

Report to	South Downs National Park Authority
Date	19 February 2013
By	Director of Planning
Title of Report	Adoption of the Joint Wealden District Core Strategy
Purpose of Report	To gain agreement of the South Downs National Park Authority to adopt the joint Wealden District Core Strategy.

Recommendation: That the South Downs National Park Authority adopt the Wealden District (Incorporating part of the South Downs National Park) Core Strategy.

1. Introduction and Summary

- 1.1 The Inspector's final Report (**see Background Document 2**) on the Examination of the Wealden District (Incorporating part of the South Downs National Park) Core Strategy (**see Background Document 3**) was received by Wealden District Council (WDC) and the South Downs National Park Authority (SDNPA) on 30 October 2012. The Inspector's recommended Main Modifications (MM) to the document to make the document sound, and enable the formal adoption of the document by both the SDNPA and WDC.
- 1.2 This report summarises the Core Strategy policies, the examination process and the modifications recommended by the Inspector. It also sets out the process of adoption by both the SDNPA and WDC.

2. Background

- 2.1 WDC began work on preparing the Core Strategy in 2006. Two formal public consultations have been held, in 2007 and 2009, when views were sought on the issues that the Core Strategy should address. The first consultation was on an "Issues and Options" document which outlined the challenges and potential policy solutions within the district. The second consultation was on "Spatial Development Options" which set out different approaches to and locations for development. The preparation and development of the Proposed Submission document took place in 2009-10 with the final consultation starting in February 2011.
- 2.2 The formulation of this document took place prior to the creation of the SDNPA. During the shadow year a report was taken to the Planning Committee Meeting held on 8 November 2010 and the Committee endorsed the draft Wealden Core Strategy as the proposed strategic planning policy framework for that part of the South Downs National Park (SDNP) within Wealden District. It was considered prudent to work jointly rather than halt proceedings in order to remove the SDNP from the document. We have a formal joint working agreement with Wealden District Council.
- 2.3 On 3 August 2011 the Core Strategy was submitted to the Secretary of State for examination. In light of the number of representations received, the Inspector appointed by the Secretary of State, held an Exploratory Meeting on 12 October 2011 (at which the SDNPA was represented) to examine in particular, the significant number of developer challenges to the proposed housing numbers and general conformity with the South East Plan. The Inspector felt it was appropriate to proceed and held a series of hearings between 17 January and 2 February 2012.

2.4 Following these hearing sessions the Inspector sent his interim conclusions and recommendations to WDC and the SDNPA (5 March 2012). The modifications together with the WDC and SDNPA suggested modifications were subject to a further period of consultation. At this time the Government had just published the National Planning Policy Framework (NPPF) and the document was subject to further consultation allowing the opportunity to comment on the implications of the NPPF on the Core Strategy. There was also a consultation on the implications of the “presumption in favour of sustainable development” embodied within the new NPPF. Following these additional consultations the Inspector held a further hearing session on 6 September 2012.

3. Policies

3.1 Within the Core Strategy the rural nature and high quality environment of the landscape and settlements of the area of the district within the SDNP is recognised. The major settlements of Uckfield, Hailsham, Crowborough and Polegate are the proposed locations for the majority of development, all of which are outside the SDNP. There are 11 Strategic Development Areas (SDAs) identified, all of which, again, lie outside of the SDNP. The location of SDAs in Polegate recognise the importance of the setting of the SDNP and the potentially adverse impacts of developments along the SDNP boundary and subsequently direct development away from the SDNP on the west side, to the east of the existing settlement. Only two of the settlements within the SDNP are considered large enough to categorise (Alfriston as a local service centre and East Dean as a Neighbourhood Centre), all others are unclassified.

3.2 The only residential allocations within the SDNP are in East Dean, where potential has been identified for 10 dwellings over the 15 year plan period. The document also proposes to retain the development boundary around the village of Alfriston, particularly recognising its important tourism role, but to remove the development boundary around East Dean. The lack of development boundary for the majority of settlements within the SDNP does not preclude development, but rather that “development will be restricted primarily to that required to meet essential rural need, support rural diversification and sustainability of the countryside, promote tourism or enhance the countryside” (paragraph 6.44 of Background Document 3).

3.3 The document includes the “Model Policy” for the presumption in favour of sustainable development, drafted by the Planning Inspectorate. This has been included following debate as to the merits of repeating the presumption in favour of sustainable development, which is contained within the NPPF and advice that this is the foundation of the NPPF and should therefore form a central part of all planning policy frameworks.

3.4 Core Delivery Policies WCS 8 – 11 deal with provision of housing across the district. Delivery Policy WCS8 raises the level of affordable housing to 35% of the number of dwellings in any scheme, with a mix of social rented and intermediate housing. The rural exceptions policy does make allowance for provision of affordable housing outside of development boundaries if required to meet an identified local housing need (WCS9). Policies WCS10 and 11 identify the number of pitches required for Gypsy and Traveller provision (23 net additional pitches) and provide a criteria based policy to assess sites or future planning applications.

3.5 Core Delivery Policies WCS 12 and 13 deal with the environmental aims of the district. This includes contributing to the biodiversity targets provided in the Sussex Biodiversity Action Plan by preventing the net loss of biodiversity over the plan period. Particular reference is made to the protection measures for the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) and that the existing green infrastructure network be protected, improved and enhanced. Contribution to the improvement of the green infrastructure network will be a requirement on all new residential development.

4. Inspectors Report – Recommendations and suggested modifications

4.1 One of the key areas of discussion and debate during the hearings and for consideration by the Inspector was: “Whether the Core Strategy is in general conformity with the South East Plan”. This took into account the housing targets set within the South East Plan (SEP), the

infrastructure constraints within the district (in particular, lack of Waste Water Treatment facilities) and the significant environmental considerations, including a significant Area of Outstanding Natural Beauty (AONB) designation in the north of the district and the 7% of the district now designated as SDNP. There are also two European sites which require assessment and are afforded protection under the EU Habitats Directive (The Ashdown Forest SPA and SAC and the Pevensey Levels RAMSAR site and candidate SAC).

- 4.2 The majority of the Inspector's recommended modifications are based on this issue. The Inspector has recommended that the document be modified to make it clear that the levels and phasing of housing can be brought forward once infrastructure matters are resolved and to clarify that it has not been demonstrated that the full, objectively assessed needs for market and affordable housing as required by the Framework have been met. He recommends clarifying the approach to dealing with infrastructure providers to resolve these issues and including a commitment that there will be an early review of the Core Strategy. The Inspector also proposes to bring forward the end date of the plan from 2030 to 2027.
- 4.3 Following the introduction of the NPPF the Inspector recommended the inclusion of a policy on the presumption in favour of sustainable development and changes to policies on previously developed land, affordable housing, travellers and open space provision to bring it in line with national policy.
- 4.4 The impact of the Ashdown Forest SAC is wide reaching and the report recommends that additional references are added to the Core Strategy which make it clear that the Council are proactively addressing the issue of nitrogen deposition and provision of Suitable Alternative Natural Green Space (mitigation measure).

5. Process of Adoption

- 5.1 Whilst the Inspector's report is not binding upon the Authorities, an authority can only adopt a document which is considered sound. Therefore, in order to formally adopt the Core Strategy, the recommended Main Modifications have been incorporated into the final Core Strategy document. The Main Modifications would enable the implementation of an up to date, evidence based Core Strategy to guide development within Wealden District. The modifications would also ensure that finding a solution to the infrastructure issues, particularly the Waste Water Treatment Works in the South of the District, was a top priority and once this was achieved a review of the plan would take place.
- 5.2 The joint Wealden District Core Strategy was considered by the SDNPA Planning Committee at the meeting held on 13 December 2012. The Planning Committee resolved to recommend to the SDNPA that the joint Wealden District Core Strategy be adopted. As this is a joint document, both the SDNPA and WDC are required to resolve to adopt the document.
- 5.3 At the WDC's Cabinet Local Development Framework Sub-Committee meeting on 14 November 2012, the Committee considered a report on the recommendations and agreed the Main Modifications in the Inspectors Report and resolved to recommend to the Council that they formally adopt the Core Strategy (as amended). This recommendation was considered by Full Council at their meeting on 28 November 2012. The Council resolved to adopt the Core Strategy.
- 5.4 The formal adoption can only take place after both authorities have agreed to formally adopt the document. Should either authority not accept the main modifications and choose to reject the recommendation, then neither authority will be able to adopt the document.

6. Resources

- 6.1 There are no budgetary implications for the SDNPA in relation to this paper.

7. Risk management

- 7.1 Risk - without comprehensive, sound and up-to-date planning policy for the SDNP, underpinned by a robust evidence base, the SDNPA risks losing:

- (i) opportunities to guide and facilitate appropriate new development and highlight the quality of development that is being sought for the SDNP will be lost
- (ii) control of being able to determine what is inappropriate new development, through losing planning appeals, and
- (iii) community belief in our engagement process and our ability to plan will be eroded

Mitigation - the risks will be significantly reduced by the adoption of a sound Joint Core Strategy.

8. Crime and Disorder Implication

8.1 It is considered that the proposal does not raise any crime and disorder implications.

9. Human Rights Implications

9.1 There are not considered to be any implications arising from this report on human rights, equalities or health and safety grounds.

10. Equalities Act 2010

10.1 Due regard, where relevant, has been taken to the SDNPA's equality duty as contained within the Equalities Act 2010.

11. External Consultees

11.1 Planning Policy Manager, Wealden District Council

TIM SLANEY Director of Planning

Contact Officer: Lara Southam, Local Plan Lead

Tel: 01730 811745

email: Lara.southam@southdowns.gov.uk

Appendices None

SDNPA Consultees Chief Executive Officer, Director of Strategy and Partnerships, Director of Operations, Chief Finance Officer, Deputy Chief Finance Officer, Monitoring Officer & Legal Services.

Background Documents

1. Planning Committee Report (Report PC 98/12)
http://www.southdowns.gov.uk/_data/assets/pdf_file/0003/292773/Agenda-Item-16.pdf
2. Planning Committee Report – Appendix 1 Inspectors final Report
http://www.southdowns.gov.uk/_data/assets/pdf_file/0004/292774/Agenda-Item-16-Appendix-1.pdf
3. Planning Committee Report – Appendix 2 Joint Wealden District Core Strategy
http://www.southdowns.gov.uk/_data/assets/pdf_file/0005/292775/Agenda-Item-16-Appendix-2.pdf