Wealden District (Incorporating Part of the South Downs National Park)
Local Development Framework

Statement under Regulation 30 (e)
Statement of Representations Received under Regulation 28 (2)

Core Strategy
Submission Document
Introduction

1.1 This statement provides the information required under Regulation 30 (e) of the Town and Country Planning (Local Development) (England) Regulations 2004, as amended.

Background


2.2 The following arrangements were made in accordance with Regulation 27:

- A local advertisement was placed in the Kent & Sussex Courier and the Sussex Express, covering the whole of Wealden District on Friday 11th February 2011 in accordance with Regulation 27;
- All documents, as required by the Regulations, were made available at the Council Offices and a number of deposit points, as identified in the Statement of Community Involvement;
- Relevant details, as prescribed by Regulation 27, were published on the Council's website;
- Letters/ e-mails were sent to specific and general consultation bodies providing the information required under Regulation 27 and electronic links provided to the relevant documents on the Council's website and the dedicated consultation portal.

2.3 During the period of representations it came to the Council's attention that the wording of Policy WCS6 regarding Rural Areas Strategy, as agreed by Full Council on 8th December had not been fully repeated in the published Proposed Submission Core Strategy. The Council published an Errata to the Proposed Submission Core Strategy on 24th February 2011 in order to provide the correct wording of Policy WCS6 Rural Areas Strategy, and to clarify a typographical error in relation to the Heathfield Map on the Key Diagram. Therefore, the period of representations on the Proposed Submission Core Strategy, including the Errata, was extended until Monday 18th April 2011. Reference copies of the Proposed Submission Core Strategy, the Errata to the Proposed Submission Core Strategy and other related Proposed Submission documents, representation forms and guidance notes were made available for public inspection at all deposit points listed within the 'Statement of Availability' from Monday 7th March 2011 to Monday 18th April 2011.

2.4 The website was updated to include the Errata and an additional local advertisement was placed in the Kent & Sussex Courier and the Sussex
Express, advertising the Errata on Friday 4th March 2011 and the consultation bodies were informed by letter/ e-mail.

2.5 The publicity information is provided in a separate document entitled Statement under Regulation 30 (d) (ii): Notification of Public Consultation.

**Representations**

2.6 The Council received 1,783 representations from 272 bodies/ individuals. A summary of the individual representations are provided in the document 'Summary of Representations Received pursuant to Regulation 28 (2)'. The summary of the representations, together with a scanned copy of the full representation (where appropriate\(^1\)) is available and can be accessed via the Council's web site www.wealden.gov.uk or directly from http://wealden.objective.co.uk/portal. Printed copies of all the letters and forms received are also available.

**Summary of Main Issues**

2.7 On 8th July 2011, prior to the submission of the Core Strategy, the Planning and Development Portfolio Holder formally made a decision after considering the main issues raised by representations received to Wealden's Proposed Submission Core Strategy, to submit formally the Core Strategy to the Secretary of State (Planning Inspectorate) for independent examination. Appendix A, the report together with its Appendices, summarises the main issues raised.

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\(^1\) A scanned document is not provided where a form has been submitted and has been inputted onto the consultation portal verbatim or where representations have been inputted representations onto the website directly.
Appendix A: Core Strategy Submission
Decision by Planning and Development Portfolio Holder dated 8th July 2011 and Associated Report
WEALDEN DISTRICT COUNCIL
Planning and Development Portfolio Holder DECISION

NAME OF DECISION MAKER: Cllr R Galley  DATE: 8 Jul 2011

PORTFOLIO: Planning and Development

SUBJECT OF REPORT: CORE STRATEGY SUBMISSION

DECISION MADE:
A. Having considered the main issues raised by representations received to Wealden's proposed submission Core Strategy, to submit formally the Core Strategy to the Secretary of State (Planning Inspectorate) and enable examination in public of the document.

B. To note the appointment of a Programme Officer in preparation for the examination in public of the Core Strategy and the likely timetable for the examination itself.

REASONS FOR DECISION
To enable the Council's Core Strategy as approved by Council for submission and in the light of subsequent representations to be formally submitted to the Secretary of State (Planning Inspectorate) for examination in public and thereby further progressing our Local Development Framework.

OPTIONS CONSIDERED BUT NOT TAKEN:
N/A

RESOURCE IMPLICATIONS:
The Council's budget assumes the Local Development Framework Core Strategy is submitted for Examination in Public according to the timetable and that the Strategy is found to be sound.

Should the Strategy be delayed and/or not be found to be sound the financial implications on the Council are very serious.

Firstly, in the case of the Core Strategy being found unsound, the Council will have to restart the Core Strategy work and redo all the evidence bases and consultation stages. The cost estimates for this are in excess of £1.5 million.

In the case of both delay and the Core Strategy being found unsound the Non-Statutory Local Plan and saved Local Plan policies will lapse and the Council will have failed to demonstrate a five year housing land supply.
This will mean the Council will enter a period of 2 years or more where planning becomes developer led. The cost of defending planning appeals where the Council has refused permission can be considerable and the Council would need to budget for significant costs for the appeals process and also for likely compensation payments to developers for refusing permission in a developer led planning environment.

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INTERESTS, AND NATURE OF INTERESTS DECLARED: 

DISPENSATION GRANTED: 

SIGNED ............... R. Galley .................. Portfolio Holder

DATE OF PUBLICATION: 8th July 2011

FINAL DATE FOR CALL-IN: 15th July 2011

DATE OF CALL-IN REQUEST: 14th July 2011

APPROVED FOR CALL-IN: YES

RESULT OF CALL-IN: Considered by Community & Environment Scrutiny Committee on 25th July 2011 and resolved to accept the Decision and reject the call-in

DATE OF IMPLEMENTATION: 25th July 2011

IND 33 /2011
Proposed Submission Core Strategy : Report on the representations received and next stages.

Summary
This report reminds members of the stage that Wealden has now reached in the preparation of its Core Strategy and provides a summary of the main issues highlighted from the recent (“Regulation 27”) representations period. It also sets out in detail the current status of the South East Plan and the requirement for our Core Strategy to be in general conformity with that Plan. The report recommends formal submission of the Core Strategy to the Planning Inspectorate in order that the document may go forward to its examination in public (EIP) later this year.

Portfolio Holder: Cllr Roy Galley, Planning and Development
Portfolio Holder has made the following decision:

Decision
A. Having considered the main issues raised by representations received to Wealden’s proposed submission Core Strategy, to submit formally the Core Strategy to the Secretary of State (Planning Inspectorate) and enable examination in public of the document.
B. To note the appointment of a Programme Officer in preparation for the examination in public of the Core Strategy and the likely timetable for the examination itself.

Reason
To enable the Council’s Core Strategy as approved by Council for submission and in the light of subsequent representations to be formally submitted to the Secretary of State (Planning Inspectorate) for examination in public and thereby further progressing our Local Development Framework.

Introduction
1. The Council’s Core Strategy is the key Planning Policy document which sets out how the places and communities within Wealden will change up to the period 2030. It will determine the amount and broad locations of housing and employment growth within Wealden and contains a number of key policies relating to such matters as affordable housing, infrastructure and biodiversity. The Core Strategy is the first of Wealden’s Development Plan Documents (DPDs) to be produced as part of the Council’s approved Local Development Framework and will be followed by more specific DPDs dealing with Strategic Sites and villages.
For: Single Portfolio Holder Decision

2. This report is structured to set out all of the relevant issues under the following Parts:
   - **PART A** Background to the representations received and requirement for general conformity with the South East Plan
   - **PART B** Evidence and explanation to justify the Strategy now proposed
   - **PART C** Conclusion to proceed to submission

3. The Strategy has been produced following extensive consultation exercises carried out in 2007 and 2009, including with the Town and Parish Councils, the Local Strategic Partnership and with statutory consultees. In December of last year Full Council formally approved the document to be published for receipt of representations under Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and prior to its submission to the Secretary of State for examination in public.

**PART A: Background to representations and general conformity**

4. The period for receipt of representations ran from 14th February to 18th April 2011 during which time hard copies of the Core Strategy together with thirteen supporting background papers were made available at a number of deposit points throughout the District including at the Council's Pine Grove and Vicarage Fields offices and in libraries and some Parish/ Town Council offices. All material was also available on the Councils website and available to download free of charge.

5. Overall 1770 representations have been received from 272 different individuals, agents or organisations. Of these a number have to date indicated that they would wish to appear at the examination to give oral evidence in support of their representation. The Planning Inspectorate has informally indicated that it considers that any examination might take some 3-5 weeks and that, were the Council to submit formally by the early July, that it may be possible for the examination to commence in October.

6. In order for the Planning Inspectorate to consider a potential timetable and the allocation of an Inspector to hear any examination the Council is firstly required to appoint a programme officer to support the Inspector during the EIP and to write to all representors to agree and arrange timetabling, venue etc. Wealden has recently appointed its independent Programme Officer from the Inspectorate’s list of accredited and experienced programme officers. Once all of the representations have been entered onto the Councils system our Programme Officer will be writing to advise all who have made representations of the next stages of the examination process: venue, timings etc.

**Representations received: Main Issues raised**

7. Attached as Appendix A is a detailed commentary of the principal matters raised by the representations received and which are categorised according
For: Single Portfolio Holder Decision

to the principal sections, policies, or growth areas identified in the Strategy concerning e.g. District housing targets, distribution of growth within towns, villages and settlement hierarchy, economy, environment etc. Overall 1770 representations were received from 272 different individuals and organisations. These are all now published and available to see on the Council's website.

8. As with many exercises of this nature there is no overall consensus that emerges. There are those who support the overall strategy and the proposed distribution of growth, others who believe that housing numbers should be increased above RSS figures (with a range from 12,500 to 17,300) and others who consider that lack of infrastructure and environmental constraints prevents development and therefore that the proposed figure of 9600 is unrealistic. Other issues raised suggest that the strategy does not accommodate possible shortfalls from neighbouring authorities or do enough to regenerate the Sussex Coast sub region.

9. The significant majority of representations received relate to overall housing numbers and to the broad areas for growth identified within the strategy. Other matters received proportionally far fewer comments. In terms of overall distribution most supported the proposed emphasis on urban extensions but others sought a substantial increase in the rural distribution i.e. growth within villages. Some representations argued that the proportional split between north and south of the District and which mirrors that proposed in the RSS whilst others felt that there should be more growth in the north of Wealden.

10. In respect of strategic growth areas proposed for the towns again views were varied and often, indeed usually, conflicting. Some proposed additional growth in Hailsham / Hellingly whilst others felt that too many had already been allocated and that key infrastructure could not support more, clearly indicating that what was proposed was undeliverable. Similar comments were received in respect of strategic growth areas at Polegate and Stone Cross. Whilst the strategic growth area for Uckfield was generally supported it also received objections. Some felt that the town should have more than 1000 allocated whilst others felt that poor infrastructure and in particular traffic congestion meant that such growth was too high. A number of representations in respect of Crowborough suggest a much higher allocation (up to 900 units) and that elements of housing need for the north of the district should be given more weight over environmental concerns. Again however representations received also suggest that the proposed figure of 300 is significant given constraints. The range of views received in respect of proposed growth for Heathfield was no less varied with some suggesting the figure of 160 was too low with others (including the high weald AONB Unit) expressing concern that the level of growth proposed may compromise AONB principles. A more detailed breakdown of comments received in respect of the growth areas proposed for the towns is found in Appendix A.
11. The distribution proposed within the villages was felt by some to be too high at 14% of the overall total and too low by others who proposed 30%. Overall there did appear support for development but only where it is sustainable and commensurate with the size of the village and is capacity to support growth. A number of representations felt that Development Boundaries should be retained, citing the inability of rural exception policies to provide housing as a reason for this. Others felt that development boundaries should only be removed when the proposals map changes and retained where 50 or more dwellings are proposed. Whilst there was general support for a settlement hierarchy approach some felt that their particular settlement classification should be changed. Individual comments received for villages are set out in Appendix A.

12. A number of representations received have either queried the capacity of infrastructure (both existing and planned) to accommodate the levels of growth proposed or the deliverability of what is proposed and thus potentially commitment of other partners to bring forward infrastructure identified within the Council’s accompanying Infrastructure Delivery Plan. This plan has however been developed with all constituent providers and partners and will continue to be so. It identifies and acknowledges what infrastructure will be needed to support the proposed levels of growth and delivery will be further clarified through development of the Council’s strategic sites development plan document.

13. Generally other matters proposed within the strategy received less comment with broad support for economic and environment policies received but with suggestions for changes and or strengthening of policies and support proposed policy for managing phasing of delivery received both support and objection. With surprisingly few representations received regarding affordable housing policy some emphasise that planning obligations must be fair and reasonable, that thresholds should be increased and that policy should be reworded to allow some flexibility in future DPDs.

14. Submissions relating to the overall vision and strategic planning objectives were limited but a number of individual matters and suggestions were raised and which are also set out in Appendix A.

15. Overall the very wide range of views received and the variety of representations expressed is no surprise, in many cases reaffirming comments that the Council has received during widespread consultation exercises on the emerging Core Strategy carried out in 2007 and 2009. This "Regulation 27" representation has enabled people to make these views more formally in order that they may be considered by the Planning Inspectorate at any examination in public. The very broad range of representations received with some suggesting that our proposed growth is too high and not supported by infrastructure, others advocating much increased growth and a number supporting the strategy in a general sense or in parts, does not give any clear reason to review our document in any specific direction. The strategy has been developed as a balanced and
reasonable approach to meeting future need based upon localised and up
to date evidence and indeed its degree of balance might be said to be
reflected in this wide range of representations. It is not considered that the
representations have raised any matters which suggest that we should be
seeking to review the strategy approved by Council as our proposed
submission document.

Status of the Regional Spatial Strategy (South East Plan) and the
requirement for general Conformity.

16. It is essential that the status of the South East Plan (our Regional Spatial
Strategy) is recognised as the relevant Development Plan document in
developing and delivering our own Core Strategy. Part B of this report
details the various court decisions and implications arising from them that
have emerged following recent months. These matters have been clarified
by the courts and have stemmed from various challenges lodged against
the Secretary of States various announcements regarding his intended
revocation of the Spatial Strategies and the materiality or weight to be
afforded to his intention. The matter of general conformity with the SE Plan
remains fundamental to the assessment of our Core Strategy and it is thus
prudent to revisit and confirm conformity as set out in the following
paragraphs and particularly at Part B of this report. The Council has
produced a balanced and reasonable response to its need for growth when
set against the undoubted high environmental constraints of the District and
its identified infrastructure needs. The Council’s proposed submission
document provides for at least 9,600 houses over the period to 2030 - an
average annualised rate of 400 units as opposed to the 550 envisaged by
the South East Plan. It has done this based upon evidence collected from
all relevant sources including from infrastructure providers and having
carefully assessed environmental constraints, together with a clear
indication of the level of deliverability.

17. It is also considered relevant to look at a number of other Policies within the
South East Plan when considering the requirement for general conformity
since these too are reinstated, along with the matter of housing targets, for
the time being and following the success of the initial CALA challenge. The
great majority of those representations received which consider that the
Core Strategy is not sound do so on the basis of it not being in conformity
with the RSS in relation to the overall housing numbers proposed as being
too low when compared with the RSS figure of 11,000.

PART B : Wealden’s Core Strategy - explanation and evidence to
support the Strategy now proposed

Planning Framework

18. It is a requirement under Section 24 of the Planning and Compulsory
Purchase Act 2004 that the Wealden Core Strategy is in general conformity
with the Regional Spatial Strategy, the South East Plan. In 2006 the Draft
South East Plan proposed 8000 dwellings to be delivered in Wealden between 2006 and 2026. This figure increased to 9,600 dwellings, as recommended by the Panel of Inspectors examining the South East Plan, and further increased to 11,000 dwellings when the South East Plan was finally adopted by the Secretary of State (SoS) in May 2009.

19. In July 2010 the SoS announced the revocation of regional spatial strategies "with immediate effect" by way of his letter of 6th July. The letter also provided additional guidance to Local Planning Authorities and confirmed that they should proceed to produce their Core Strategies as quickly as possible. However, providing they were evidence based the SoS also confirmed that Local Authorities could set their own housing targets. At this stage the Council was still in the process of developing its Core Strategy and so resolved (at the meeting of the LDF Sub Committee 7th July 2010) to take the opportunity to test further with infrastructure partners and seek to better balance Wealden's need for growth with its environmental and infrastructure constraints.

20. The decision of the SoS to revoke the Regional Strategies "with immediate effect" was successfully challenged by developers CALA Homes in the High Court, when in essence the courts found that the regional spatial strategies remained in effect as the Development Plan. A subsequent letter issued by Communities and Local Government stating that that the intention to revoke was nevertheless a material planning consideration was also challenged by CALA. In this instance however, the courts held that the intention to revoke was a material planning consideration but that the weight to be attached to this intention was a matter for Local Planning Authorities and the Planning Inspectorate to decide. A further challenge by CALA Homes, in the Court of Appeal, resulted in a ruling that Councils development plans that were based upon the Government's stated intention to abolish RSSs would be unlawful. Lord Justice Sullivan confirmed that whilst there may be circumstances where the intention to abolish the RSSs would be material to a development control decision, he ruled that plan makers should not be influenced by the planned revocation.

21. Prior to the announcement of the abolition of the South East Plan the Council consulted on a number of housing and employment options and spatial objectives. The Spatial Development Options Consultation in 2009 provided a diverse set of options on the spatial distribution of 11,000 dwellings, which recognised particular issues relating to each distribution. One such distribution reflected the north/ south split proposed in the RSS whilst the second looked at the possibility of placing more of the proposed growth in the north of Wealden. Resulting from this, a report to the Local Development Framework Sub Committee (December 2009) identified that it was essential to ensure a deliverable spatial strategy, which meets the objectives set out in the Core Strategy and with the capability and resources for achieving this clearly identified. Infrastructure planning was recognised as pivotal in the testing of deliverability. The two main infrastructure constraints of the highways infrastructure (and in particular the A27/A259)
and waste water capacity in the south of the District (Hailsham/ Polegate area) were identified as having the potential to disrupt significantly the delivery of the Core Strategy in terms of meeting the South East Plan. Therefore it was required to identify where it was necessary to plan contingencies, through alternative development locations and the phasing of growth, to ensure the overall delivery of the Strategy.

22. Following consideration by the Council’s Local Development Framework Sub Committee two housing development options were created. These benefited from early work being undertaken on the Strategic Housing Land Availability Assessment (SHLAA), which was not in place for the 2009 consultation. Both options sought to meet the 11,000 dwellings target but had two distinct distributions, taking into account the significant concerns arising from the infrastructure issues to the south of the District. At this time the Appropriate Assessment work required under the Habitat Assessment Regulations was in the early stages of development and the severity of certain issues and the ability to mitigate adverse impacts of any proposed growth were yet to be agreed. These two options were then subject to infrastructure stakeholder consultation and assessment. It was during the testing and assessment process of these options that the revocation of the South East Plan was announced.

23. After the announcement of the revocation of regional spatial strategies it was necessary for a Core Strategy to be developed which did not rely upon the South East Plan, and could be assessed independently of that document. However, national policy statements, the fundamental basis of the South East Plan, and the evidence base relating to the region, provided in the development of the South East Plan clearly remained in effect in producing a sound strategy and provided the basis of the assessment of need in order to determine the Core Strategy Objectives. The Council had also undertaken two public consultation events and a number of additional stakeholder events, which were based upon the requirements of the South East Plan prior to the announced revocation. The fundamental basis of the Core Strategy, that is the vision and objectives were derived form the consultations on 2007 and 2009, and work with stakeholders during that time and remain part of the Proposed Submission Core Strategy. Although all references to the South East Plan are removed from the Proposed Submission Core Strategy, initially considered by the LDF Sub Committee on 19th October 2010, to ensure that the document could be read in the future as a stand alone document, the document itself is fundamentally based upon the evidence base that is relevant to the South East as well as more locally derived and current evidence.

24. In this regard a housing figure of 9,600 and a plan period to 2030 as opposed to 2026 was agreed to be most consistent with the South East Plan taking into account to ensure deliverability of growth when weighed against all evidence, opportunities and constraints.

25. The success of the initial CALA challenge was received in time for this matter to be clearly brought to the attention of Members of the LDF Sub
Committee at its meeting of 19th October 2010 and when the Council’s Proposed Submission Core Strategy was considered. This was also brought to the attention of Cabinet at its meeting on 24th November (paragraphs 57-59 of that report) which confirmed that the "immediate revocation" of the RSS had been found to be unlawful by the courts and that the South East Plan remained in effect as part of the Development Plan. This was reaffirmed in the report to Full Council at its meeting of 8th December 2010 when it was assessed that the proposed strategy, which was based upon clear evidence including of need and constraints was in accordance with Government advice as expressed in PPS's and elsewhere and in general compliance with the South East Plan. Council considered and endorsed this view and resolved to publish the document for representations. Currently the RSS (the South East Plan in Wealden’s case) remains in effect as the Development Plan.

**South East Plan Requirements**

26. **Housing growth:** In order to substantiate the requirement for general conformity with the South East Plan all relevant policies of the RSS need to be considered. It is recognised that the South East Plan requires, through Policy H1, that Wealden will allocate and facilitate the delivery of 11,000 dwellings between 2006 and 2026. The RSS also requires that of this total, 7000 dwellings should be allocated to the part of Wealden within the Sussex Coast Sub Region and 4,000 to the remainder of Wealden. However, Policy NRM2 requires that the environmental water quality standards and objectives as required by European Directives are met and that the rate and that the location of development does not breach 'no deterioration' objectives or environmental quality standards.

27. **Sites of European Importance:** Policy NRM5 of the RSS is also of relevance and is clear that sites of international nature conservation importance have the highest level of protection. More importantly it states that "if after completing an appropriate assessment of a plan or project local planning authorities and other bodies are unable to conclude that there will be no adverse impact on the integrity of any European sites, the plan or project, will not be approved, irrespective of conformity with other policies in the RSS, unless other wise in compliance with article 6(4) of the Habitats Directive." It further states that alternative distributions should be considered that avoid adversely affecting the integrity of European Sites. In the event that a local planning authority concludes that in cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European Sites."

28. Policy NRM9 relating to air quality states that Local Development Documents can achieve improvements in local air quality by assessing
potential impacts of new development and increased traffic levels on internationally designated nature conservation sites, and adopt avoidance and mitigation measures to address these impacts.

29. **Infrastructure and phasing:** As emphasised above however a number of other RSS policies clearly need to be considered in assessing the matter of general conformity of the Council’s Core Strategy with the South East Plan. A significant element of these allows some flexibility for Local Authorities in developing their core strategy and clearly also flag issues of sustainability, environmental capacity and infrastructure. The degree of compliance with such policies is also part of any assessment of "general conformity".

30. Policy CC7 of the RSS states that the scale and pace of development will depend upon sufficient capacity being available in existing infrastructure to meet the needs of new development. It goes on to state that where this cannot be demonstrated the scale and pace of development will be dependent on additional capacity etc. Policy CC7 also states that funding will be provided by a combination of local government and private sector partners, and substantial contributions from central government.

31. Further references are made within the RSS itself to the fact that mechanisms to enable forward funding of infrastructure will be agreed between regional bodies and Government.

32. **Deliverability:** Whilst regional bodies such as GOSE and SEEDA have now gone, the funding elements of the RSS as expressed in Policy CC7 are equally valid to considerations of general compliance and especially deliverability. These now appear even more remote in terms of the likelihood of funding being available to enhance infrastructural capacity beyond that set out in our core strategy and accompanying Infrastructure Delivery Plan. Beyond these identified strategic limitations whilst it is possible that some additional capacity may be found through windfalls and the general response of the development management process to more localised issues it is not felt that any additional capacity can be factored in with certainty at this juncture.

33. Since the early work on the RSS in 2006 the economic climate has changed significantly. The Council’s own emerging Strategy has been able, with infrastructure providers and as exhorted by the RSS itself, to provide much clearer and more up to date evidence of deliverability and capacity issues, alongside acknowledged environmental constraints and which has led to the document now published. This evidence supports a reduced scale and pace of development which is wholly in compliance with CC7 and supported particularly by evidence gathered in respect of finite limitations on growth in respect of waste water provision in the south of the District together with clearly identified constraints in respect of highways infrastructure.

34. Policy ST5 recognises the limitations at the Hailsham Waste Water Treatment Works and states that the phasing of housing delivery to allow for the provision of new or improved waste water infrastructure may be required. Later in paragraph 17.14 it is stated that key issues to be
addressed are waste water treatment particularly at Hailsham to address Water Framework and Habitats Directives Requirements. The reasoning for the need to increase housing number particularly in the part of Wealden that is situated in the Sussex Coast Sub Region was for economic reasons and to meet the need for housing. Policy SCT1 supports this approach and identifies sustainable economic growth and regeneration of the Sussex Coast as a priority, with at least matching anticipated increases in the resident workforce with employment allocations included as appropriate within sustainable urban extensions in Wealden.

35. **Distribution principles:** The South East Plan Policy BE5 states that local planning authorities should plan to meet the defined local needs of their rural communities for small scale affordable housing, business and service development, taking into account changing patterns of agriculture, economic diversification and continued viability of local services. The text accompanying the policy states that limited small-scale development can help meet specific local housing, business and service needs of individual rural settlements. Planning Policy Statement 3 and the South East Plan reaffirm the importance of focusing new development in locations with good public transport accessibility. Policy SP3 of the South East Plan seeks to concentrate development within or adjacent to the region's urban area.

36. In terms of development in the area of Wealden not within the Sussex Coast Sub Region, the text states (paragraphs 25.27 and 25.28) that Uckfield will play an important role as a small market town in supporting its wider hinterland and that it is expected that the town will meet wider housing needs through provision of new housing. In addition it is stated that "A balanced dispersal strategy should be used in making local development framework site allocations taking into account the role and accessibility of each rural settlement moderated by environmental designations."

**Justification of Wealden's Proposed Submission Core Strategy: Weighing Evidence and Needs**

37. In considering the representations received in relation to the Proposed Submission Core Strategy all the factors that impact upon the settlement strategy must be considered in combination. The needs of the District, including existing and future residents, the availability of land for suitable housing and employment allocations, the ability to create and maintain sustainable settlements, the ability to deliver infrastructure to meet the needs of communities, the ability for the market to deliver housing particularly where high infrastructure costs are associated with development and significant environmental constraints, with two large sites subject to the Habitats Directive situated within Wealden all need to be considered in accordance with the South East Plan.

38. **Need and Demand for Housing:** It is acknowledged that there is a the range of demographic projections, with associated potential impact on housing need and demand. These projections are produced on a District
wide basis every two years and have no sensitivity with regards to location within the District itself. The national population projections are based on the latest available mid-year population estimate and a set of demographic assumptions about future fertility, mortality and migration based on analysis of trends and expert advice. The Office of National Statistics (ONS), which produces the demographic projections, clarify that the national population projections are not forecasts and do not attempt to predict the impact that future government policies, changing economic circumstances or other factors (whether in the UK or overseas) might have on demographic behaviour.

39. A number of responses received regarding the Proposed Submission Core Strategy have submitted that housing targets should reflect population projections, which are greater than the South East Plan target of 11,000 dwellings. In response, the information provided by the ONS cannot forecast need by area, particularly in such as a diverse area as Wealden, and can only provide an overall indication of future requirements. Therefore it is not suitable to base housing numbers solely on projections of need, and a number of locally derived issues need to be taken into account and carefully balanced as indeed emphasised by policies in the South East Plan. Further as recently confirmed in the examination of the Bristol Core Strategy there is no direct correlation between population projections, assessment of housing needs (HNS) and the amount of new housing required. Indeed there are other ways that housing needs can be met in any given area e.g. through adaptations, persons moving to alternative accommodation types or by those who choose to move.

Habitats Directive and the South East Plan Housing Requirements:

40. A number of responses to the Proposed Submission Core Strategy identified the need to meet exactly the 11,000 dwelling target between 2006 and 2026 with an extrapolation for the additional four years to coincide with the plan period up to 2030 giving a figure of 13,200 to the year 2030.

41. In response it is considered that the Proposed Core Strategy is in general conformity with the South East Plan taking into account all policies in the South East Plan particularly H1, NRM5 and the village policies.

42. The District contains two large areas with designations of such environmental significance the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) and Pevensey Levels Ramsar Site and Candidate Special Area of Conservation (cSAC). In addition, development in Wealden has the potential to have an impact upon the Lewes Downs SAC, which is located within the adjoining Lewes District. It is a requirement of the Habitats Directive that the Core Strategy is proven not to affect adversely the integrity of these three sites, and this is reiterated in the South East Plan Policies NRM5 and NRM9.

43. **Pevensey Levels:** Taking the areas within Wealden in turn, currently there is a clearly accepted and identified issue with regards to water quality in relation to the Pevensey Levels. As this is a designated wetland site this is
of particular significance in terms of the need to protect the site. Notwithstanding the impact of surface water, which is dealt through mitigation as identified in the Appropriate Assessment, the major issue is the discharge of waste water from a number of waste water treatment works into the Pevensey Levels. Of particular interest is Hailsham North and Hailsham South which serve the settlements of Hailsham, Hellingly, Lower Dicker, Arlington, Upper Dicker, Lower Horse Bridge, Magham Down, Polegate, Willingdon and Stone Cross. Ironically these areas are those where the RSS identifies greatest potential for growth. Both waste water treatment works are constrained by Environment Agency consents for the discharge of treated waste water. The current position is that if the Core Strategy identified housing, employment and public building provision in the Hailsham, Hellingly, Polegate, Willingdon and Stone Cross area (and adjacent villages) in excess of the consented capacity, without mitigation in place to accommodate the increase in provision, then the plan would adversely impact upon the integrity of the Pevensey Levels in direct violation of the Habitats Directive and not be in conformity with the RSS.

44. Whilst Southern Water is actively looking into alternative solutions there are a number of significant risks associated with delivery, and in the absence of certainty in terms of mitigation the Proposed Submission Core Strategy identifies housing allocations up to a maximum level to meet the known capacity of the treatment works. In addition to this, the Environment Agency is undertaking a Review of Consents and is awaiting an announcement from DEFRA concerning their policy concerning the Water Framework Directive, which may reduce the consented capacity further. In this regard our evidence in respect of the necessary assessments under the Habitats Regulations (HRA) has been developed with the agreement and endorsement both of Natural England and the Environment Agency. The Local Authority as the designated competent authority considers that this evidence supports the strategy now proposed.

45. **Ashdown Forest**: The Ashdown Forest SPA and SAC have two particular issues that require consideration in relation to the Habitats Directive. The initial issue dealt with in relation to the Core Strategy related to the impact of visitors on the SPA and SAC. Natural England has agreed a strategy to mitigate the adverse impact in relation to this matter by supporting the inclusion in the Core Strategy of a 400 metre exclusion zone together with provision of Suitable Alternative Natural Green Space (SANGS) for areas where growth takes place. The 400 metre zone has specifically excluded a number of SHLAA sites within the town of Crowborough and villages surrounding Ashdown Forest, and any development within 7 kilometres will have to contribute to mitigation measures to ensure that the Core Strategy does not have an adverse impact upon the conservation features of Ashdown Forest.

46. The more critical issue of potential harm to the Ashdown Forest is the impact of nitrogen deposition arising from additional vehicles using the road system crossing the Forest. Information demonstrates that the nitrogen
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deposition from existing traffic is already greater than the current carrying capacity of the Forest to assimilate that pollutant. It is only recently that confirmed that nitrogen from the current distribution strategy including the growth proposed for the settlements of Uckfield, Maresfield and Crowborough are just within the parameters of acceptability. This constraint also impacts on the villages surrounding Ashdown Forest within a 7 kilometre zone, which is shown to attract visitors and use the Ashdown Forest for trips to Gatwick, Crawley, the M23 and M25. Whilst some mitigation measures have been identified in order to deal with uncertainty of additional traffic movements, unless robust measures are in force then the impact of increased traffic cannot be controlled. As part of the mitigation package the monitoring of deposition is required, and if the impacts of development are deemed unacceptable then a review will be required.

47. As indicated at paragraph 43 the work that has been undertaken by the Council in respect of the necessary assessment of our emerging strategy under the Habitats Regulations (HRA) has been endorsed by Natural England. This evidence is a key component in arriving at the strategy now proposed and where, for the purposes of HRA, the Local Authority is the designated competent authority. This has had due regard to the advice within the South East Plan regarding the importance of european designated sites and the need to ensure that the integrity of these is not adversely affected by our Core Strategy.

48. The villages and towns situated within the 7 Kilometre zone, and therefore which affect the nitrogen deposition on the Ashdown Forest include Crowborough, Uckfield, Chelwood Gate, Chelwood Common, Danehill, Nutley, Fletching, Piltdown, Fairwarp, Maresfield, Five Ash Down, Buxted, Hadlow Down, Framfield, Rotherfield, Erigde, Groombridge, Withyham, High Hurstwood and Hartfield.

49. The Habitats Directive - Summary: The Habitats Directive has a clear and direct influence over the amount of development that can be accommodated overall in the main settlements of Hailsham and Hellingly, Polegate and Willingdon, Stone Cross, Uckfield and Crowborough as well as within the smaller settlements which rely upon discharge of water into the Pevensey Levels (including Herstmonceux and Ninfield) and of the smaller settlements within 7 kilometres of the Ashdown Forest as shown above.

Testing of Alternative locations for growth

50. In order to fully address the requirements of Policy NRM5 it is necessary to show that housing development could not be accommodated elsewhere to meet the housing target of 11,000. A number of the following representations raised issues of alternative locations for growth, which also addresses Policy NRM5.
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Distribution for Rest of Wealden (Outside of Sussex Coast Sub Region): Rationale
Crowborough

51. A number of responses consider that Crowborough should have far greater amount of development than that identified in the Proposed Submission Core Strategy. It is acknowledged that the Strategic Housing Availability Assessment (SHLAA) identifies suitable, available and achievable land for some 2369 dwellings. However, the SHLAA does not take into account the cumulative impact of development, the relative merits of sites, the ability of the town to sustainably accommodate growth or the tests required (under PPS7) in relation to allocating major sites for development within Areas of Outstanding Natural Beauty.

52. There are a number of issues relating to Crowborough that have been carefully balanced, including the reliance of Crowborough on Tunbridge Wells for jobs and shopping, and the resulting impact on businesses and the High Street within Crowborough, the lack of availability of employment land, the identification of land within the High Weald AONB and the uncertainty with regards to the ability of Western Road to accommodate development in the south east of Crowborough. With the land available, 300 homes have been accommodated in the Core Strategy, seeking to maximise the brownfield potential focusing on the two centres of Crowborough. In addition, the need to provide SANGS has been considered by seeking to allocate greenfield development on land outside of the AONB, subject to traffic impacts, particularly upon Western Road being able to be satisfactorily resolved. This strategic amount of development also takes into account the inability to provide an interceptor SANGS site between Crowborough and the Ashdown Forest coupled with the cumulative issues of nitrogen deposition. Taking into account current commitments within 7 kilometres of the Ashdown Forest, and the SE Plan assertion that Uckfield meets wider housing needs this is the limit to which Crowborough can grow taking into account the impact of nitrogen deposition on the Ashdown Forest.

Uckfield

53. Uckfield is favoured in terms of growth compared to Crowborough in the Core Strategy, in line with clear suggestions within the South East Plan. However, some representations received consider that Uckfield is allocated too much growth. Uckfield has its own constraints, however it has the attributes to be able to create a more sustainable centre as the draw from Tunbridge Wells is not as strong as Crowborough. The need and the potential for regeneration and identified infrastructure, the focus of employment and retail in a strong market and the ability to create a sustainable centre for its population and hinterland (especially Heathfield) provides a natural focus for Uckfield. The amount of development proposed maximises the amount of development that can be accommodated due to nitrogen emissions, however the ability to create a stronger centre helps
reduce the need to travel by car and mitigate likely future nitrogen emissions. This is very much in conformity with the Regional Spatial Strategy, which limited development to the north of the District due to the environmental constraints and provides a focus on Uckfield.

**Heathfield**

54. Heathfield is surrounded by the High Weald Area of Outstanding Natural Beauty (AONB), and through the SHLAA process suitable, available and achievable land has been identified for some 242 dwellings, all of which is located within the High Weald Area of Outstanding Natural Beauty. The physical dissociation of part of the area identified in the SHLAA left remaining capacity for around 160 dwellings, which is identified in the Core Strategy to help meet local needs. The absence of new employment opportunities, available land for development and the reliance of Heathfield on Uckfield, with limited public transport provision, reinforces the scale of allocation of development to this town as identified in the Core Strategy. Even this scale of development has attracted concerns from the High Weald AONB Unit as not in accordance with PPS7 and approach to developments in the AONB.

**Edge of Tunbridge Wells in Frant Parish**

55. In order to achieve optimum and additional sustainable growth to meet acknowledged housing needs, the Strategy identifies a development area on the edge of Tunbridge Wells in the Parish of Frant. The capacity of this identified growth area is however limited due the presence of a municipal solid waste landfill site and a designated Site of Nature Conservation Importance. The Core Strategy is seeking to optimise the delivery of housing in such a sustainable location on the edge of Tunbridge Wells, on land outside of the AONB in the north of the District. Although representations have been received stating that the area is far too removed from Wealden settlements, it is considered that development meets wider housing needs on the edge of a sustainable centre. Infrastructure dependence on Tunbridge Wells and Kent is acknowledged as a cross boundary resource issue.

**Distribution of growth within the Sussex Coast Sub Region : Rationale**

56. As set out above the capacity of Hailsham, Polegate, Willingdon and Stone Cross to accommodate growth is reliant upon the likely associated impacts upon the Pevensey Levels under the Habitats Directive. A number of representations queried the relative merits of the distribution. Hailsham is one of the largest towns in Wealden, with pockets of deprivation and relatively low house prices (a new 3 bedroom semi detached dwelling on the market for £210,000 compared to Uckfield where a new 3 bed semi detached house is currently on the market for £280,000). Hailsham does
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not have a train station, but it sufficiently separate from Eastbourne to have a town centre with potential for sustainable development. In addition, the need for regeneration, employment and housing opportunities leads to the need for development in this area.

57. The broad locations identified at north Hailsham/ Hellingly and east Hailsham relates to the waste water capacity of the waste water treatment works serving the north of Hailsham, Hellingly, Lower Horsebridge, Upper Dicker and Lower Dicker. The level of growth proposed seeks to maximise capacity at the waste water treatment works as well as locating development in the most sustainable areas. The distribution of growth takes into account the opportunities and constraints identified in each area, particularly with regards to the odour mitigation required in east Hailsham as well as landscape sensitivity.

58. The remaining housing and employment growth is required to be split between Polegate, Willingdon, Stone Cross and potentially south Hailsham. The road network in south Hailsham is particularly constrained and a number of locations are significantly distant from the town centre promoting the need to travel by car and reducing regeneration to the town centre. In addition certain areas within south Hailsham have a weaker housing market, with areas of high concentrations of affordable housing.

59. **Strategic Housing Market Assessment:** Polegate, Willingdon and Stone Cross have smaller centres, and are particularly accessible to Eastbourne. Polegate, in particular, has a popular main line train station. The Strategic Housing Market Assessment considered South Wealden and Eastbourne as one Housing Market area and recommended that whilst Eastbourne can provide smaller flatted development it should be the role of south Wealden to provide family housing. This synergy between Wealden and Eastbourne, with its particularly accessible linkages is strong in Polegate, Willingdon and Stone Cross relative to Hailsham. In order to spread the delivery of housing across the area, to make best use of weaker housing markets, and maximise the potential in each area housing and employment have been identified in order to maximise sustainability and links with Eastbourne.

60. The distribution allows Hailsham to grow, taking into account its weaker market, its need to become more self sufficient and waste water capacity constraints. It also provides potential for additional family housing to coincide with the housing market in Eastbourne, provide employment in the area to regenerate Polegate Town Centre and create sustainable development. It is acknowledged that there is a issue in relation to the highway network capacity in the area (as identified in the South Wealden and Eastbourne Transport Study (SWETS)) and this more even distribution also reduces the risk to delivery by not over emphasising development in one small area, creating a significant burden on a road network at capacity.

Distribution of growth within the Villages - North Wealden/ Rest of Wealden: Rationale
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Villages

61. A number of villages are located within 7 kilometres of Ashdown Forest. With current commitments and housing identified within the Core Strategy there is no capacity to increase the allocations without breaching Habitats Regulation requirements. Notwithstanding this, there are a number of other factors that need to be considered including land availability and the sustainability of village centres. Representations received considered that a greater amount of development should be allocated to Maresfield and that its status should be upgraded. Maresfield is a village with very limited facilities within its centre, situated relatively close to Uckfield and within 7 kilometres of the Ashdown Forest. It is submitted that it is considered to be similar in terms of sustainability to that of Buxted. However, a majority of the facilities cited include a business centre (Ashdown Business Park which has yet to be built) and a convenience store which is situated outside of the centre requiring walking alongside the main A roads crossing the area without pedestrian links. Although it has bus facilities it does not have a train station or a GP surgery, unlike Buxted. As a settlement Maresfield has a significant reliance on Uckfield to meet day to day needs and development even up to the 400 dwellings suggested by some would not create a more sustainable centre. The emphasis in the strategy of development on Uckfield however allows the creation of a more sustainable centre, attracting regeneration and working towards the reduction to travel by car. The relative merits of Maresfield are acknowledged, however with an allocation of 50 dwellings which is considered to be in line with the SE Plan policies of a balanced dispersal.

62. No particular representations were received in relation to villages such as Nutley, Danehill and Chelwood Gate, although it was a general submission by some that more development should be associated with villages to the north of the District, where the jobs and housing markets will ensure delivery. However a majority of these villages are constrained by the Ashdown Forest/ HRA issues, some of which are within 400 metres, with relatively poor public transport provision and where growth will thus be likely require the use of the car and the resulting nitrogen emissions. Development in Five Ash Down was also subject of representations. This village has limited facilities, and has recently had a significant extension on a brownfield site. Notwithstanding the need to control nitrogen deposition it is considered that again development in this area detracts from the development of Uckfield as a sustainable centre and spreads development out into areas that cannot meet the day to day needs of residents. Taking into account the recent development it is considered that the broad South East Plan requirements relating to villages are met.

63. Hadlow Down is a very isolated village with a school and a public house and some other limited facilities with poor accessibility. It is not closely associated with any of the larger towns, however representations received wish to see the expansion of the area with the provision of a development boundary. The limited expansion of this settlement by virtue of retaining a
settlement boundary would not create a sustainable settlement. Notwithstanding this, it is also within 7 kilometres of the Ashdown Forest.

64. Of the towns and larger villages situated outside the 7 kilometres of the Ashdown Forest and located in the north of the District this list includes Heathfield, Mayfield, Wadhurst, Horam and East Hoathly. Mayfield is a large historic village situated on a ridge top in the High Weald AONB. It is unable to provide for development due to the fact that there is no housing land potential. Wadhurst is again situated within the High Weald AONB, within a particularly sensitive landscape. The SHLAA provided a potential of 68 dwellings for Wadhurst and by allocating 70 dwellings the Core Strategy strives to meet that potential. The lack of available land and the particular landscape sensitivity is considered to justify the policies in the Core Strategy, notwithstanding representations seeking to increase provision in these areas. East Hoathly is situated between Hailsham and Uckfield. However the direct link between this settlement and these two District centres was lost when the village was by-passed. As a result the bus service is particularly infrequent and would require significant growth to be likely to encourage commercial improvement. The absence of a sustainable transport system and the recent housing developments the village has not been selected to grow. Housing land potential has been identified for 46 dwellings.

65. Horam is situated in between Heathfield and Hailsham and has a small thriving centre and a relatively good bus service. Although there is potential for 200 dwellings, the size of the settlement and the ability to assimilate growth in the community limits growth to 100 dwellings. In addition, part of the SHLAA submission would require the loss of business land and therefore the limit to growth of 100 houses would allow the retention, in some form, of employment provision which would be otherwise be lost by the development of 200 dwellings.

66. Cross in Hand has a housing land potential of 26, and the Core Strategy identifies the delivery of 25 dwellings. Frant has a potential for 18 dwellings and is allocated the delivery of 20 dwellings over and above that allocated on the edge of Tunbridge Wells but located within Frant parish.

67. Isfield is located just adjacent to the A26 between Lewes and Uckfield. Growth within this settlement has the ability to adversely impact upon the nitrogen emissions of not only the Ashdown Forest, but also the Lewes Downs SAC. With a potential of 273 dwellings arising from SHLAA such an allocation would change this small settlement beyond its character. Land has already been identified in the Non Statutory Plan and without significant investment the existing limited facilities would not be able to create a more sustainable centre.

68. Other smaller villages in the north of the District (as defined by the South East Plan) with some facilities or form of accessibility that do not have any land available to develop include: Rushlake Green, Little Horsted, Laughton, Broad Oak, Bells Yew Green, Mark Cross. The council’s very
comprehensive SHLAA exercise has simply not yielded any potential land to grow these areas.

69. The remaining villages in the north of the District which are considered not to be sustainable due to poor accessibility and lack of facilities include Cousley Wood, Five Ashes, Blackboys, Halland, Chiddingly, Waldron, Maynards Green, Vines Cross and Punnetts Town. In addition, these very small settlements have very little (Blackboys, Punnetts Town and Vines Cross) or no land availability.

South Wealden Villages

70. In the part of the District located within the Sussex Coast Sub Region both the larger villages of Herstmonceux and Ninfield are affected by the Pevensey Levels in terms of the Habitats Directive. However, it has been submitted that Ninfield should take greater growth than allocated.

71. Herstmonceux is identified as delivering 70 dwellings, which maximises land availability capacity as currently identified to the Council. It should also be noted that the Treatment Works serving Herstmonceux and Windmill Hill (the neighbouring settlement) is limited to 300 dwellings and is subject to the Habitats Directive issue as it too discharges into the Pevensey Levels.

72. Ninfield is a relatively small and rural village with links to Bexhill on Sea, with a SHLAA housing land potential for some 424 dwellings. To maximise potential, whilst not overwhelming a small village and taking into account is relative lack of facilities some 50 dwellings have been identified to be delivered in the Core Strategy. The waste water treatment works serving this settlement is also subject to Habitats Regulations due to the need to discharge into the Pevensey Levels. The waste water treatment works at Lunsford Cross has very limited consent and treatment capacity and therefore could be a potentially limiting factor depending on the Review of Consents and Defra’s potential "no deterioration" policy.

73. It was also submitted that Pevensey, Pevensey Bay and Westham change classification and should have greater growth potential. Westham is defined as a local centre with a range of facilities. Pevensey in itself has few facilities, although closely linked with Westham, and Pevensey Bay is also classified as a local centre. All three settlements have no housing land potential at present, due to the constraints of flood risk. Notwithstanding this, any significant growth would need to drain to either Hailsham South Waste Water Treatment Works, with its known constraints or to Eastbourne Waste Water Treatment works which currently has only the treatment capacity required for the growth to be delivered from Eastbourne’s Core Strategy. Any additions to these works are being considered as part of the waste water feasibility study being carried out by Southern Water. However until such work is completed no certainly could be afforded to capacity even were suitable land to come forward.

74. East Dean is located within the South Downs National Park. There is a small affordable housing need in the area and although there is potential for 43 dwellings the Core Strategy has limited development to 10 dwellings,
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taking into account local need, the National Park designation and the need to assimilate growth.

75. Berwick Station is located outside, but partially within the setting of the South Downs National Park, with good transport links but limited facilities. The Core Strategy requires the delivery of 20 homes in this particularly small village, but representations have been received to increase this number. It is considered that, taking the potential impact on the National Park there is capacity for 62 dwellings (SHLAA), however Berwick Station is a very small settlement and this amount of development will significantly grow the particular settlement and therefore 20 units is considered reasonable.

76. Boreham Street is a small isolated settlement and has been identified to deliver 10 dwellings, out of the potential 48 identified through SHLAA. This settlement is particularly small and situated on the edge of Pevensey Levels and therefore subject to the Habitats Directive. Development in excess of 10 dwellings would be significant in this context.

77. A small amount of development has been identified at Upper Dicker, Ripe and Selmeston, due to the capabilities to accommodate some growth to meet local needs. The land availability is limited in these areas and the relative sustainability merits are also considered to limit development potential.

78. Other villages in the south, which currently have no SHLAA land potential identified include Alfriston and Berwick. Windmill Hill is a very small and isolated settlement with little sustainability attributes and has very limited potential of 6 dwellings. This small amount of growth has not been allocated.

79. Employment provision to support sustainable growth: Employment provision is also an important factor when considering conformity with the South East Plan. The allocations in the Core Strategy meet the needs of the workforce projected populations across the whole of the District, to concentrate these in areas where highest growth is anticipated to be delivered, and to provide further opportunities in the town centres. A proportion (in line with the proportional split of housing allocation) has been allocated to the Sussex Coast Sub Region in order to help uplift in and increase the economic performance of the area.

80. The overall distribution of housing development in the main towns and around the edge of Tunbridge Wells in the Parish of Frant relates proportionally to the South East Plan, with an emphasis of growth to the Sussex Coast Sub Region. With additional windfall, provided within development boundaries in the larger and more sustainable settlements this will further increase the overall housing delivery in the area as a whole.

The Appropriate Assessment of the South East Plan

81. The Habitat Assessment of the South East Plan was introduced late into the development of the Regional Spatial Strategy. The issue of the impact of development on the Pevensey Levels was considered under the Habitat
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Regulations Assessment; however the issue of air pollution and the possible impact upon the Ashdown Forest was not raised at the time. However, in its conclusion the RSS confirms that "While the final RSS has not itself lowered housing allocations for those sub-regions or districts in which the HRA/AA of the draft Proposed Changes identified a potential conflict with European sites it does provide (via the feedback loop) within NRM5 a clear opportunity for this to occur if lower tier assessments and the further detail that will arise during implementation planning confirm that the required levels of housing cannot be delivered. Equally although the RSS cannot provide detailed avoidance and mitigation strategies for all impacts and effects that may arise from the Plan upon every European site... it does set out a policy framework through which additional guidance of this nature to local authorities can and will be provided by the Secretary of State."

82. It is considered that through the Habitat Assessment of the Core Strategy that mitigation is not sufficiently in place or planned to justify exceeding the finite waste water capacities at Hailsham North and Hailsham South. There are no suitable alternative locations to redirect development to meet the South East Plan requirements due to the Habitat Regulations Assessment in relation to the impacts of growth on Ashdown Forest and the availability of suitable land in the areas of the District not covered by the impacts of the two Europa sites. In the absence of any certainty of designed solutions, or of a timescale of works to mitigate the waste water capacities it would be unreasonable to presume to backload development in the Sussex Coast Sub Region area, with associated employment and other infrastructure contingencies required. This would not meet any test of deliverability and would be in contravention of the Habitats Regulations as the plan would potentially have an adverse impact on the integrity of the Pevensey Levels.

83. If any suitable solution is found to be deliverable it will be necessary to determine the most appropriate level of additional housing, employment and associated infrastructure through a review of the Sussex Coast Sub Region.

Village Growth

84. Representations have been received regarding the need to increase the provision of housing in rural areas and queries concerning allocations to villages and the removal or retention of development boundaries. It is considered, as explained above in relation to the South East Plan, that sustainable development to the rural areas has been provided through allocations. In order to meet rural needs all settlements that had some sustainable attributes that is a certain types of facilities and or accessibility, were considered in terms of their growth potential. Unfortunately a number of these villages had no suitable land available for housing and were thus not allocated growth as this would therefore be unlikely to prove deliverable. In areas where land was available a judgement was made as to the amount of development that the area could sustain. In only a few cases the allocations were less than the land potential. The Parish Councils views in
relation to the type of growth suitable for the area was also given significant
weight in the judgement as to the growth potential and to reflect, as far as
evidence would support, local aspirations.

85. The original reasoning behind the previous allocation and retention of
development boundaries has been lost through previous iterations of
development plans and it was therefore necessary to consider their function
in terms of meeting the Core Strategy Objectives, particularly in relation to
reducing the need to travel by car. The Core Strategy proposes retention or
creation of development boundaries in the most sustainable of settlements.
Those are settlements which are accessible by public transport and have
facilities to meet the day to day needs.

86. The use of development boundaries will allow settlements to grow within the
confines of the boundary, particularly by re-development, and therefore
large developments within development boundaries are in principle
acceptable subject to design and other matters. Where settlements have no
or limited sustainability attributes it is considered that the principle of
development should not be left to take place unchecked. This does not
mean development will not take place, but that it will be carefully
considered. Policies relating to development outside of development
boundaries will be forthcoming in later Development Plan Documents, some
villages may also seek opportunities for growth that emerge from the
governments Localism agenda.

87. There are a number of cases where development boundaries have been
removed, but the settlement has been allocated development. This has
been subject to query through the representations process. These are
generally small allocations in order to meet general rural needs, in line with
the South East Plan. This therefore allows planned growth where some
sustainable attributes are present, at a scale commensurate with the
settlement taking into account the views of the Parish and Town Councils.

Consultation

88. Concerns have been raised with regards to the consultation process, with
particular emphasis on removal of some development boundaries.

89. The Issues and Options Consultation (2007) consulted on various options,
including the development of housing and employment in a number of
locations across the District. At this time the overall numbers were not
subject of consultation although it was identified that the final approved
South East Plan figure could be higher than stated. A settlement
classification was also identified with villages with limited, intermediate and
growth potential. A number of specific questions seeking opinions regarding
the use of development boundaries were also posed.

90. From this consultation a number of responses were received, and the
resulting report to the Local Development Framework Sub Committee
identified the principal themes and issues arising from the responses. From
the responses and further work on the evidence base a number of Member
and LSP workshops were arranged, which sought a consensus on the vision and objectives for the District. In 2009 the rural settlement strategy was updated to take into account the specific need to consider accessibility of settlements, an issue raised both in national and regional policy, as discussed. This strategy was the basis of an option in the 2009 consultation paper, and subject to widespread consultation. This Option (Option 5) proposed no growth in certain Parishes, and the background paper associated with the option provided information as to why it was considered that it was not sustainable for certain areas to grow.

91. In addition, comments have been made in relation to the evidence bases including the SHLAA and the SWETS study. Concern is raised that the SHLAA has not been subject to consultation, and in response it is confirmed that the methodology for the SHLAA was subject to consultation and the process itself was subject to independent scrutiny by a Housing Market Partnership set up to assist in the SHLAA process. Since completing the initial SHLAA we have asked any interested parties to come forward with any factual errors, which have subsequently been reconsidered amendments made as appropriate and published. The SWETS assessment is a particularly technical assessment carried out by consultants with assistance from East Sussex County Council as Highways Authority. The judgement made on this evidence is therefore technical in nature and supports the Core Strategy.

PART C- Consideration of options and Conclusion

92. The Council could choose not to proceed with its Core Strategy submission. However this option is considered unnecessary, inappropriate and not in the interest of good planning for meeting Wealden’s needs. It is not recommended for the reasons set out below.

93. Whilst the longevity of the RSS is less clear given that the Localism Bill, which formally abolishes the RSS, is due to be passed within months, the RSS remains in effect as part of the Development Plan having been confirmed through the various court challenges detailed in this report. Irrespective of these matters however and the fluidity that some have seen in the current situation, the Council has a clear statutory duty to produce a Core Strategy and one that is based upon evidence as a reasonable, justified and deliverable response to identified needs. It is also required to be in general compliance with the RSS if it is to be found sound at examination.

94. Government has encouraged all Local Authorities to continue with the preparation of Core Strategies and thus reaffirmed the importance of the LDF process in providing a plan led as opposed to a developer/ appeal led approach to growth. This approach has been one that has been supported by this council in the considerable consultative and evidence based work undertaken in producing its proposed submission document.
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95. To delay submission of our Core Strategy would serve no useful purpose in meeting this overall objective and would instil further uncertainty both for developers, investment decisions and residents. It would also risk our being able to show, on appeal if necessary, a deliverable supply of housing land. Delay would further risk our supporting evidence base becoming outdated and thus having to be renewed (at considerable cost) together with attendant costs of determining applications and fighting appeals on land which was not the Council's preferred choice for growth, thus potentially undermining key strategic agreed priorities and objectives for the District.

96. In terms of other possible options for the distribution and delivery of growth the Council has already tested and consulted upon these through its 2007 and 2009 consultation exercises and carried out further detailed studies with infrastructure partners and others further to explore these matters. In arriving at the Strategy now proposed for submission it is considered that this option is the best for delivering our strategic needs and for providing greatest consistency with the South East Plan.

Conclusion

97. The Council's proposed strategy has been based on evidence of housing land availability, the identification of housing and employment needs, sustainability attributes and the need to meet the stringent requirements of the Habitats Regulations it is considered that the Core Strategy. It has also had clear regard to the Community Strategy in its development and does provide a reasonable and balanced approach to planning for the future needs of the District. It is felt to be a justified, effective and deliverable strategy that will effectively meet the broad Strategic Planning Objectives of the Strategy and is in general conformity with (all the policies in) the South East Plan.

98. The very many representations received on our proposed submission document show a very wide range of responses, including on the matter of soundness and general compliance. These range from those who consider that housing numbers some way in excess of RSS figures should be accommodated from others who maintain that existing infrastructure and environmental constraints mean that proposed figure of 9,600 cannot be sustainably accommodated. Whilst the intention to revoke the RSSs has led to a variety of responses from local authorities this Council has continued to work upon the basis of producing an evidence based document. Whilst there is no agreed definition of "general compliance" for RSS purposes it is nevertheless considered that the proposed submission document does adequately meet this test, for the reasons set out in this report. The only way forward to test the document however is through submission and thus onto examination. The disbenefits of not progressing to submit for EIP are considered to be significant and there are no apparent clear advantages to Wealden of not submitting.
Corporate Management Team Advice

99. Having considered the main issues raised by representations received to Wealden's proposed submission Core Strategy and the justification for the Strategy now proposed and set out at Part B of this report to submit formally the Core Strategy to the Secretary of State (Planning Inspectorate) to enable examination in public of the document.

100. To note the appointment of a Programme Officer in preparation for the examination in public of the Core Strategy and the likely timetable for the examination itself.

Financial Implications
The Council's budget assumes the Local Development Framework Core Strategy is submitted for Examination in Public according to the timetable and that the Strategy is found to be sound.

Should the Strategy be delayed and/or not be found to be sound the financial implications on the Council are very serious.

Firstly, in the case of the Core Strategy being found unsound, the Council will have to restart the Core Strategy work and redo all the evidence bases and consultation stages. The cost estimates for this are in excess of £1.5 million.

In the case of both delay and the Core Strategy being found unsound the Non-Statutory Local Plan and saved Local Plan policies will lapse and the Council will have failed to demonstrate a five year housing land supply. This will mean the Council will enter a period of 2 years or more where planning becomes developer led. The cost of defending planning appeals where the Council has refused permission can be considerable and the Council would need to budget for significant costs for the appeals process and also for likely compensation payments to developers for refusing permission in a developer led planning environment.

Legal Implications
This report has been informed by the opinions received from Counsel regarding the need to ensure that our Core Strategy meets the tests of soundness.

Human Resources Implications
Preparation of all of the relevant documents for submission and planning officer attendance at any subsequent examination are within existing staff
For: Single Portfolio Holder Decision

resources. Some input from legal services may be required but this is not quantifiable at this stage.

Other Implications
The environmental and sustainability implications of the Council's Core strategy are covered within the embedded processes of sustainability appraisal and evidence studies applied in the preparation of the document. The risk management elements are as set out within the body of the report. Consultation on the document has been widespread and available to all together with the opportunity, through examination in public, for any individual to have made their specific representations on the document considered by the Planning Inspectorate.

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Appendices: Appendix A - Summary of representations received (Regulation 27)
Background Papers: All background papers and evidence studies which support and underpin the Core Strategy are available on the Council's website.
APPENDIX A: Summary of Representations received under Regulation
27 representations procedure.

District Housing Targets

A number of representations have been received in relation to the overall
amount of housing provided in policy WCS1 (9,600). Although there is
support for the policy there are a number of representations which sought a
higher number in order to conform with the South East Plan policy of 11,000
dwellings between 2006 and 2026, and some to exceed 11,000 in order to
meet housing needs as identified in the Core Strategy. The figures proposed
ranged from 12,500 (extending the South East Plan target proportionally by 4
years until 2030) to 17,300 in order to improve prosperity, local workforce and
housing need.

Other issues that have been identified include that WCS1 does not
accommodate neighbouring authorities shortfalls, the policy prejudices
regeneration of the Sussex Coast Sub Region, historic shortfall in housing
delivery and requires an overall increase in the need for levels of housing or
market and affordable housing needs will not be met.

As an alternative view point, representations also state that lack of
infrastructure prevents development and that the expectation of delivering
housing in Wealden is unrealistic, taking into account environmentally
sensitive locations such as the Ashdown Forest, and that with the intended
abolition of the South East Plan there is no need to meet housing figures
stipulated in that document.

Distribution of Housing and Settlement Hierarchy of Settlements
identified in Policy WCS 2

Representations received regarding the distribution of housing numbers and
associated settlement hierarchy comments regarding towns are varied. In a
number of cases, where the amount of development overall was considered
too low, respondents stated they were satisfied overall with the distribution.

In terms of the settlements specifically mentioned in policy WCS2
representations supported Uckfield and Crowborough as District Centre.
Opinions varied regarding Stone Cross with some stating that it should be a
District Centre, others supporting it as a service centre, and seeking a change
in category as it was considered that it did not have local facilities and relied
upon surrounding towns. It was suggested that Polegate should be changed
to a local service centre whilst others suggested a District Centre.

Opinion varied in terms of the general proposed distribution of growth with
representations agreeing to the rural distribution in some cases and others
seeking a substantial increase. Representations also sought a higher number
in the north of Wealden with others agreeing to a proportional split in line with
the South East Plan. A general spread of housing across the District with
small scale development in towns was also specified. However, the spatial
distribution focusing on towns was generally supported. It was suggested by some that the additional 3,800 dwellings required to accord with the South East Plan should be distributed as 40% to Hailsham and Hellingly, 40% to Polegate and Stone Cross and 20% to remaining settlements.

Representations also relate to the quantum of growth, location of development and other matters relating to settlements identified in Policy WCS 2 including:

**Crowborough**

A number of representations indicated the need to increase the housing numbers in WCS2 for Crowborough with a minimum of 900 dwellings suggested and for development to commence as soon as possible. The reasons include that the town requires regeneration, affordable housing need, provision in the plan fails to protect or secure investment to enhance local community provision. In addition it is stated that the need for employment and significant housing need should be given more weight in a town with a stronger housing market compared to the rest of the District. However, other representation received indicated that 300 dwellings is significant given constraints.

It is stated that evidence has not been provided that Crowborough is any more constrained than Uckfield, Hailsham, Polegate and Stone Cross. It is considered that there is inconsistency in approach as the proportion of people working in and living in Stone Cross and Polegate is lower than Crowborough, and the reason for less housing in Crowborough relates to the level of out commuting in Crowborough.

The level of commitments stated in Crowborough is considered to be incorrect, and it is clarified that the majority of people live near the railway. It is considered misleading to state that employment centre in the town attracts vehicles on unsuitable and restricted residential roads. However it is identified that traffic issues arise in Crowborough stating that there is a need for a bypass of Jarvis Brook and Rotherfield before development at Walshes Road or Palesgate Lane takes place.

On principle the identification of a strategic development area in Crowborough is considered to prejudice the assessment of suitable land in the Strategic Sites and Site Allocations Development Plan Document, and the identification of a strategic development area is not credible or based on sound evidence or represents the best location for development. Proposed growth areas at SD9 and SD10 are both supported and also subject to objection. In relation to SD10 concern is raised regarding the inappropriate highway infrastructure particularly at Walshes Road and the need for surface water assessment required due to the impact of development on existing residential areas. Only small scale development is considered acceptable in the South East of Crowborough.
It is stated that Pine Grove is not of a scale to be included as a strategic development area and has not been assessed against the Town Council Masterplan, whilst it is also considered that Pine Grove should be used for employment only and with any housing growth distributed elsewhere.

Objections are raised in relation to the contingency site off the A26 as it stated that it is not included in any policy and is wholly allocated in the Non Statutory Wealden Local Plan for another use. In addition it is considered that it should not be included due to its AONB location with the availability of land elsewhere in the District. Alternatively it is considered that the site should be included in the Core Strategy and not as a contingency site.

The recent housing density being delivered in Crowborough is deemed to have severely damaged the character of Crowborough and resulting biodiversity.

**Uckfield**

It is suggested by some that Uckfield should have more than 1000 dwellings. However, alternatively the scale of development at Uckfield is objected to on the basis that increased infrastructure is required, the high street is currently grid locked and water supply is poor. In addition, it is emphasised that it seems that the houses to be provided are not for local people and that 3000 houses in 20 years is excessive when shopping takes place elsewhere and extension of sewerage system is necessary.

Land West of Uckfield is supported as a growth area by some, but has also received objections. It is considered that SD1: is highly exposed in landscape terms, there will be a loss of greenfield land for profit, that it requires a suitable access which has not been demonstrated, has an impact on road infrastructure, and is at risk of flooding and therefore is subject to objection. In addition it is recorded that there is not enough land at SD1 to accommodate 1000 dwellings. Small scale development, where it can be assimilated into the landscape close to the existing boundary is supported as well as the use of brownfield sites and redevelopment of existing property. It is also stated that the development of Thorn Crest (SHLAA reference 006/1410) will increase the pressure on Lewes Road. Concern has been raised at the lack of provision historically of local shops requiring residents to use the town centre, it is also suggested that out of town retail and employment should be supported to reduce congestion. However, the employment allocations are supported, but should be minimum net floorspace.

**Heathfield**

A number of representations stated that a figure of 160 dwellings was too low for Heathfield, due to its size and importance, the need to meet housing needs, to help reduce the decline in population and services, failure to protect or secure investment to enhance local community provision and suggesting that the proposed amount of housing failed to recognise social and economic consequences. A minimum of 500 was suggested. However, the proposed
figure of 160 dwellings was also considered significant given the constraints and others felt that the development proposed was unjustified in terms of encroachment into the AONB. An objective of creating new jobs and increasing economic prosperity is also proposed, and that a policy of no employment in Heathfield was not justified.

It was proposed that the broad location be removed from the plan relating to Heathfield and replaced with a symbol in the urban area north of the A265 indicating comprehensive redevelopment. Another proposal was to maximise previously developed land in the broad location and release land within the AONB as a contingency if required. It was further proposed that the broad location SD 11 be brought forward in terms of phasing. However the High Weald AONB unit raised concern that SD11 may compromise the integrity of the AONB boundary, and is bounded by ancient woodland and sources of small streams that feed into the woodland. Natural England shares these concerns and recommends a full assessment of alternatives and assessment against the High Weald Management Plan.

**Hailsham and Hellingly**

A number of representations propose that the housing allocation to Hailsham and Hellingly be increased including figures of 1650 and 2000. It is recorded that the 1,300 dwellings proposed to be allocated to Hailsham is below the commercial threshold capable of delivering the improvement required in the area. However, it is also stated that too many homes have already been allocated to Hailsham as the waste water treatment works are already at full capacity, and that the ability of Hailsham to deliver housing is questionable as of the 1645 dwellings committed 1,100 dwellings have not been built.

The lack of rail facilities is raised in relation to the Hailsham and Hellingly area as a reason to moderate growth here, and the ability to reduce travel by car by allocating development is questioned. Therefore it is proposed that the Spatial Planning Objective relating to that issue should be removed. In addition, it is considered that there is some scope for the redevelopment of land in older parts of Hailsham eg. ribbon development pre 1960s.

Both support and objection is raised in relation to both broad locations SD2 and SD3. It is stated by some that both areas are undeliverable, with waste water constraints and road infrastructure issues not shown to be able to be overcome. In addition the issue of certainty in relation to adequate mitigation of odour issues has also been cited in relation to SD3 as well as historic highway issues, the distance to the centre of the town (compared to sites at south Hailsham) and to sustainability and infrastructure objections. There is concern that the market could not deliver SD2, however there are other representations which support this site as opposed to north Hailsham.

A representation states that the broad location SD3 was too vague and should include land at Park Farm for an additional 600 dwellings - 1,300 dwellings in North Hailsham in total. Another representation also states that greater potential is available in south Hailsham, which may become available claiming
that a waste water scheme is not necessary to deliver development in south Hailsham. It is also considered that there should be 1,440 dwellings in North Hailsham, based on the South East Plan.

The employment provision in Hailsham is supported, but flexibility should be allowed to allow for additional employment growth or demand of evidence is provided.

Other representations propose that waste water treatment works and the transport study should be shown on diagrams, as well as sites that have been granted planning consents within the broad locations. In addition reference should be made to the recently opened Waitrose and Tesco supermarkets. Concern is also raised in relation to the deliverability or practicality/implementation of demand management measures as car park charging will not take place and the alternatives, which will result in traffic reaching its own capacity and which will create air and noise pollution which will not help the viability of local employment estates.

Polegate and Willingdon

An objection is been raised with regards to the principle of considering Polegate and Willingdon together as a single settlement. In addition overall growth is raised as a concern in relation to the uncertainty of provision of the medical facility in Polegate and Willingdon with an undue reliance on the delivery of infrastructure. It is considered that Polegate is already over populated. It is further stated that if the Honey Farm appeal is successful the Core Strategy would be unsound as this would result in greater than Core Strategy numbers. (NB the Honey Farm appeal was dismissed)

A number of representations were received regarding broad location SD4 both supporting and objecting to the broad location.

The following objections have been made in relation to SD4:

- the number of houses is unsustainable
- coalescence of Willingdon and Polegate
- coalescence of Willingdon and Eastbourne
- loss of a green gap
- poor location of existing GP surgeries
- loss of potential community playing fields
- increase in traffic and resulting noise pollution
- the two primary schools and secondary schools are over subscribed with no provision of new schools in the development
- no open space resulting from development
- proposed bus corridor is not workable
- loss of green space and loss of playing field
- rare low land green corridor
- employment provision too high
• not clear that transport mitigation measures will accommodate 700 dwellings
• exacerbate the current lack of suitable recreation facilities
• exacerbate flooding in the built up area
• create further car parking issues in the local area
• it would change the character of Willingdon
• provide employment where none currently exist
• community facilities remote from village of Willingdon
• Wealden Housing Survey shows that only a small amount of new houses needed
• area is beneficial for residents and wildlife
• risk to woodland and associated wildlife
• development will prevent the free movement of species
• loss of peaceful countryside footpath
• high water table, area acts as a floodplain
• as development is in Willingdon the strategy is inconsistent with the aims to develop Polegate as stated in the summary document
• the Core Strategy does not justify or give reasons for the decision for SD4 as opposed to development at north Polegate
• does not take into account local opinion or the Polegate Master Plan
• impact on local and nationally important landscape and the relative transport and landscape merits between SD4 and North Polegate
• rapid increase in the size of Eastbourne, as rate of development will exceed Hastings and Brighton
• Impact of increased traffic, particularly when tourism events take place at Eastbourne
• increased traffic will delay emergency services
• Lack of good strategic roads linking Eastbourne with Brighton, Crawley and London
• Lack of employment in area leads to commuting out of area and therefore increased traffic
• Needs more modern roads
• Uckfield and other locations outside of District are more appropriate
• Development, if necessary, should only be commercial
• Situated next to drainage area for Polegate and concern raised since 2010 sewage incident
• Does not meet PPG 17, point 17 regarding loss or erosion of green space
• Increased accidents risks and road rage not addressed
• Concern that infrastructure can not be provided before the development is scheduled to commence

Objection is also been raised on the basis that the Strategy’s late change in favour of SD4 did not allow local communities and representatives to make representation concerning the proposal and the evidence.

A number of representations received supported SD4 stating that the proposed housing location at Hindsland and Morning Mill is sound and justified. In addition it is stated that it is considered to be appropriate in
planning and community terms for a sustainable urban extension, well integrated in the Polegate and Willingdon area, limited visual impact against the backdrop of surrounding built up area, good accessibility for residents to Polegate town centre by walking, cycling and bus.

The growth of the town taking into account natural boundaries and adjacent development, whilst minimising countryside impact is supported and the continued use of A27/A22 as a western boundary for development is also supported. It is stated that the rejection of Honey Farm is supported, including the deletion of Honey Farm from the SHLAA. In addition the protection of Wootton Manor as a registered historic garden is supported. However, development on land West of the A22 is also supported by some, including an increase in the provision of homes overall in Polegate. Although a representation is concerned that the potential impact of sites on the South Downs National Park had not been recognised representations received also welcomed the strategic release of land further away from the boundaries of the National Park and that fact that views from the Downs limits potential for urban expansion especially against the rural backdrop to the north and north west of the town.

Other issues raised concern the coalescence of Polegate and Stone Cross by virtue of broad locations SD5 and SD7, the need to show the area associated with planning permissions granted in north Polegate, the need to include waste water capacity constraints, and that support is provided to the provision of a green gap between Polegate and Hailsham.

**Stone Cross**

The representations concerning Stone Cross vary significantly. The overall housing numbers are supported in some instances, but other representations considered they were too high and should be reduced by 300 to 350 dwellings (to be redistributed to south Hailsham). Alternatively it was considered by others that Stone Cross should support 850 or 980 dwellings. It is also stated that Stone Cross is not a sustainable location for future housing and would not stimulate investment in the centre, and is not supported by employment or a designated centre and further that deliverability is uncertain with a number of landowners involved which may lead to ransom strips/ issues of deliverability. The overall housing figure is also deemed not to contribute to the vision or the Spatial Planning Objectives.

Concern is raised regarding the coalescence of Stone Cross, Polegate and Westham as one continuous built up area. A representation raised issues concerning the adverse impact on landscape, although it was also considered by another representor that both SD6 and SD7 had limited landscape impact. Although SD6 is supported as well as the flexibility between SD6 and SD7 a number of representations received object to SD6. Reasons, where stated, include the impact of building around the green belt (there is no formally designated green belt in Wealden), loss of valuable green open space and the effect of development on Eastbourne services including existing school and health services. It is also considered that road and public transport
infrastructure are inadequate, and clarity is required on the extent and necessity for highway improvements.

It is suggested that the diagram relating to Stone Cross, Figure 8, is changed to show a designated green space between Stone Cross and Westham and that alternatively the broad location should be shown to extend into Peelings Lane.

A proposal is made to split SD7 and SD7i and SD7 ii, and that SD7 is phased before SD6.

Eastbourne Borough Council supports SD5, 6 and 7 but would wish to see a green gap to be incorporated into development proposals for SD6 to ensure retention of the distinct identities of Stone Cross and Eastbourne and to prevent coalescence of the two areas ..

**Edge of Tunbridge Wells in Frant Parish**

One representation states that the housing allocated should be increased to 192 dwellings, taking into account the shortfall of housing supply in the District. A further representation has suggested 220 to 250 additional homes in this area. However a number of representations object to the allocation of housing for a number of reasons including that the road accessing the area is too narrow, access to schools in Tunbridge Wells is restricted, basic services are difficult to provide, that there are no facilities in the area, the land has an SNCI designation, its remoteness from the District will not help stimulate economic activity, development will not meet the needs of Wealden's residents including infrastructure and services, and development does not meet Tunbridge Wells strategy of prioritising previously developed land.

**Omissions sites**

A number of sites that were considered to have been omitted from the Proposed Submission Core Strategy are included in the representations, in most cases as an alternative to strategic growth areas suggested in the document. These include:

- Park Farm, Hailsham
- All suitable SHLAA sites in Heathfield plus 40 dwellings on land at Tilsmore
- Uckfield - Bird in Eye (north), Framfield Road, Bird in Eye Hill - 300 dwellings
- South Hailsham 300 to 350 dwellings
- Oaklands and Brickfield (Hailsham SHLAA reference 100/1310)
- Crowborough Army camp for employment provision
- Land north of Polegate
- Land West of A22, Polegate
- South West of Uckfield
• SD1 to include Horsted Pond Farm and Ridgewood House
• Parts of Uplands Farm, Rattle Road, Stone Cross
• World War 2 underground bunker
• Brook Farm, High Broom Road, Crowborough
• Mill Road, Hailsham (SHLAA reference 216/1310)
• Downlands, Uckfield
• High Tree House, Eastbourne Road, Uckfield (SHLAA reference 287/1410)
• SHLAA reference 379/1310 to be included in SD2
• SHLAA reference 100/1310, Hailsham
• Servomex Site, West of Palesgate Lane, Crowborough for employment
• Redevelopment of land north west of Heathfield
• South of Hailsham, West of Station Road - 150 dwellings
• Intensification and expansion for employment on land at Mountey Bridge, Westham
• Heathfield SHLAA sites 258/1210 and 259/1210 (north Heathfield) and 260/1210, 275/1210 and 299/1210 (south of A265)
• Uckfield - Bird in Eye South for 200 dwellings 2013 to 2017

Villages

There are a number of alternative views regarding villages. In general terms it is considered that development should only be permitted where it is sustainable and commensurate with size and support the capacity of growth, and the hierarchy to be assessed on the characteristics of individual settlements and policy WCS6 is supported. It is also considered that the allocation to villages is too high at 14% of the number of dwellings proposed. Alternatively it is submitted that there should be a much greater level of development allocated to villages (30% allocated to villages supported) in conformity with national policy. In addition it is considered that the housing allocation needs to retain residents of a working age. An allocation of 2000 dwellings to villages was considered suitable by one representation and it was considered that restricting growth would create a situation where villages would decline and fail to support rural settlements. It is considered a greater proportion of housing can be accommodated within rural areas and that to spread development across the area would also help prevent urban sprawl. It is also considered that SHLAA criteria should be used when considering rural allocations. Policy WCS6 is considered to ignore the significance of nucleated villages. It is considered by some that allocated sites and the settlement hierarchy do not match the statement that allocations are restricted to towns and larger villages. Another representation considered that the definition of accessible settlements set out in the 2009 rural settlement classification is more consistent with national policy than that proposed in the Core Strategy. It is also considered that the settlement hierarchy should differentiate between rail based and other types of public transport provision in terms of weightings for facilities.

In terms of development boundaries it was felt by some that they should be retained, with the inability of the rural exceptions policy to deliver housing
cited as a reason why they should be retained. It is considered that there is an imbalance of family housing in the south of the district and in the north and there is some prospect of local employment in deliverable areas in the north.

It was also submitted that villages with growth and removal of development boundaries do not coincide. It is proposed that development boundaries should only be removed when the proposals map changes and that development boundaries should be retained where 50 or more dwellings are allocated. Further changes to policy WCS6 are suggested / put forward in order to clarify the policy and it was considered that Figure 11 should recognise the minimum housing allocations in the text of WCS6.

**Area specific issues include:**

- Inconsistency between Selmenton, Upper Dicker and Chiddingly in the assessment of growth potential
- The development of woodland at Berwick Station would have an impact on surrounding nature conservation sites
- Berwick should have an allocation of 50 to 100 dwellings
- Selmenton should be allocated 20 units
- Objection to the scale of development at Wadhurst, Herstmonceux, Ninfield, Horam and Maresfield
- Maresfield is a particularly unsuitable neighbourhood centre with limited facilities
- Support development in Horam as a sustainable location
- Additional development should be provided in Wadhurst
- Additional development is suitable in Ninfield and is better placed to accommodate growth
- Maresfield should be a local service centre and allocated 300 to 400 dwellings
- Mayfield should be identified as capable of accommodating an appropriate level of growth
- Land west of Mayfield should be identified as a broad location
- Greater numbers should be allocated to Upper Dicker with the largest employer situated there taking up an number of homes (St Bedes school)
- Arlington should increase in allocation
- Upper Dicker and Arlington should be allocated 30 dwellings
- East Dean is well placed to take additional growth with SHLAA sites and to better align with national policy - 75 dwellings proposed
- Retain Berwick Station development boundary as removing it will encourage greenfield development
- Berwick Station allocation too high representing 25% increase in size
- Berwick station should be re classified as 'unclassified'
- Support the removal of the development boundary at Boreham Street, but allocation should be greater than 10 homes
- 150 dwellings should be allocated to Maresfield
- Five Ash Down is suitable to receive a proportion of housing development
- Retain a development boundary at Five Ash Down
• Five Ash Down Accessibility should be changed to very good accessibility and is suitable for modest growth
• Horam should be allocated 125 dwellings
• Support for modest size open market and affordable housing at Frant and Eridge Green
• Support the removal of development boundary at Five Ash down
• Concern that High Hurstwood will not grow, however the Localism Bill will provide opportunities
• The landscape assessment in relation to Maresfield is flawed
• Buxted’s allocation is not clearly defined
• A total of 145 dwellings have been allocated to neighbourhood centres similar to Five Ash Down which is allocated none with no justification
• Concern expressed regarding the removal of development boundary without consultation with the Parish Council.
• Selcombe should be unclassified as village shop does not provide for all food groups
• Pevensey Bay should be changed to a neighbourhood centre
• Pevensey and Pevensey Bay to be included on rural list as they could provide an increase in housing
• Maresfield should be a local service centre due to its location in relation to the Ashdown Business Park with similar or greater facilities than Buxted
• East Hoathly should be a local service centre capable of taking growth
• Welcome Alfriston as a local service centre and East Dean as a neighbourhood centre
• Support Horam as a local service centre
• Chiddingly/ Muddles Green should not be unclassified as they are equal to Upper Dicker and Ripe
• Maresfield should retain its development boundary
• Westham should be classified as a service centre
• Herstmonceux has an inadequate bus service

Economy and retail

A small number of representations were received regarding the economy and retail. The economic policy and WCS4 is generally supported, however it is considered that there should be a stronger link between objectives SPO3 and 6 and a clearer focus on the Eastbourne and Hailsham triangle. An alternative representation considered that WCS 3 should provide for employment in the rural area. It was stated that employment should be addressed as a priority, together with a commitment to employment land that should deliver at lease a moderate step change in the economy. The flexible review of existing business and employment areas is supported. However, it is also submitted that there are a number of allocated sites not built out but relied upon; therefore there seems little point in allocating extra land. It was also suggested that the assumed under provision of employment as a reason for not providing employment should be supported by more detailed information. On a site specific matter is it considered that the loss of employment caused by the closure of the Council Offices at Crowborough should be planned for in the Core Strategy.
It is requested that further detail concerning town centre development, with options for retail is provided in the Core Strategy, and it was suggested that the Core strategy does not adequately take into account Wealden’s shopping study. It is considered that the retail allocations should be considered as a minimum and the Core Strategy needs to address convenience shopping out flow.

It was considered that there is a need to enhance the Crowborough retail offer as well as improving local retail provision in Polegate and Stone Cross. Alternatively it is considered there is no further need for retail, as shown by the number of existing empty shops in towns. It is also stated that there is an over reliance on supermarkets in Crowborough, and there is a need to encourage and support small local businesses.

**Infrastructure**

In general infrastructure issues representations relate to area specific issues. However submissions are concerned that the need for infrastructure has not been considered, that there is an undue reliance upon infrastructure being provided with no fall back position with a level of uncertainty. The lack of information concerning the costing of transport interventions means that there is a risk to the delivery. There are concerns regarding historic education and other infrastructure provision where it is considered that historically infrastructure provision especially in these areas has been under delivered.

Concern is raised that policy WCS4 concerning infrastructure provision could jeopardise the Core Strategy and create and embargo to development. However the policy is supported by East Sussex County Council and Eastbourne. It is considered that WCS7 should include access to arts and cultural services, however it is considered not to provide policy support for water companies or other service providers in bringing forward new infrastructure. Southern Water has also requested an addition to the policy to directly relate to water related issues. It is proposed that the policy be changed to allow for the timely improvement of infrastructure concurrent with development. It is submitted that a CIL policy should be considered.

**Housing matters**

Policy WCS5 concerning housing land management received both support and objection. Although it is supported it is also considered to be superfluous and seeks to unduly restrict development. It is stated that there is no evidence of research into the proposed delivery and phasing shown in the housing trajectory, contingency is lacking or not robust enough and monitoring arrangements are needed.

In terms of phasing the following comments have been received:

- SD6 and SD7 should not be a combined phasing programme
- SD3 should be the first phase of development
• Support SD2 to commence around 2017
• Support the phasing at Stone Cross
• Phasing constraints should be removed on SD10

The affordable housing policies received a relatively small number of representations. Issues that have been raised is that the policy should reflect that planning obligations must be fair and reasonable and well related to proposed development, that the threshold to trigger an affordable requirement should be set at 20 houses or 0.5 ha or more due to economic viability of windfalls, the policy should be a range of 30 to 35% of affordable housing and that the policy needs to be re-worded to allow flexibility in subsequent Development Plan Documents.

A concern is raised regarding the difference in policy between Wealden District Council and Eastbourne Borough Council as it may pose problems in terms of the deliverability of small housing schemes between 1 and 4 dwellings in Eastbourne.

The rural exceptions policy is supported, but it is submitted that it should also allow for development of low impact agricultural small holdings.

It was submitted that the policy concerning Gypsy and Traveller provision be changed to meet national guidance as it is too restrictive in a number of criteria and that 37 pitches be provided (an overall additional 30 pitches).

Environment

A number of issues have been raised in relation to environmental matters. Both the Environment Agency and South East Water would wish to see water efficiency measures installed in new homes greater than building regulations currently require due to the designation of the south east as being a water stress area. In addition representations identified the need for renewable energy sources and carbon neutral homes. The need to mitigate for climate change was also raised.

It was also submitted that the environment of the Downs in Wealden needs to be mentioned as well as the consideration of the environmental impact of traffic levels along the A259 through the South Downs National Park.

Suitable Alternative Natural Green spaces (SANGS) have been welcomed by Natural England although a request for the inclusion of the Special Area of Conservation (Ashdown Forest) in relation to the 400 metres exclusion zone has been received. Natural England also suggested a few small changes to the Sustainability Appraisal. Natural England has confirmed that they are satisfied with the Habitat Regulations Assessment undertaken by the Council. In addition, a representation has stated that the recognition of the potential impact of development in villages on the Ashdown Forest is welcomed.

Southern Water submitted that the enlargement of Bewl Water needs to be recognised and identification of site specific requirements associated in the
Site Allocations Development Plan Document. South East Water also requests a policy regarding the support for new water resource schemes, improvements to water supply network and demand management measures.

The policy concerning biodiversity was supported although there was a comment concerning the link between housing density and the impact upon biodiversity. Another representation submitted that there should be consideration given to conservation credits.

Eastbourne Borough Council supports WCS13, however the High Weald AONB unit has raised concern that although the AONB is referred to in detailed discussion of various locations, it does not have the profile and reference within the text that would support the statutory duty under Section 85 of the Countryside and Rights of Way Act 2000 to have regard to natural beauty. The submission document does not deal with landscape issues, covering both the High Weald AONB and the South Downs National Park, in a strategic way. The Unit would recommend inclusion of a strategic reference to the importance of the AONB, and a detailed policy reference made both to this and to the High Weald AONB Management Plan. The only reference to policy for the AONB comes at the end of the document under the green infrastructure section. The commitment to include landscape polices in the site allocations DPD is questioned as this may infer that AONB policy will only be referred to in relation to specific allocations, and not be a strategic and overall approach to landscape issues in the District. The Unit welcomes the Green Infrastructure policy and recognises that reference is made to landscape and AONB issues in the supporting GI Background Paper. It is considered that the range of issues that this policy is trying to cover mean that it is more than a GI policy and could more fully encompass a full eco-systems or Landscape Services approach, detailing the goods, services and attributes that the landscape provides and how they can be sustainable and responsibly exploited to provide a sustainable approach to Wealden’s development needs. Full reference to the role of the AONB and the importance of the AONB Management Plan in supporting decision making for Landscape/ecosystem services, as well as wider landscape protection and enhancement, in this policy, would be very much welcomed. It is recommended that this be incorporated within the draft proposed Policy relating to Green Infrastructure.

Vision and Spatial Planning Objectives

Submissions relating overall to the vision and spatial planning objectives were limited, but a number of individual matters and suggestions are raised including:

- The vision should state that all of its villages and rural settlements will be enhanced sustainably
- SPO1 should make specific reference to the Downs
- Object to the loss of greenfield land
- Object to SPO1 on the basis of the need for more support for the rural economy, therefore need to add promote development of the rural economy.
• SPO1 - Add minimise the loss of, or impact on nationally designated landscapes including the High Weald AONB, to the fullest extent possible in meeting the needs of the plan
• SPO1 - Local services should be protected
• SPO2 - Conserve as opposed to protect the historic environment in line with PPS 5
• SPO 6 - Unclear and unsound and should say that economic development will be encouraged across the District and not restricted to specific towns
• SPO10 - Access roads should be allowed in medium and high flood risk areas
• SPO10- Restrict development where it could increase flood risk elsewhere
• SPO11 - Allocate specific green corridors and support planning applications that provide significant open spaces, leisure or recreation
• SPO14- Housing density should not mimic past development
• SPO14 - Housing trajectory does not accord with SPO

Other matters

It was considered that the Plan requires clear reference in the text to the South East Plan as the Development Plan.
It is considered that the SHLAA has been inconsistently applied, and there has been no challenge or objection process, nor has it been independently checked or inspected.
IDP is insufficiently informed and does not benefit from waste water study.
No evidence of coherence with EB strategies.
Although mentioned as a Spatial Planning Objective the Core Strategy does not mention how development of the rural economy will be achieved.
Key diagram should include Bluebell Railway and safeguarded Lewes to Uckfield Railway Line
The purpose of the Strategic Sites Development Plan Document is questioned to allocate land which could be in the Delivery and Site Allocations DPD.
The Core Strategy should allocate the Strategic Development Area thus avoiding the need for a Strategic Site Development Plan Document and speed up the process.
Would wish to see targets reduced to take into account windfall sites as they are developed.
WCS3 is inconsistent with para 6.31 as employment floorspace relates to Polegate not Stone Cross.
There should be a commitment to traffic reduction measures and targets throughout the document.
SHLAA should be used as a vehicle for housing provision.
Issues have been raised in relation to SA assessment
Concern that the consultation was not discursive.
Concern at the amount of material that formed part of the consultation.
Eastbourne Borough Council has suggested an additional policy for sustainable travel and a new railway station at Stone Cross at the Boundary of Eastbourne and Wealden.