. Therefore in terms of our request to you for the base flows, vehicle speeds and % heavy good vehicles – it is just for the routes highlighted, rather than all roads as previously indicated.

In limiting the requirement to the main routes I hope this may make providing the information quicker and easier than my initial request.

Please let me know soonest if there are any barriers to receiving this information early-mid next week.

Thank you and looking forward to catching up in person on Tuesday.

Kind regards

[Redacted]

Planning Policy Lead
Planning Policy
Lewes District & Eastbourne Borough Councils

*****************************************************************************

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 notify

http://archivemanager.wealden.gov.uk/app.html#/message/33d10b7-2e6f-17f2-7416-9e1cc65e6d58/[14/12/2018 11:12:36]
RE: The missing link

Sent: 7 June 2017 14:00

From: SDNP
To: WDC

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

3 Attachments

image001.jpg (575 B); image002.jpg (1 KB); Relevant links marked on network map.pdf (157 KB);

Whoops! Now attached

Thanks

From: [wealden.gov.uk](mailto:wealden.gov.uk)
Sent: 07 June 2017 12:58
To: [lewes.gov.uk](mailto:lewes.gov.uk)
Subject: RE: The missing link

Thanks for double checking

There is no attachment!

From: [wealden.gov.uk](mailto:wealden.gov.uk)
Sent: 07 June 2017 09:53
To: [lewes.gov.uk](mailto:lewes.gov.uk)
Subject: RE: The missing link

Hi

The consultant has double checked all the links, realising that the network map covered the whole district and not just the Forest (which I hadn't appreciated either). The attached map (scanned upside down) has the links we need marked.
So the consultant thinks we have all the traffic flow data we need and there is actually no missing link.

With regard to vehicle speeds, for consistency with the Wealden work perhaps your air quality consultants can use the attached mark-up to provide the particular vehicle speeds for each stretch within each numbered link (e.g. we are only interested in a part of link 6 or link 34 because those are the only bits within 200m of the SAC). We can then choose the most representative stretch(es) on each link and do our transects there.

Hopefully that is more straightforward a request.

Kind regards

I have heard back from my consultants and it is not as straightforward as I thought. They say that "the air quality model has a different structure from the traffic model, and we've assumed different speeds on different link sections. Your link 6, for example, splits into 11 separate links in our model, and we've assumed different speeds on different bits". I am not quite sure how to resolve this one – maybe your consultants can shed some light on it?

My consultant also said that they don't use link 5 – which concerns me that I may have given you the wrong link. Can you double check that it is link 5?

That's great – thank you.
To: [Redacted]
Subject: RE: The missing link

Hi [Redacted]

I have sent the request off to our air quality people, including link 51, and will send you the information when I get it re average speed.

The AADT for link 51 is 20030 and OGV 5.4%

Hope this helps.

Hi [Redacted]

Good to see you earlier. The consultant identifies the road as “the A22 from Nutley (north) southwards to the junction with Cackle Street. It’s in the vicinity of a place called Dodd’s Hill.”

I think this is Link 51 from Appendix C.

Thanks

Hi [Redacted]

Before I ask the consultant for the road speed would it be possible to find out which one is the missing link number – so I can ask for all the information at once?
WEALDEN DISTRICT COUNCIL

Wealden Local Plan Duty to Co operate

Tuesday 30th June 2015 – 10.00 to 11.30 p.m.

South Downs National Park Authority offices, Falmer

Notes from meeting

Present:

[WDC] (WDC) –
[WDC] (WDC) –
[SDNPA] (SDNPA) –

__________________________

opened the meeting and outlined WDC current Local Plan status and the timetable for the preparation of the Wealden Local Plan. The first stage being consultation on an Issues, Options and Recommendations document in October this year. The anticipated date for adoption is 2017 to 2018 depending on the timescales for examination. This document will be an all encompassing Local Plan, including the review of the Core Strategy.

confirmed that this meeting was confidential.

Strategic Housing Market Assessment (SHMA)

explained that one of the purposes of the meeting is to discuss the SHMA. It is the intention of the Council to incorporate discussions and views of other local authorities to be included in the SHMA papers to show the interactions of Local Authorities and the SHMA process in order to comply with the duty to cooperate.

confirmed that WDC had received a final draft of the SHMA and outlined the initial findings including which authorities that fall within Wealden’s housing market area (HMA).

WDC is looking at approx. 735 dwellings per annum with a total of approx. 7600 additional dwellings across the plan period (in addition to the allocations in the Core Strategy). MB has estimated the total shortfall of the authorities within the HMA (Rother, Hastings, Lewes, Mid Sussex, Tunbridge Wells, Eastbourne) to be approx. 20,000 although we are questioning Hastings
inclusion in the HMA with the consultants. It was emphasised that the shortfall was an estimate until it has been confirmed with all relevant Local Authorities. Confirmed that the HMA area did include the part of the District located in the South Downs National park area.

Explained that WDC would be producing a paper to sit alongside the SHMA to explain the relationships with each authority within the HMA. This will be circulated with the draft SHMA before the Issues and Options document for comment.

Indicated that we were unaware whether the additional growth for Wealden can be accommodated but will look to see if other authority’s shortfall can also be accommodated. The need identified for Wealden is not too far from what we are currently delivering we can accommodate the additional growth for Wealden without looking to see if any other authority’s shortfall can be accommodated. The need identified for Wealden is not too far from what we are currently delivering and on this basis it would be difficult to argue lower OAHN in terms of the markets ability to deliver.

Spatial development options

Produced a map showing the preferred option for development which is seeking to move growth away from the Ashdown Forest and concentrate development in the south of the district.

The current constraint regarding the waste water treatment works capacity in the south of the district will be resolved in the medium to long term however improvements to the A27 will be required to support the development and also help to mitigate the impact on the Ashdown Forest.

Outlined the possible options which include increasing proportionally smaller settlements and also the possibility of creating large urban extensions and/or new settlements. These figures do not take into account land availability and need to be tested. Through the SA process we have to show that we have looked at all alternatives.

Explained that large urban extensions have been considered in locations in the south of the district. In west Polegate this is a key area for the A27 and there are transport issues that need to be resolve. If WDC are to reject this as a potential location then they would require strong support from SDNPA to do this.

discussed potential for a new town at Berwick which had been discussed in the past. A large amount of land has been submitted through the SHELAA process (around 1500) which is not enough to justify a new town but maybe a new primary school but this would take time to deliver. Any large extension or new town would be very visible from the SDNPA especially the rural dispersed settlement pattern that is currently there asked for a map showing the approximate locations of the areas we are looking at so they can provide initial officer comments on these locations.
indicated that WDC are supportive of the offline A27 solution. This would be outside the SDNPA. Without the improvements then it would be difficult to have any growth. WDC supports the downgrading of the existing A27 to meet the needs of the SDNPA and their objectives. MB confirmed that ESCC are speaking to Highways England and the Department of Transport with regard to the improvements.

confirmed that Chichester had just had their plan adopted and they had similar issues with regard to the A27. Their plan is only for 5 years. MB confirmed that WDC may extend the length of their plan to allow for improvements to the A27 to take place and phase development on this basis.

confirmed that they have received a draft SHMAA which identifies 6 dwellings for Alfriston and 11 for East Dean. They are following a dispersed strategy as large urban extensions are not supported by their members. The main focus will be the towns of Petersfield, Midhurst and Lewes. Thirty smaller villages are allocated up to 25. They are not adopting a zero housing policy. They have not identified any sites yet. They are looking to allocate sites through the Neighbourhood planning process (they have 47 in progress). The SHMA identifies 4 HMA’s within the SDNPA and an OAHN of between 420-450 per annum across the whole of the SDNPA. SN confirmed that they will not be meeting their OAHN.

**Cross boundary issues**

confirmed that the cross boundary issues for SDNPA and WDC are;
- Landscape protection
- Tranquillity
- Dark sky’s
- Transport (including sustainable transport)
- Tourism
- Housing
- Gypsies and travellers
- Rural economy development

WDC will be receiving shortly a letter relating to the dark sky’s project to ask for support to SDNPA bid for ??????

indicated that in WDC corporate plan there is reference to a new tourism attraction in the south of the district. SN indicated that SDNPA would be likely to comment (if at all) on the visual impact this would have rather from a tourism point of view.

explained that WDC had written to Lewes and Mid Sussex about the ‘in combination’ requirements relating to the Ashdown Forest. It is likely that WDC will have to comment on the Lewes Core Strategy modifications.
Other

[ ] confirmed that WDC would send through the notes of the meeting for approval and a full scoping report would follow outlining the issues for comment.

[ ] confirmed that the information provided from this meeting would input into the Wealden Local Plan preparation.

[ ] confirmed that SDNPA will be producing a Duty to Co operate paper which will outline the issues discussed. This can be circulated when a draft is ready.
Dear [Name]

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.
04 January 2019

Direct or & Deputy Chief Executive
Planning, Policy & Environmental Services
Wealden District Council
Vicarage Lane
Hailsham
East Sussex BN27 2AX

Dear 

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.

Yours sincerely

Director of Planning
@southdowns.gov.uk