

DUTY TO COOPERATE STATEMENT OF COMMON GROUND

BETWEEN: Wealden District Council and the South Downs National Park Authority

DATE: April 2018

1. Introduction

1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between Wealden District Council (WDC) and the South Downs National Park Authority (SDNPA). It sets out the position and understanding with respect to key relevant duty to cooperate matters, and agreed actions to resolve outstanding matters. It is not binding on any party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

2. Context

2.1 Section 62 of the Environment Act 1995 requires all relevant authorities, including local authorities such as WDC, to have regard to the purposes of national parks. These are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

2.2 As a National Park Authority and Local Planning Authority, plan-making for the SDNPA is subject to the National Planning Policy Framework (NPPF) whereby Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 9 on page 4 of NPPF is policies relating to the development of sites within a National Park.

2.3 Furthermore, paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads, referenced in the NPPF at this point makes clear that the Government recognizes that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

2.4 Approximately 7% of Wealden District falls within the South Downs National Park. All statutory planning responsibilities within the National Park area of the district falls to the National Park Authority.

2.5 The district of Wealden including that part which is within the SDNP is considered by WDC as falling wholly within the wider Wealden HMA, as identified in the WDC Housing Market Position Statement¹ and the Wealden District Council's Strategic Housing Market

¹ Wealden Local Plan Housing Market Position Statement Issues, Options and Recommendations Consultation (October 2015). <http://www.wealden.gov.uk/nmsruntime/saveasdialog.aspx?IID=18380&CID=5900>



Assessment (SHMA)². Based on the documents above, it is also considered by WDC that the wider Wealden HMA would include Eastbourne Borough and Tunbridge Wells Borough, as having the strongest relationships with the Wealden District, and would also include the Districts of Lewes, Mid Sussex and Rother to a lesser extent³.

2.6 The South Downs National Park HEDNA however uses different HMA boundaries for the purposes of its analysis, and considers that Wealden falls within the smaller Eastbourne Housing Market Area (HMA), which follows district administrative boundaries and includes Wealden District and Eastbourne Borough only. It is accepted that HMA's can legitimately overlap, and this does not impact on the unmet housing need issue arising between the two parties, for the reasons set out below. Both the authorities work in partnership together to ensure that strategic planning issues are properly and holistically addressed.

3. Purpose and objectives

3.1 The SDNPA is preparing its first Local Plan – the South Downs Local Plan (SDLP). The SDLP is a landscape-led plan, with ecosystem services (the goods and services we get from the natural environment) at its heart. The SDLP will provide a comprehensive development plan document to cover the whole of the National Park, and will include a policy to address all types of development, with the exception of minerals and waste.

3.2 The purpose of this SCG is to demonstrate clearly and concisely how strategic cross-boundary matters relevant to the SDLP, which are specific to both authorities, have been and will continue to be jointly addressed. These focus on the issue of addressing objectively assessed development needs, particularly housing needs, and on how points of disagreement between the parties are being positively resolved. Further detail is given in the South Downs National Park Duty to Cooperate Statement⁴, and in the jointly prepared documents referred to below.

4. Addressing unmet housing need

4.1 It is agreed between the parties that the housing supply and objectively assessed need both within and outside of the South Downs National Park, is as set out in Table 1 below:

² Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016)

³ Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016), Section 2 (Defining the Housing Market Area).

⁴ South Downs National Park Duty to Cooperate Statement, 2017

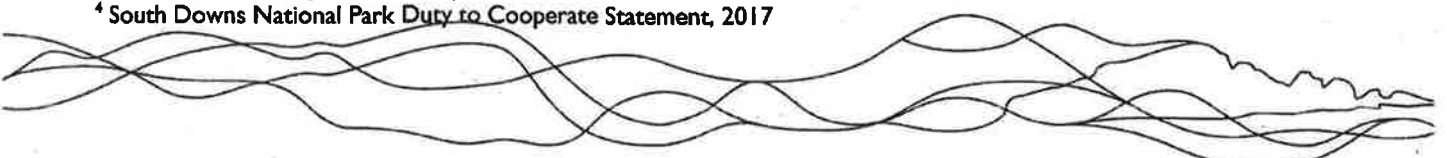


Table 1: Housing supply and need in the Wealden part of the South Downs National Park

	A	B	C	D	E	F	G	H
HMA / District area	SDLP housing provision (total)¹	SDLP housing provision (A divided by 19 years)	OAN inside SDNP²	Unmet need inside SDNP³ (C minus B)	Local Authority Local Plan provision for whole area⁴	Local Authority Actual Net Housing Provision since adoption of Core Strategy⁵	Local Authority OAN per annum (whole area)⁶	Total annual unmet need against current Joint Core Strategy target⁷ (E-G)
Wealden	48	3	10	7	450	579	950	500

¹ SDLP & NDP housing allocations plus commitments plus windfall (to be provided over the Local Plan period 2014-33)

² South Downs HEDNA 2017 (Table 4)

³ The difference between SDNP OAN and SDNP annualised provision (previous two columns)

⁴ Wealden figure derived from Wealden Joint Core Strategy

⁵ This is the average number of net dwellings completed between 2012/13 and 2016/17 within the Wealden District.

⁶ Taken from the Wealden OAN Update Draft Paper: 2013-2028 (Regeneris Consulting, March 2017) and as advised by WDC. The OAN methodology includes the part of the SDNP in the District.

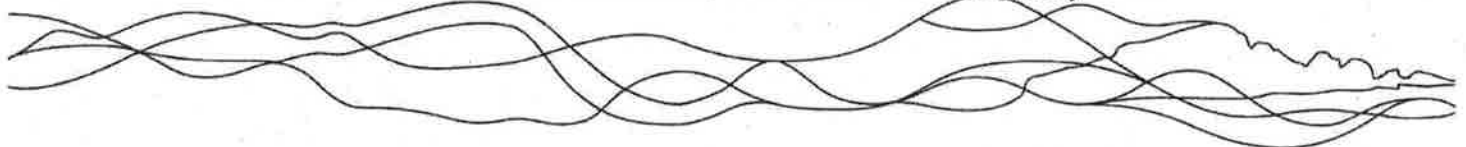
⁷ This is the difference between the total plan provision and the total OAN, for the whole area (both within and outside SDNP). This assumes annualised average delivery of 450 dpa over the JCS period, whereas for the first five years of the Plan period there has been a much higher rate of completions (column F) and therefore a lower annual unmet need

4.2 The unmet housing need arising within the National Park in Wealden is very low, and is considered negligible when compared with the wider district and HMA, but may need to be addressed together with the wider unmet need through the local plan process. WDC is currently reviewing its Local Plan and will be consulting on its Pre-submission Local Plan in the near future. However a key issue is the impact of development on the Ashdown Forest Special Area of Conservation (SAC), which WDC considers is a significant constraint in accordance with national policy and of European environmental protection legislation. In addition to this, constraints also potentially include the need and delivery of an off line A27 and waste water treatment in relation to the Pevensey Levels.

4.3 Both the SDNPA and WDC are members of the East Sussex Local Plan Managers Group and the East Sussex Strategic Planning Members Group (ESSPMG), which was set up in 2013 to enhance and endorse cooperation at the political level. All ESSPMG member authorities are signatories to a memorandum of understanding, which was drawn up to formalise and give direction to ensure active, constructive and ongoing joint working arrangements. The memorandum of understanding sets out the group's key purposes as raising awareness of cross boundary issues; and to explore any matters of concern to understand how they are affecting development and/or delivery of plans.

5.0 Ashdown Forest

The South Downs National Park is located at its closest point 13km from the Ashdown Forest Special Protection Area (SPA). Work is underway by a number of local planning authorities including WDC on producing a Statement of Common Ground on recreational disturbance to the Ashdown Forest SPA. It is advised by Natural England and agreed between the two authorities that the SDNPA do not need to be a signatory to this



document. This is because development in the National Park does not have an impact upon the SPA in terms of recreational impact. The National Park also provides a large recreational area for its residents as an alternative to Ashdown Forest .

This Statement of Common Ground does not address the strategic cross boundary issue of air quality impacts on the Ashdown Forest Special Area of Conservation (SAC) arising from traffic associated with new development.

Signed on behalf of Wealden District Council

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Date: 26th April 2018

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