Wealden District Council Local Plan Examination

Stage 1
Matter 2: Vision and Objectives and Local Plan Growth

SPATIAL VISION, AIR QUALITY CONSIDERATIONS

HEARING STATEMENT

ON BEHALF OF RESIDENTS OF BERWICK STATION

May 2019
1.0 INTRODUCTION

1.1 This statement updates representations submitted on behalf of Residents of Berwick Station ("Residents") in October 2018 in response to the Proposed Submission Local Plan (August 2018)("the PSWLP") relating to the Spatial Vision, with specific reference to Air Quality Considerations.

1.2 This statement should be read in conjunction with the statement submitted on behalf of the residents in response to the Habitats Regulations Assessment, which in particular challenges the Council’s assertion that mitigation measures may be secured by Local Plan Policies AF1 and AF2 that would deliver the improvements required to mitigate the impact of growth proposed in the Local Plan.

1.3 Air Quality considerations, however, are not confined to the impact of development on Special Areas of Conservation. They also impact on the health and well-being of residents and visitors to the District, which are also key concerns of the Residents.

1.4 The Residents submit that a Spatial Strategy that includes the allocation of land for housing development in unsustainable settlements such as Berwick Station will inevitably result in an increase in greenhouse gas emissions, as the residents living in these settlements seek access to even local facilities using their private motor vehicles. The Residents do not consider that sufficient consideration has been given to the impact of such emissions, not only on the SACs but on human health and well-being and accordingly do not believe that such a strategy will contribute to the achievement of sustainable development within the District, which is of course the very purpose of the planning system.

2.0 SUBMISSIONS

2.1 Even if, contrary to our submissions on behalf of the Residents in response to the HRA and AQMS, it was to be concluded that the HRA did not breach the law set out in the Cooperatie Mobilisation case, the Council would still be in a position whereby the effectiveness of the mitigation measures proposed to be secured under policies AF1 and AF2 were acknowledged as uncertain.

2.2 The uncertainty as to the deliverability of effective mitigation measures inter alia raises questions as to whether it is appropriate to incorporate within the Spatial Strategy for

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1 Council Reference PSWLP948
2 See NPPF para 7. More particularly, however, it is a legal requirement of local planning authorities to exercise their plan-making functions with a view to contributing to the achievement of sustainable development (Section 39(2) Planning and Compulsory Purchase Act 2004).
the District, the allocation of land for new housing development in settlements that are assessed and acknowledged by the Council as being “unsustainable”

2.3 Not only does this strategy appear to be at odds with the spatial vision for the District, which includes the following:

“By 2028 Wealden District will have improved the health and wellbeing of its residents by meeting housing need and providing suitable housing in the right location with associated green space, leisure, community facilities and road improvements…”

(our emphasis)

there also appears to be a tension between the strategy and Spatial Objective 12 i.e.

“The health and wellbeing of communities will be improved through positive planning for location of development, green infrastructure, the cycle network, community facilities and sports and leisure activities. We will work with Clinical Commissioning Groups (CCG) in order to provide the necessary health care facilities, including assisting the NHS Eastbourne, Hailsham and Seaford CCG to diversify and outsource some hospital facilities into the wider community.

We will seek to reduce social isolation and also support the community in promoting living well with poor mental health and dementia in our towns and villages by promoting sustainable settlements and community based housing provision with necessary community facilities. We recognise the importance of accessibility for all of our communities and in this regard we will seek to improve transportation and promote the role of digital solutions in helping to tackle social isolation…”

2.4 Indeed, the Residents believe that allocating land for housing in unsustainable settlements such as Berwick Station, that do not have the infrastructure and facilities to support the health and well-being of their residents, would not meet either the social or environmental objectives for achieving sustainable development i.e.

“social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.

(our emphasis)

3 NPPF para 8. Note Para states that “These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstanc
2.5 Such a dispersal strategy will not promote sustainable development in rural areas as it will not be located where it will enhance or maintain the vitality of rural communities. Indeed, small amounts of development in such villages will neither help them to grow or thrive, or indeed to support local services\textsuperscript{4}. Nor will they help to promote healthy and safe communities by providing the social, recreational and cultural facilities and services such communities need\textsuperscript{5}. They will simply force the inhabitants of such developments to seek such services and facilities elsewhere, through increased use of the private motor car, with all of the environmental and health consequences that result.

2.6 The Wealden Local Plan Sustainability Appraisal Report – March 2017 (with reference to the Unsustainable Settlements\textsuperscript{6}) acknowledges:

“Any amount of housing growth, regardless of its location in the District, is expected to result in the potential for some degree of increase in air pollution as a result of the construction phase and the use of energy within the finished development. As Policy WLP6 promotes development within more rural areas, where air pollution may be less than in the larger towns, there may be more of an increased risk to the achievement of this SA Objective. However, the increase from construction is likely to be short to medium term and with design policies concerned with encouraging buildings and spaces to be oriented to maximise solar gain and encourage passive heating/cooling energy for example, the promotion of energy efficiency will be dependent on the design of the development. In the absence of the ability to require the installation of on-site renewable energy, it will be down to the design of schemes to promote energy efficiency.

Implementing Policy WLP6 alongside policies to promote, improve, create and support more sustainable modes of transport (walking and cycling routes, public transport improvements/provision, the provision of electric vehicle charging points etc) will assist in encouraging people to use the private car less, which in turn will assist in reducing air pollution and help improve local air quality. However, it is acknowledged that private car use will likely continue due to the more rural location of these settlements, which could affect air pollution and air quality. However, other policies within the Local Plan seek to address this issue - principally NE2 Air Pollution (appraised in Chapter 14 of this SA Report), Policy AF1 Ashdown Forest Special Area of Conservation (Chapter 11) and infrastructure policies (Chapter 10).

2.7 The fact that (as has been noted in our statement on behalf of the Residents in relation to the Habitats Regulations Assessment) the effectiveness of mitigation measures designed to address the air pollution and air quality issue is currently uncertain, simply lends further support to the Residents’ contention that the allocation of housing land to these rural settlements is unsustainable (and, if effective mitigation cannot be provided, also undeliverable) and should therefore be rejected.

\textsuperscript{4} NPPF para 78
\textsuperscript{5} Ibid para 92
\textsuperscript{6} Submission Doc A4 pages 364-5