

## Wealden Local Plan – Draft Proposed Submission Document

### Summary

The Wealden Local Plan Draft Proposed Submission Document has been prepared for consultation from mid August to mid October 2018. This report outlines the content and seeks agreement to proceed to consultation.

### **Portfolio Holder: Cllr A Newton, Planning and Development**

#### **Recommendation**

The Local Plan Sub-Committee is recommended to:

- A. Make comments on the Draft Proposed Submission Wealden Local Plan attached at Appendix A and the Wealden Local Plan Implementation and Monitoring Framework at Appendix B; and
- B. Request that the Portfolio Holder for Planning and Development recommend the Draft Proposed Submission Wealden Local Plan and the Wealden Local Plan Implementation and Monitoring Framework, subject to any comments made and subject to any further necessary amendments, to Full Council for publication for representations and submission to the Secretary of State for examination.

### **Reason**

To progress the Wealden Local Plan to the Representations stage.

### **Introduction**

1. Policy WCS1 of the adopted Core Strategy states that “The strategy shall be reviewed in 2015 or when a preferred solution to the capacity issues associated within Hailsham North and Hailsham South Wastewater Treatment Works has been identified, whichever is the earlier, in order to ensure that there is an adequate supply of development land in the longer term. The review shall include an assessment of current and future levels of need and demand for housing to provide an appropriate basis for longer term housing provision.”
2. The Wealden Local Plan incorporates the Core Strategy Review. The Local Development Framework Sub Committee agreed the scope of the Wealden Local Plan in the Local Development Scheme in July 2015. The scope includes:

*It is anticipated that the Wealden Local Plan will cover all policy requirements for Wealden District excluding the part of the District within the South Downs National Park. This will mean that all policies within the Local Plan, when adopted, will supersede all adopted Core Strategy policies and all saved policies within the 1998 adopted Wealden Local Plan. Accordingly all strategic sites identified in the adopted Core Strategy and the now withdrawn Strategic Sites Local Plan will be reviewed as part of the process. In addition to this the Council is required in this document to identify the objectively assessed needs of the*

*district, including housing need, and provide a strategy which seeks to meet this need where possible. The document shall contain all strategic allocations including housing, employment, retail and other relevant allocations and local allocations which are not covered within Neighbourhood Development Plans. The Plan will also include all implementation policies to meet the new planning objectives and the spatial strategy.*

3. Local Plan regulations require that, prior to publication of a proposed submission local plan, prescribed bodies or persons are notified of the subject of a local plan which the local planning authority propose to prepare, and each of them is invited to make representations to the local planning authority about what a local plan with that subject ought to contain. The Local Development Scheme identified that the Council would carry out consultation on an Issues, Options and Recommendations Document to fulfil this obligation.
4. The Council issued the Wealden Local Plan – Issues, Options and Recommendations document for consultation from 19 October to 14 December 2015. Some 2028 responses to 46 questions from 413 representors were received and are available on the Wealden web site and were reported to Members on 20 April 2016.
5. In the light of the consultation responses, the testing of the preferred options set out in the Issues, Options and Recommendations document alongside testing of the reasonable alternative options has proceeded, which has resulted in the Wealden Local Plan Proposed Submission Document.

### **Wealden Local Plan – Draft Proposed Submission Document**

6. The Draft Proposed Submission Document provided at Appendix A can be regarded as being divided into three sections. The first section relates to the vision, objectives and strategic growth policies including housing, the economy, infrastructure and environment. It also contains an overview of the Habitats Regulations Assessment conclusions for the Ashdown Forest SAC, Pevensey Levels SAC and Ramsar Site and Lewes Downs SAC in relation to air quality along with the proposed approach to move forward with development despite the impacts of nitrogen deposition and other pollutants on these areas. Other policy areas include infrastructure and other environmental assets including landscape. The second section covers the sustainable settlement strategy and identifies specific policies relating to settlements including housing distribution amongst settlements and town centre development. The third section deals with planning themes and development policies including housing, rural and countryside policies, the natural and historic environment and health and wellbeing.

#### **Section One**

7. The strategic growth policies are based on the housing and economic strategy. A driving force is the need to meet the objectively assessed housing need (OAHN) within the Housing Market Area. The document identifies the anticipated objectively assessed housing need of the District between 2013 and 2028 as 950 dwellings per annum. Based on Government policy, consideration has been

- given as to whether the District can accommodate 950 dwellings per annum and any additional housing from our neighbours within the Housing Market Area. The reason why we need to consider our neighbours is that some authorities are not able to meet their own need and it is a requirement that we deliver the shortfall if possible.
8. The Draft Proposed Submission Plan presents a plan period through to 2028. This provides a 15 year plan period from the adoption of the Core Strategy (2013) that meets the OAHN for the District. This plan period is being proposed in the light of the National Planning Policy Framework (NPPF) requirement for regular 5 year reviews of plans and in response to the constraints outlined below.
  9. These environmental and infrastructure constraints result in the Plan proposing that housing provision is primarily focused away from the Ashdown Forest and concentrated in the most sustainable centres. There is a focus on South Wealden, however, development has been also been identified for towns and villages to the north of the District to provide a distributed level of development.
  10. One of the key factors impacting on the Draft Proposed Submission Local Plan is the evidence gathered in relation to the impact upon the Ashdown Forest. Significant work has been undertaken to monitor nitrogen deposition, other pollutants and the ecology on the protected areas as an ongoing requirement following the Core Strategy. As a result of this monitoring, we have undertaken modelling of traffic flows, air quality and nitrogen deposition and identified the consequential ecological impact based on the proposed development numbers and distribution.
  11. In this regard the Habitats Regulations Assessment has identified that the impact on the Ashdown Forest Special Area of Conservation (SAC) is significant with high levels of nitrogen deposition recorded and consequent ecological damage. It is concluded that there is already an impact on the integrity of the SAC. Further pollutants from growth identified from the Plan alone and in combination with other plans and projects will exacerbate this impact and as a result the conservation objectives of the SAC will not be met. This is beyond the impact that was anticipated from the information that was available when the adopted Core Strategy was considered.
  12. The Council has explored a range of alternatives to the level of development proposed in order to protect the SAC including lower levels of development, alternative distributions for development and development conditions.
  13. The Council understands and supports development proceeding and wishes to achieve its objectively assessed housing need of 950 per annum. It has therefore investigated and is proposing a range of mitigation measures under the general heading of a low emission strategy which will allow development to proceed up to the level of 950 dwellings per annum but not beyond this, within the period of the plan.
  14. A key element of this approach is the continued monitoring of the level and impact of nitrogen deposition and the introduction of developer contributions to fund the mitigation measures. This approach follows the principles which apply to Strategic Access Management and Monitoring (SAMMs) which has successfully

- allowed development to proceed in relation to Ashdown Forest SPA following the adoption of the Core Strategy.
15. Alongside this the Council will work with Natural England, DEFRA and neighbouring authorities to jointly progress a Site Nitrogen Action Plan (SNAP) to proactively seek to further reduce levels of nitrogen deposition in the longer term.
  16. The Council has also identified an impact on the integrity of the protected areas of Lewes Downs SAC and the Pevensey Levels SAC and Ramsar Site as a result of nitrogen deposition and other pollutants and proposes to introduce the range of mitigation measures referred to above in order to allow development to proceed in relation to these areas as well.
  17. The draft plan proposes development of 14,228 dwellings across the district between 2013 and 2028 as follows (completions and planning permissions as at September 2017):
    - 2421 dwellings completed
    - 5279 dwellings with planning permission
    - 4012 dwellings allocated within the plan
    - 2516 dwellings through windfalls
  18. In relation to the economic strategy, the recommended approach remains to: focus on South Wealden alongside enabling a more balanced housing and economic development approach across the district to enable less out commuting and more local employment opportunities; to seek opportunities for retail and employment in the other sustainable settlements based on the function of the settlement; and to promote the need to develop skills within the local workforce within the Local Plan, and positively encourage the employment of the local workforce in the Plan.
  19. The draft Wealden Local Plan also considers Gypsy and Traveller provision. The policy seeks to meet at least the pitch provision requirement (18 pitches) and consider opportunities to exceed this.
  20. Policies have been proposed to make the release of land conditional upon there being sufficient capacity in the existing local infrastructure to meet the requirements generated by proposed development. Where development would create the need to provide additional infrastructure, a programme of delivery must be agreed with the relevant providers. The Council will continue to work closely with all infrastructure providers to ensure appropriate provision.

## **Section 2**

21. Development Boundaries have been reviewed for all sustainable settlements based on sustainability criteria and land availability. Housing development is identified as an allocation, as a SHELAA site and through a windfall allowance for the settlement.
22. Certain unsustainable settlements which are generally smaller in size with limited facilities and / or accessibility are allocated a Core Area. A settlement capacity is identified for these areas

23. This section also proposes town and village centres and policies concerning growth within these centres. This is relevant to Hailsham, Uckfield, Heathfield, Crowborough, Polegate, Wadhurst and Forest Row. Retail allocations in Hailsham, Heathfield and Uckfield are also dealt with in this section.

### **Section 3**

24. The third section proposes a number of themed policies including landscape, development within the countryside, design, natural environment, affordable housing, housing and shopping policies. In addition to this there is a chapter regarding historic environment.

### **Wealden Local Plan Implementation and Monitoring Framework**

25. Alongside the Wealden Local Plan the Council is required to set out and agree an approach and timetable for the monitoring and implementation of the Local Plan. This is set out in the Wealden Local Plan Implementation and Monitoring Framework at Appendix B.

### **Recommendations and Conclusion**

26. It is necessary for the Council to progress with the Wealden Local Plan, as required by adopted policy. The Wealden Local Plan Draft Proposed Submission Document (Appendix A) together with the Wealden Local Plan Implementation and Monitoring Framework (Appendix B) provides the proposed policies and implementation and monitoring arrangements to progress the plan.

### **Corporate Management Team Advice**

The Local Plan Sub-Committee is recommended to:

- A. Make comments on the Draft Proposed Submission Wealden Local Plan attached at Appendix A and the Wealden Local Plan Implementation and Monitoring Framework at Appendix B; and
- B. Request that the Portfolio Holder for Planning and Development recommend the Draft Proposed Submission Wealden Local Plan and the Wealden Local Plan Implementation and Monitoring Framework, subject to any comments made and subject to any further necessary amendments, to Full Council for publication for representations and submission to the Secretary of State for examination.

### **Implications**

#### **Financial and Human Resource Implications**

The Wealden Local Plan – Draft Proposed Submission Document and the Wealden Local Plan Implementation and Monitoring Framework have been prepared to budget, which will be subject to review following on from the consultation.

#### **Legal Implications**

The Policies within the Wealden Local Plan will supersede all existing policies. This meets the requirements of Policy WCS1 of the adopted Core strategy. The Wealden

Local Plan seeks to meet the legal requirements of the Duty to Cooperate, the Conservation of Habitats and Species Regulations (2017) and the Environmental Assessment of Plans and Programme Regulations (2004).

### **Sustainability**

The Wealden Local Plan – Draft Proposed Submission Document has been subject to a sustainability appraisal.

### **Equalities and Diversity**

The Wealden Local Plan – Draft Proposed Submission Document has been subject to an Equalities Impact Appraisal which will be published prior to the start of the formal consultation period.

### **Consultation**

The Wealden Local Plan – Draft Proposed Submission Document and the Wealden Local Plan Implementation and Monitoring Framework is published for consultation by the public and other organisations in accordance with the relevant legislation and the Council's Statement of Community Involvement.

<b>Other Implications</b>	<b>Applies?</b>	<b>Other Implications</b>	<b>Applies?</b>
Human Rights	No	Equalities and Diversity	Yes
Crime and Disorder	No	Consultation	Yes
Environmental	Yes	Access to Information	No
Sustainability	Yes	Exempt from Publication	No
Risk Management	No		

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Appendices:	A Wealden Local Plan – Draft Proposed Submission – June 2018 B Wealden Local Plan Implementation and Monitoring Framework
Background Papers:	Habitats Regulations Assessment - Draft Proposed Submission Wealden Local Plan Wealden Local Plan Sustainability Appraisal Report March 2017 Wealden Local Plan Sustainability Appraisal Report June 2018