

DUTY TO COOPERATE STATEMENT OF COMMON GROUND

BETWEEN: East Sussex County Council and the South Downs National Park Authority

DATE: February 2018

1. Introduction

1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between East Sussex County Council 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 either party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

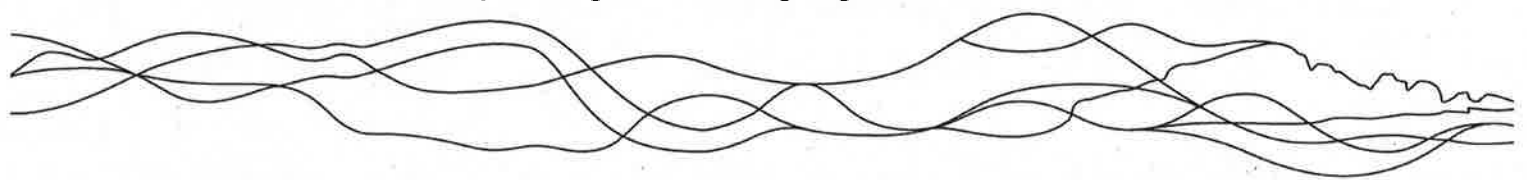
2. Context

2.1 Section 62 of the Environment Act 1995 requires all relevant authorities, including local authorities such as ESCC, 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 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 recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.



2.4 Part of the county of East Sussex falls within the South Downs National Park. All statutory planning responsibilities within the National Park area of the county fall to the National Park Authority. However in the case of minerals and waste matters, a joint Minerals and Waste plan has been jointly adopted by the two authorities, together with Brighton & Hove City Council.¹ The two authorities have also commenced a review of the Waste and Minerals Plan 2013².

2.5 The part of the National Park in East Sussex is partly within two housing market areas (HMAs): Coastal Sussex HMA and Eastbourne & Wealden HMA. The two authorities, SDNPA and ESCC, work in partnership together with the relevant district and borough authorities 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 provision of goods and services arising from natural capital) 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 the two authorities, have been and will continue 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 Statement³, and in the jointly prepared documents referred to below.

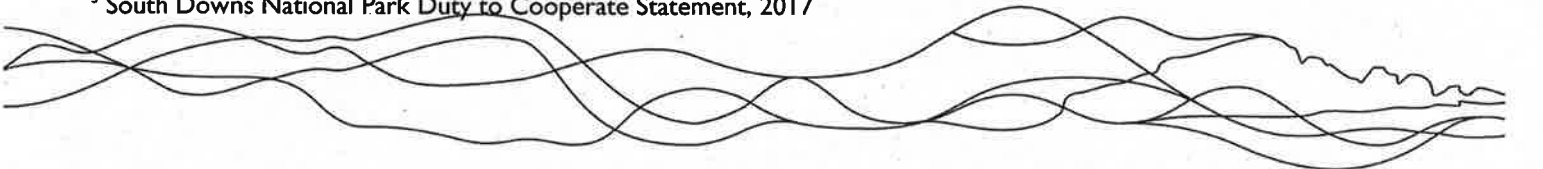
4. Housing and employment provision

4.1 Both parties agree that the provision of 1,355 homes over the South Downs Local Plan period (2014/15 to 2032/33) within the part of East Sussex falling within the National Park (1,307 of which relate to Lewes district) can be supported by existing or planned infrastructure falling under the responsibility of East Sussex County Council.

¹ East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted 19 Feb 2013) and the Waste and Minerals Sites Plan (adopted February 2017)

² A call for evidence and sites was undertaken in September 2017

³ South Downs National Park Duty to Cooperate Statement, 2017



4.2 All sites expected to come forward with significant amounts of development within the National Park are located in the town of Lewes: these sites are:

- North Street Quarter and adjacent Eastgate area, Lewes (Local Plan Policy SD57 – residential and employment development)
- Land at Old Malling Farm, Lewes (Local Plan Policy SD79 – residential development).

4.3 In addition to these, the emerging Lewes Neighbourhood Plan is expected to allocate between 220 and 280 dwellings) which is broadly in line with Policy SD26 of the Local Plan. This level of development is also in line with the recommendations of the Local Plan Inspector at the time of the Lewes Joint Core Strategy examination.⁴

5. Provision of primary and secondary school places

5.1 Both parties confirm that the level of housing outlined above will be supported by a commensurate level of education places. In areas where existing provision is insufficient to meet the growth in demand, additional places will be provided. This will be funded in the following ways:

- Allocation of Community Infrastructure Levy (CIL) funding as outlined in the Infrastructure Delivery Framework (IDF)
- Central government capital grant
- ESCC capital programme

5.2 The Education Commissioning Plan 2017-2021 sets out how East Sussex County Council seeks to ensure there is sufficient capacity to meet demand for early years, primary, secondary and special school places across the county. Please follow the link below to the plan.

<https://www.eastsussex.gov.uk/educationandlearning/management/download>

6. Impact on the strategic and local highways network

6.1 Both parties confirm that the overall level of growth anticipated will have no strategically significant impact on the strategic highway network.

6.2 Both parties confirm that the overall level of growth and specific locations anticipated in Lewes Town will have potential significant impact on the local highways network, however these impacts are mitigatable. Lewes Town Transport Study Technical Note – Traffic Flow Forecasts (TPI, 2011) identified several junctions which would require improvements to mitigate the impact:

- A26/B2192 Earwig Corner junction
- A26/Church Street junction
- A26/ Phoenix Causeway roundabout
- Phoenix Causeway/ Eastgate Street junction

⁴ The Inspector's report for the Lewes District Local Plan Part 1: Joint Core Strategy 2010-2013 was received 22 March 2016.



- Phoenix Causeway/Brooks Lane roundabout

6.3 In addition pedestrian and cycle infrastructure improvements are required to help achieve connectivity and accessibility in new developments particularly improvements to the regional route 90 through Lewes Town. ESCC are currently in the process of developing a county wide 'Local Cycling & Walking Investment Plan', this will result in a prioritised list of cycling and walking infrastructure schemes and measures which will support development.

6.4 These transport improvements will be funded in the following ways:

- Allocation of Community Infrastructure Levy (CIL) funding as outlined in the IDF and Infrastructure Business Plan (IBP).
- Developer led implementation
- ESCC capital programme
- Future Government funding streams

7. Other infrastructure requirements

7.1 There are many further types of physical, community and green infrastructure that future development will impact upon. Both parties agree that development will only be permitted where appropriate, necessary and reasonable infrastructure investment has been secured either in the form of suitable on-site or off-site works, and/or financial contributions to mitigate its impact. These matters will generally be addressed at the planning application stage, or where appropriate in Neighbourhood Plans.

Signed on behalf of East Sussex County Council



Edward Sheath

Date 15 February 2018

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Signed on behalf of the South Downs National Park Authority
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Tim Slaney

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