Wealden Local Plan Examination

This is the Position Statement from Eastbourne Borough Council (hereafter referred to as ‘the Council’) prepared in response to the Inspector’s Matters, Issues and Questions (version 1).

Matter 2: Vision and Objectives and Local Plan Growth

32. The Council considers that Spatial Objective 1 is not consistent with national policy and not justified for two key reasons. Firstly that residential development is rigidly limited to a specific number of homes with no flexibility through the use of terminology such as ‘minimum’, which is commonly used to ensure that policy is not inflexible and allows for the opportunity to provide in excess of a base target figure. Secondly the limiting timespan of the Plan is not consistent with national policy, which indicates an appropriate timeframe of 15 years. Whilst the 2019 NPPF clarifies this to mean 15 years from adoption it is not considered within the spirit of the 2012 NPPF that of a 15 year Plan only 8 would be left after adoption. This does not “take account of longer term requirements” particularly for unmet housing need in Eastbourne and appropriate infrastructure delivery.

Spatial Objective 2 cannot be considered Positively Prepared or Effective because it identifies an employment floorspace requirement that does not take into account unmet requirements from Eastbourne Borough and therefore does not constitute effective joint working on cross-boundary strategic priorities. In addition, the Spatial Objective 2 references ‘offer(ing) a range of job opportunities to those people living within the District’, which ignores that fact that many residents of Eastbourne work in the south Wealden area, and businesses are less likely to recognise administrative boundaries when deciding on new locations. For example, employment space provided recently in Polegate has attracted businesses formerly located within Eastbourne Borough due to the higher quality accommodation that has been provided.

Spatial Objective 9 is not considered realistic in the context of the 8 year plan and is furthermore contradictory with other key elements of the strategy; it identifies that WDC “will work with East Sussex County Council and Highways England to secure, safeguard, and construct a new route for the A27”. This Objective cannot be realised as the Plan Period is only until 2028 and there is no likelihood that a new A27 will be constructed within the Plan period – this point is recognised elsewhere within the Plan and is used in part to limit the growth in the plan.
33. The Council do not consider that a 15-year plan period that includes a significant proportion of the plan period now already in the past, covers an appropriate time frame for the provision of housing.

The Regulation 18 Issues and Options consultation identified a plan period from 2013 to 2037. However, by March 2017 this had been reduced to a plan period from 2013 to 2028, and minutes from the Wealden Local Plan Sub-committee meeting in March 2017 suggested that this was a result of evidence gathered during the testing of the preferred option, which showed that development across the District and associated traffic movements had a more substantial impact on the air quality and ecology of the Ashdown Forest Special Area of Conservation (SAC) than previously understood.

The underlying assumption that there would be an adverse effect on Ashdown Forest SAC from air pollution from traffic arising from new development has been found to be incorrect. Therefore there is no justification for artificially limiting the plan period to just 8 years after adoption (assuming adoption in 2020).

The continuing use of a shortened plan period is not sufficient to allow the level of growth required to meet the needs arising, including unmet need from Eastbourne, to be planned positively. It does not allow full consideration to be given to the provision of infrastructure required to support growth, and particularly the importance of a comprehensive off line A27 solution between Lewes and Polegate.

The plan period is not consistent with national policy. The presumption in favour of sustainable development at para 14 of the 2012 NPPF requires local planning authorities to positively seek opportunities to meet the development needs of their area.

In addition, para 157 requires local plans to plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework, and be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date.

By artificially limiting the plan period, the plan does not positively seek opportunities to meet the development needs of the area and is therefore in conflict with the presumption.

Such a short plan period post adoption means that the development, and particularly the infrastructure, that is required in order to achieve sustainable development cannot be positively planned and properly considered. In addition, it does not allow full consideration to given to meeting the housing shortfall arising from Eastbourne.
Whilst the plan period does cover a 15-year period, the fact that half of the plan period will be prior to adoption of the plan is not in the spirit of the NPPF, and cannot take account of longer term requirements for the area.

34. This main modification is supported, however merely to remove reference to it would not result in proper assessment of the growth scenarios, because the treatment of Pevensey Levels SAC as having an air quality issue is embedded within and throughout the SA documents and underpins the spatial growth strategy.

The growth and spatial scenarios are tested and derived using traffic and air quality modelling that includes the Pevensey Levels SAC and it is still apparent that overall growth patterns and levels are being determined on the basis of air quality impacts, including on the Pevensey Levels SAC. This is exemplified in the 2017 SA Table 23 Reasons for Selecting Alternatives for Hailsham, Polegate and Stone Cross air quality issues at Pevensey Levels SAC are cited as reasons (additionally Tables 24-27 growth scenarios and reasons for selection and rejection).

The assessment and selection of the growth scenarios and spatial distribution is based upon the assumption that there is an adverse effect on European sites from air pollution from traffic arising from new development and this is simply not the case if the advice from Natural England is followed in terms of allowing for some improvement in background emissions as forecast by DEFRA.

Merely to remove reference to the Pevensey Levels would not in itself make the Plan sound; the growth scenarios should be re-tested in the context of no adverse effect on the integrity of the Pevensey Levels SAC and opportunities to meet some or all of the unmet housing need arising in Eastbourne should be considered as per para 14 of the 2012 NPPF.