Ashdown Forest Statement of Common Ground

Prepared by The South Downs National Park Authority, Chair of the Ashdown Forest Working Group

Contents

1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by the South Downs National Park Authority (SDNPA) and is signed by the following members of the Ashdown Forest Working Group (AFWG):[1] the SDNPA, Lewes District Council, Eastbourne Borough Council, Wealden District Council, Tunbridge Wells Borough Council, Mid Sussex District Council, Tandridge District Council, Crawley Borough Council, Sevenoaks District Council, Rother District Council, West Sussex County Council, East Sussex County Council (as the relevant Waste and Minerals Planning Authorities), and Natural England. The signatories of this SCG have been self-selected and come from the AFWG. Further details of this group are set out below. The preparation of the SCG has been facilitated by the Planning Advisory Service (PAS).

1.2 The purpose of this SCG is to 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. It provides evidence on how the authorities have met the Duty to Co-operate, clearly setting out the matters of agreement and disagreement between members of the AFWG.

1.3 The first section of the SCG introduces the document and explains the background to this cross boundary strategic issue. The second section sets out six key matters with which authorities either agree or disagree with or have no position on. Finally, actions going forward and summary conclusions are given.

1.4 The different local planning authorities have used different consultants to undertake their Habitats Regulations Assessments (HRAs). AECOM are the HRA consultants for the SDNPA, Lewes District Council, Tunbridge Wells Borough Council, Tandridge District Council, East Sussex County Council and for Sevenoaks District Council. ECUS Ltd, Air Quality Consultants Ltd and Centre for Ecology and Hydrology are providing information, evidence and guidance to assist Wealden District Council in their HRA work in relation to Ashdown Forest SAC. XXX are the HRA consultants for Mid-Sussex District Council. Crawley Borough Council, Eastbourne Borough Council and Rother District Council have not currently engaged HRA consultants.

Comment [1]: MSDC please can you advise?

1.5 Ashdown Forest is also designated as a Special Protection Area (SPA). It should be noted that this Statement addresses the potential impact pathway of air quality on the Ashdown Forest SAC only and does not discuss matters of recreational pressure on the Ashdown Forest SPA. This is addressed through the working group of affected authorities that have assisted in the production of the Strategic Access Management and Monitoring Strategy.

Background to the issue

Ashdown Forest SAC

[1] Tonbridge and Malling Borough Council are members of the Working Group but are not a signatory of this Statement on the basis of advice from Natural England. T&MBC continue to be part of the group to observe.

1.6 Ashdown Forest is a Natura 2000 site and is also known as a European site. It is a Special Area of Conservation (SAC) designated for its heathland habitat (and a population of great crested newt). Further details regarding the reason for its designation are set out in Appendix 1. Ashdown Forest SAC is located in Wealden District, East Sussex as shown on the map in Appendix 2.

Habitats Regulations Assessment

1.7 The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations) require an appropriate assessment of the implications for the site in view of that site's conservation objectives to be carried out for any plan or project where there are likely to be significant effects on a European site, alone or in combination with other plans or projects. The Ashdown Forest SAC features are vulnerable to atmospheric pollution from a number of sources including motor vehicles. There is a potential impact pathway from new development and associated increases in traffic flows on the roads such as the A275, A22 and A26, which traverse or run adjacent to the SAC. The emissions from these vehicles may cause a harmful increase in atmospheric pollutants which may adversely affect the integrity of the European site.

High Court Judgement

1.8 In March 2017 a legal challenge from Wealden District Council (WDC) was upheld by the High Court on the Lewes District and South Downs National Park Authority Joint Core Strategy (Lewes JCS)[2] on the grounds that the HRA was flawed because the assessment of air quality impact on the Ashdown Forest SAC was not undertaken 'in combination' with ~~other plans or projects (such as other Local Plans)~~ the increase in vehicle flows likely to arise from the adopted Wealden Core Strategy. This resulted in the quashing of Policies SP1 and SP2 of the Lewes JCS, insofar as they apply to the administrative area of the South Downs National Park, at the High Court on 20 March 2017.

~~1.9 The challenge was generally concerned with the approach to in-combination assessments in order to address the requirements of the Habitats Regulations. Particularly, it focused on whether Lewes District Council and the SDNPA had acted unlawfully in concluding, on advice from Natural England, that the JCS would not be likely to have a significant effect on the Ashdown Forest SAC, in combination with the Wealden Core Strategy. The environmental effect in question was the impact from vehicle emissions on nitrogen deposition in the heathland within the SAC. The HRA of the JCS followed the advice of Natural England that if the predicted increase in traffic arising from the JCS is less than 1,000 Annual Average Daily Traffic (AADT) on a particular road it can be concluded that, either alone or in combination, no significant effects is likely. This, according to Natural England, was because 1,000 AADT broadly equates to a process contribution of nitrogen oxides so small as to be considered 'de minimis' neutral or inconsequential. The particular concern of WDC was around the predicted increase in traffic on the A26 as it passes close to Ashdown Forest, which was calculated to be 190 AADT arising from growth in the Lewes JCS.~~

~~1.10 WDC contended that the 190 AADT of the Lewes JCS should be added to the Wealden Local Plan, which calculated traffic increase on the A26 of 950 AADT. WDC stated this~~

[2] Wealden District Council vs Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority, and Natural England. [2017] EWHC 351 (Admin) http://www.bailii.org/ew/cases/EWHC/Admin/2017/351.html

~~would result in a combined figure over 1,000 AADT, a figure which triggered further assessment work when applied to a single plan.~~

~~1.11 The judgement in March 2017 concluded that the HRA was flawed for legal error because it relied on examining the flows arising from the JCS in isolation and did not take into account the potential accumulation of growth from multiple authorities all affecting vehicle flows through the SAC, and the role (or not) of the JCS in any cumulative effect.~~

~~1.12~~1.9 It should be noted that the representation from WDC on the Pre-Submission version of the South Downs Local Plan and to the draft Lewes Local Plan Part 2 considered their~~its~~ HRAs to be incomplete and therefore any conclusions drawn to be incorrect with regards to the requirements of the Conservation of Species and Habitats Regulations 2010 as amended. WDC have also objected to the Main Modifications consultation on the Mid Sussex Local Plan due to a lack of in combination assessment, concern over the transport model conclusions and the incomplete nature of the HRA, and to ~~a~~ planning applications in Tunbridge Wells Borough, Rother District, Lewes District, Mid Sussex District, Tandridge District, Horsham District, Crawley Borough, Hastings Borough, and Brighton & Hove City.

Ashdown Forest Working Group

~~1.13~~1.10 Following the High Court judgement, the SDNPA led on convening and now chairs the AFWG, which first met in May 2017. The group's members are listed in paragraph 1 of this SCG. This HRA matter has arisen for these authorities through their Local Plan work, through planning applications, or due to proximity to strategic roads traversing Ashdown Forest. Natural England is a statutory consultee on HRA and is providing advice on the outputs from the air quality modelling. The county councils, as well as the independent consultants mentioned in paragraph 1.4 provide advice in regard to transport evidence that has and is being undertaken to inform Local Plans. Wealden District Council has commissioned GTA Civils to provide and advise on traffic modelling.

~~1.14~~1.11 The shared objective of the working group is to ensure that the impacts of development proposals in emerging local plans on Ashdown Forest are properly assessed through HRA and that, if required, a joint action plan is put in place should such a need arise. The Working Group has agreed to work collaboratively on the issues, to share information and existing work, and to prepare this Statement of Common Ground. The minutes to the meetings are set out in Appendix 3.

2. Key matters

Local Plan Housing Numbers

2.1 The quantum of development expected in each Local Planning Authority (LPA) area is an important matter as it is a key input into any traffic model. The AFWG has discussed this matter and the following approach is proposed as a general principle for the purpose of making forecasting assumptions relating to neighbouring planning authorities for in combination assessment of plan:

- Where a Local Plan is less than 5 years old, the adopted Local Plan figures should be used, unless the LPA advise in writing that, due to a change in circumstance, an alternative figure should be used or

- Where an emerging Local Plan is at or nearing Pre-Submission consultation and the LPA is confident of the figures proposed, then the emerging Local Plan figure should be used, or
- For Local Plans that are over 5 years old and the emerging Local Plan has not progressed, then the OAN/Government Standard Methodology (once confirmed by CLG) should be used, unless otherwise evidenced.

Table 1: Signatory position on statements above on the approach to identifying appropriate local plan housing numbers to include in modelling for the purposes of forecasting assumptions for HRA air quality modelling.

Agree	Disagree	No position	Reserve judgement
[redacted]		[redacted]	
[redacted]		[redacted]	
Wealden District Council		[redacted]	
[redacted]			
[redacted]			

2.2 These named authorities disagree with this approach for the following reasons:

- …

2.3 These named authorities have no position in regards to this approach for the following reasons:

- [redacted]
- [redacted]
- [redacted]
- …

Comment [redacted]2]: Moved from box to text for consistency

2.4 These named authorities reserve judgement in regard to this approach for the following reasons

- …

2.5 Based on the above principle set out in paragraph 2.1, Appendix 4 of the Statement sets out agreed housing numbers at the time of drafting this Statement (December 2017). It is recognised that housing numbers would change often due to the number of authorities that are signatories to this Statement, and therefore these numbers represent a snapshot in time. In light of this, a further three principles are put forward:

- It is expected that each LPA will confirm housing numbers with individual authorities before running models;
- Housing numbers would be a standing item on the agenda for the Working Group going forward to update at key stages in plan making; and
- The~~Any~~ agreement of~~around~~ specific housing numbers as set out in Appendix 4 ~~would~~ is~~be~~ applicable to future modelling runs and ~~would~~ does not involve retrospectively re-running models.

Table 2: Signatory position on the statements above regarding housing numbers and air quality modelling.

Agree	Disagree	No position	Reserve judgement
[redacted]		[redacted]	
[redacted]		[redacted]	
[redacted]			
[redacted]			
[redacted]			

2.6 These named authorities disagree with this approach for the following reasons:

- …

2.7 These named authorities have no position in regards to this approach for the following reasons:

- …

2.8 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Traffic Modelling

2.9 The key elements of the various traffic modelling approaches are set out in Appendix 5 of this Statement. Appendix 5 includes analysis of the major differences, minor differences and commonalities in traffic modelling undertaken. The AFWG has discussed these approaches for the purpose of future in combination assessments and agree/disagree with the following:

Geographical Coverage~~:~~

2.10 It has been agreed that it is a matter for each LPA to determine the geographical coverage of their traffic modelling. ~~Modelling should include development and associated movements from Wealden District, Lewes District, Mid Sussex District, Tandridge District, Sevenoaks District, Tunbridge Wells Borough, Rother District and Eastbourne Borough.~~

~~Agree~~	~~Disagree~~	~~No Position~~	

~~These named authorities disagree with this statement for the following reasons:~~

~~• …~~

Road Network in Ashdown Forest

2.102.11 The following roads through or adjacent to Ashdown Forest are modelled: A22 (Royal Ashdown Forest Golf Course), A22 (Wych Cross), A22 (Nutley), A275 (Wych Cross) and A26 (Poundgate). For peripheral authorities (i.e. those that do not host the SAC) it is considered that impacts would manifest on main (A) roads in the first instance and in usual circumstances. Therefore, it is logical and reasonable to begin by modelling the roads where the impact will be highest and if, when modelling A roads, a conclusions of no adverse effect is identified then ~~in the interests of proportionality~~ it is not ~~generally~~ considered necessary ~~for them~~to go on to model B and minor roads.

Table 3: Signatory position on which roads through or adjacent to Ashdown Forest are modelled

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]		[redacted]	
[redacted]			
[redacted]			

2.112.12 These named authorities disagree with this statement for the following reasons:

- Wealden District Council: Work undertaken on behalf of Wealden District Council reveals that a number of other roads adjacent to Ashdown Forest have the potential to contribute to impacts arising from air quality.
- …

2.122.13 These named authorities have no position in regards to this approach for the following reasons:

- …

2.132.14 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Data types for base year validation~~:~~

2.142.15 The data type for the modelling base year is the Annual Average Daily Traffic (AADT) ~~Model year base AADT and~~ and uses measured flows data ~~from Wealden~~from traffic counts undertaken by WDC in 2014. ~~Model.~~

Table 4: Signatory position on the data types for base year validation

Agree	Disagree	No Position	Reserve judgement
[redacted]		[redacted]	
[redacted]		[redacted]	
Wealden District Council			

[redacted]			
[redacted]			

~~2.15~~2.16 These named authorities disagree with this approach for the following reasons:

- …

~~2.16~~2.17 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.17~~2.18 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Trip Generation Methodology

2.19 ~~:~~ Use of TRICS[3] rates. TRICS is the national standard system of trip generation and analysis in the UK, and is used as an integral and essential part of the Transport Assessment process. The system allows its users to establish potential levels of trip generation for a wide range of development and location scenarios.

Table 5: Signatory position on trip generation methodology

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]			
[redacted]			
[redacted]			
[redacted]			

~~2.18~~2.20 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: It is agreed that TRICs is the common denominator but, given that each model has interrogated TRICS independently, there is a strong likelihood that the derived trip rates could differ between authorities for exactly the same type of proposed development in exactly the same type of location. Peak hour trips will likely vary much more than all-day trip rates.
- …

~~2.19~~2.21 These named authorities have no position in regards to this approach for the following reasons:

- …

[3] http://www.trics.org/

~~2.20~~2.22 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Demand changes assessed in study~~:~~

2.23 The demand changes assessed are ~~H~~housing and ~~E~~employment. Housing numbers are identified using the methodology set out in paragraphs 2.1 and 2.5 of this SoCG. These are per annum based on Local Plans, or alternatively Objectively Assessed Need (as agreed in this Statement) to be used in the National Trip End Model Program (TEMPRO). ~~and to adjust t~~The growth rate is adjusted according to each scenario as appropriate. TEMPRO is an industry standard database tool across England and therefore modelling exercises that use TEMPRO have a high degree of consistency.

Comment [KS3]: I think this needs some further tweaking for greater clarity

Table 6: Signatory position on the demand changes assessed in study

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]		[redacted]	
[redacted]		[redacted]	

~~2.21~~2.24 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: It is considered that it is more appropriate that housing and employment growth at end of plan period is assessed based on Local Plans, or alternatively Objectively Assessed Need (as agreed elsewhere in this Statement). In the absence of any other bespoke modelling TEMPRO to be used and the growth rate adjusted as per paragraph 2.3 and 2.5 for both housing and employment.
- …

~~2.22~~2.25 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.23~~2.26 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Forecasting Background Growth~~:~~

2.27 To forecast the 'Do nothing' background growth, which is the likely growth of traffic to arise without the proposals set out in the development plan being assessed, ~~The~~ the current issued version of TEMPRO available at the date of commencing transport study work is used. TEMRPO includes committed plans and projects, such as proposals in adopted Local Plans, as of the date of the TEMPRO version being used. The difference between the 'Do Nothing' scenario and the scenario which includes the development plan being assessed,

shows the relative contribution of that development plan to changes in traffic movements. As stated in paragraph 2.23, TEMPRO is an industry standard database tool across England and therefore modelling exercises that use TEMPRO have a high degree of consistency. ~~National Trip End Model Program (TEMPro) 7.2.~~

Table 7: Signatory position on forecasting background growth

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]			
[redacted]			
[redacted]			
[redacted]			

~~2.24~~2.28 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: TEMPRO is based upon forecasted growth (usually derived from adopted Local Plans or forecasted growth resulting from projects) and therefore cannot constitute traffic growth if no plan/ projects were in place.
- …

~~2.25~~2.29 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.26~~2.30 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Air quality calculations

~~2.27~~2.31 The key features of the air quality calculations methodology are set out in Appendix 6 of this Statement. The AFWG has discussed the following elements of air quality calculations, which are used to support the air quality HRA work and agree/disagree with the following:

Chemicals monitored and assessed in forecasting

2.32 Nitrogen oxides (NOx which includes nitric oxide (NO) and nitrogen dioxide (NO^2)), Nitrogen deposition (N), Acid Deposition, and ammonia (NH^3). The chemicals listed here (excluding ammonia) are those included within the standard methodology. Ammonia is included since, although it is not part of the standard suite of modelled chemicals for vehicle exhaust emissions, the work undertaken by Air Quality Consultants suggests that vehicle emissions on the local road network are not negligible. In relation to the other pollutants, whilst monitoring

may have been undertaken on behalf of Wealden District Council on a range of other pollutants, no evidence that there were any predictions on how these pollutants would vary in the future with the implementation of Local Plans has been provided and as such how, if at all, information on these additional pollutants has changed any further ecological work or conclusions.

Table 8: Signatory position on the chemicals to be monitored and assessed in forecasting

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]		[redacted]	
[redacted]		[redacted]	
[redacted]			

~~2.28~~2.33 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: Wealden District has monitored nitric oxide (NO), nitrogen dioxide (NO2), nitrogen oxides (NOx), nitric acid (HNO3), ammonia (NH3), particulate ammonium (NH4+), and particulate nitrate (NO3-). Modelled nitrogen deposition and acid deposition fluxes also take account of published data on wet deposition of ammonium (NH4+) and nitrate (NO3-). The key pollutants which vary locally as a result of changes in local traffic flows are NO, NO2, and NH3, but all of the listed pollutants have the potential to affect sensitive habitats and local measurements provide more precision than national-scale models.
- …

~~2.29~~2.34 These named authorities have no position in regards to this approach for the following reasons:

- [redacted]
- …

Comment [redacted]4]: moved from table for consistancy

~~2.30~~2.35 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Conversion rates from NOx to N~~:~~

2.36 This process involves two stages. Firstly, NOx to NO^2 conversion is calculated using Defra's NOx to NO^2 calculator. Secondly, for N deposition, the NO^2 value is multiplied by 0.1, as set out in the Design Manual for Roads and Bridges[4] (DMRB) guidance. The multiplication of

[4] The Design Manual for Roads and Bridges: http://www.standardsforhighways.co.uk/ha/standards/dmrb/index.htm

NO_x concentrations by a factor is a standard approach set out in DMRB and in Environment Agency guidance[5].

Table 9: Signatory position on conversion rates from NOx to N

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]		[redacted]	
[redacted]		[redacted]	

2.37 These named authorities disagree with this statement for the following reasons:

- Wealden District Council: Defra's NOx to NO2 calculator provides a robust method of calculating NO2 from NOx, albeit that it does not allow for diurnal variations. In order to facilitate its approach to deposition calculations, Wealden District Council has added a diurnal variability to Defra's NOx to NO2 calculator, based on recent monitoring. Multiplying annual mean NO2 by 0.1 suggests an annual average deposition velocity of 0.1 cm/s. This is too slow a rate for very many habitats. Furthermore, there is strong evidence that applying an annual mean deposition velocity to annual mean concentrations may risk under-predicting the total deposition flux. Wealden District Council has thus taken account of annual and seasonal variations in concentrations and deposition fluxes in their modelling.
- …

~~2.31~~2.38 These named authorities have no position in regards to this approach for the following reasons:

- [redacted]…

~~2.32~~2.39 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Background improvement assumptions

2.40 The only Government guidance on this issue (from Defra and DMRB) indicates that an improvement in background concentrations and deposition rates of 2% per annum should be assumed. However, the modelling undertaken by AECOM takes a more cautious approach. Improvements in background concentrations and emission rates follow Defra/DMRB assumed improvements up to 2023, but with background rates/concentrations then being frozen for the remainder of the plan period. This is considered a realistic worst case and, averaged over the plan period, is in line with known trends in nitrogen deposition. ~~For N deposition 2% is applied up to 2023 (equivalent of 1% per year for plan period to 2030). Improvements in background concentrations and emission rates follow Defra assumed improvements up to 2023.~~

[5] Environment Agency. (2011). *Air Quality Technical Advisory Group 06 - Technical guidance on detailed modelling approach for an appropriate assessment for emissions to air.*

2.41 There is a long history of improving trends in key pollutants (notably NOx) and in nitrogen deposition rates, and there is no reason to expect that will suddenly cease; on the contrary, there is every reason to expect the rate of improvement to increase as more national and international air quality improvement initiatives receive support. Both the Air Quality Consultants model for Wealden Council and the AECOM model include scenarios that make allowances for improvements in background concentrations, nitrogen deposition rates and emission factors, although the relevant Air Quality Consultants scenarios (Scenarios 3 and 5) make a greater allowance for these improvements than the AECOM scenario.

Table 10: Signatory position on background improvement assumptions

Agree	Disagree	No Position	Reserve judgement
[redacted]	[redacted]	[redacted]	
[redacted]		[redacted]	
[redacted]			
[redacted]			

2.42 These named authorities disagree with this statement for the following reasons:

- Wealden District Council: If concentrations and emission rates follow Defra assumptions up to 2023, then deposition fluxes will not reduce by exactly 2% per year. The two sets of assumptions listed are thus not mutually consistent. Wealden District Council has used consistent assumptions for both concentrations and deposition fluxes; acknowledging that one is a direct consequence of the other. For reduced nitrogen, the assumptions follow Defra's national-level forecasts. For oxidised nitrogen, the assumptions largely reflect those of Defra, but also take account of the observed performance of modern diesel vehicles and do not allow for the anticipated performance of currently-unproven technology. A separate set of assumptions has also been tested in which no improvements over and above the current mix of vehicle technology is assumed using the precautionary principle in relation to the need to prove that improvements will take place beyond reasonable doubt.
- …

~~2.33~~2.43 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.34~~2.44 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Rate of dispersal from the road

2.45 The use of the dispersion model ADMS-Roads, by Cambridge Environmental Research Consultants, calculating at varied intervals back from each road link from the centre line of

the road to 200m, with the closest distance being the closest point to the designated sites to the road. ~~.~~

2.46 This approach follows the Department of Transport's Transport Analysis Guidance which advises "*Beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant*". In modelling work undertaken for the HRA for the South Downs Local Plan and Lewes District Local Plan, modelled transects show that NOx concentrations and nitrogen deposition rates are forecast to fall to background levels well before 200m from the roadside, therefore there is no value in extending transects any further.

Table 11: Signatory position on the rate of dispersal from the road used

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]			
[redacted]			
[redacted]			
[redacted]			

~~2.35~~2.47 These named authorities disagree with this statement for the following reasons:

- Wealden District Council: On average, the rate of dispersal assumed in ADMS-Roads is considered to be robust and has been used by Wealden District Council for its area-wide modelling. However, Wealden District Council has shown that there are significant deviations from this rate of dispersal on a site-by-site basis; but while these can be measured, they cannot be robustly predicted. Wealden District Council has considered the effect of road traffic across the whole of Ashdown Forest, not just within 200m from roads.

~~2.36~~2.48 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.37~~2.49 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Type of habitat included in the assessment e.g. woodland and heathland~~:~~

2.50 Taking the precautionary approach it is assumed that pristine heathland (the SAC feature) is present, or could be present in the future, at any point on the modelled transects irrespective of existing habitat at that location. However, it is recognised that in practice there are affected areas in which heathland is not present and may never be present (as outlined by Natural England below) and this would need including in ecological interpretation of results'

Table 12: Signatory position on the type of habitat included in the assessment

Agree	Disagree	No Position	Reserve judgement
[redacted]	[redacted]	[redacted]	
[redacted]	Wealden District Council		
[redacted]			

2.51 Natural England add: This is an appropriate method for screening but on the ground it is rarely the case that all areas of a designated site will include all designated features. There are a number of reasons for this; sometimes features are SSSI notified but not part of the SAC/SPA notification and often a site boundary runs to a recognisable feature such as a field boundary or road for practicality reasons. Therefore areas of site may be considered site fabric as they do not contain and never will contain notified features of an N2K designation. This is something that is considered on a site by site basis dependant on specifics and on conservation objectives. If required the "on the ground" characteristics may be used for more detailed screening or if further assessment is required to ascertain whether plans or projects will have an adverse effect on the integrity of the site

2.52 These named authorities disagree with this statement for the following reasons:

- Wealden District Council: WDC have assessed habitat in the manner mentioned. However, WDC has also produced habitat maps using Earth Observation (EO) (satellite imagery and airborne systems) and site visits to provide an accurate understanding as to the situation on the ground. This is the best scientific information currently available and therefore this information should also be referred to or used in any assessment.
- …

~~2.38~~2.53 These named authorities have no position in regards to this approach for the following reasons:

- …

~~2.39~~2.54 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Proportionality

~~2.40~~2.55 There is no universal standard on proportionality and the issue relates to what is the 'appropriate' level of assessment required for Local Plans. Paragraph 182 of the National Planning Policy Framework (NPPF) states that for a local plan to be considered sound it needs to be justified and based on proportionate evidence. The draft CLG guidance[6] makes it clear that when implementing HRA of land-use plans, the appropriate assessment should be undertaken at a level of detail that is appropriate and proportional:

[6] CLG (2006) Planning for the Protection of European Sites, Consultation Paper

'The comprehensiveness of the assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources than is useful for its purpose.'

~~2.41~~2.56 The AFWG has discussed the issue of proportionality and the following approach has been agreed / disagreed:

- Where effects are demonstrably small the level of assessment can be justifiably less complex than a bespoke model.
- Use of the ~~An~~ industry standard air quality impact assessment ~~HRA~~ methodology[7] can if carried out robustly provide the necessary evidence to inform HRA on the potential effects of a development plan on the Natura 2000 network and Ramsar sites.
- Observed or forecast changes of average traffic volume below 100 AADT can be considered below the margins of both accurate measurement of daily traffic and of forecasting. For this reason they should be regarded as de-minimis

Table 13: Signatory position regarding proportionality of assessments

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			

2.57 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: There is currently no industry-standard HRA methodology and no official guidance on assessing the air quality impacts of HRAs has been published. Only bespoke models exist, and the main differences between these relate to the level of detail used. Notwithstanding the status of a consultation document that was not adopted by DCLG, it is considered that the nature and extent of the effects on Ashdown Forest require a level of detail beyond a basic approach. This is in particular regard to the fact that the critical load of the Ashdown Forest is already exceeded and it is known to be in unfavourable condition. In addition, judgement of the European Court in Case C-142/16 Commission v. Germany is relevant in this regard. The Court noted that according to settled case-law, all aspects of the project which could, either individually or in combination, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field (para. 57). It is considered that best scientific knowledge in the field must be used as opposed to a more basic approach which less precise. Wealden District Council has undertaken

[7] The principles in Annex F of the Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07) for the assessment of impacts on sensitive designated ecosystems due to highways works which Highways England use for all their HRAs but with the DMRB spreadsheet tool replaced by an appropriate dispersion model e.g. ADMS-Roads and, with appropriate allowance for rates of future improvement in air quality.

additional work, as required by Policy WCS 12 of the Wealden Core Strategy (adopted February 2013) with regards to Ashdown Forest and this cannot be put aside. This is reinforced in MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission) report states: Determining whether a plan or project is likely to have a significant effect will have practical and legal consequences. Therefore, when a plan or project is proposed, it is important that, firstly, this key issue is considered, and that, secondly, the consideration is capable of standing up to scientific and expert scrutiny (Page 33).

- …

~~2.42~~2.58 These named authorities have no position in regards to this approach for the following reasons:

- [redacted]

- …

Comment [redacted]5]: Moved from table above for consistency

~~2.43~~2.59 These named authorities reserve judgement in regard to this approach for the following reasons

- …

Ecological Interpretation

2.60 The development of dose-response relationships for various habitats[8] clarifies the rate of additional nitrogen deposition that would result in a measurable effect on heathland vegetation, defined as the loss of at least one species from the sward. For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward[9]. The sites covered in the research had a range of different 'conditions' but the identified trends were nonetheless observable. The fact that a given heathland site may not have been included in the sample shouldn't be a basis for the identified trend to be dismissed as inapplicable. On the contrary, the value of the dose-response research is precisely in the fact that it covered a range of sites, subject to a mixture of different influences, meaning that consistent trends were identified across sites despite differing conditions at the sites involved. Based on the consistent responses (in terms of trend) across the range of habitats studied there is no reason why the identified trends (which have been identified as applying to bogs, lowland heathland, upland heathland, dunes and a range of other habitats) should not apply to all types of heath.

[8] Caporn, S., Field, C., Payne, R., Dise, N., Britton, A., Emmett, B., Jones, L., Phoenix, G., S Power, S., Sheppard, L. & Stevens, C. 2016. Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance. Natural England Commissioned Reports, number 210.

[9] The cited rates are presented Table 21, page 59 of Caporn et al 2016, to illustrate the trends identified (which apply not just to species richness but as illustrated by other tables in the same report to other parameters). That table states that at a background rate of 10kgN/ha/yr an additional 0.3 kgN/ha/yr was associated with a reduction in species richness of '1' in lowland heathland sites. At a background rate of 15kgN/ha/yr the same effect was associated with an incremental increase of 1.3 kgN/ha/yr.

~~2.44~~2.61 There is a legal need to consider/identify whether there is an 'in combination' effect. However, there is no automatic legal assumption that all contributors to any effect must then mitigate/address their contribution, no matter how small. Not all contributors to an effect will be equal. Far more likely is that there will be a small number of contributors who are responsible for the majority of the exceedance. The identification of those contributors who need to mitigate must be ultimately based on whether mitigating/removing their specific contribution will actually convey any protection to the European site in terms of achieving its conservation objectives (since this is the purpose of the Habitats Directive) and/or whether mitigating the contribution of certain contributors to any effect will sufficiently mitigate that effect.

~~2.45~~2.62 Within the context of a forecast net improvement in nitrogen deposition, rather than a forecast net deterioration, available dose-response data~~This in turn~~ make~~s~~ it possible to gauge whether the air quality impact of a given plan is not just of small magnitude (which could still meaningfully contribute to an effect 'in combination') but of such a small magnitude that its contribution may exist in theory (such as in the second decimal place of the air quality model) but not in practice on the ground. Such a plan would be one where it could be said with confidence that: (a) there would not be a measurable difference in the vegetation whether or not the plan proceeded, and (b) there would not be a measurable effect on the vegetation whether or not the contribution of the plan was 'mitigated' (i.e. reduced to the extent that it did not appear in the model at all). It would clearly be unreasonable to claim that such a plan would cause adverse effect 'in combination' or that it should be mitigated.

Table 14: Signatory position on ecological interpretation as part of assessments

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]		[redacted]	
[redacted]			
[redacted]			
[redacted]			

2.63 These named authorities disagree with this opinion for the following reasons:

- Wealden District Council: With regards to paragraph 2.9:
  - The NECR 210 Report and its conclusions should be considered in context including any limitations as duly identified within the report.
  - The NECR 210 report does not take into account the actual situation at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. It is also noted that the NECR 210 report whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, it would appear that analysis did not include data relevant to wet heath (M16).

- The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition.
- It is unclear where the report confirms the following "For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward". If the 0.8-1.3 figure is derived from Appendix 5 then this figure relates to the percentage loss of species/cover and is relevant to either 0.3 kg / 0.5 kg / 1kg increase in N deposition.
- Paragraph 2.9 also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017.
- Paragraph 2.10 ignores the 'in combination effect' of plans and / or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16 Commission v. Germany) as required by the Conservation of Habitats and Species Regulations 2017.

• …

~~2.46~~2.64 These named authorities have no position in regards to this approach for the following reasons:

• …

~~2.47~~2.65 These named authorities reserve judgement in regard to this approach for the following reasons

• …

Need for m~~M~~itigation or ~~/~~compensation measures

2.66 The AFWG has discussed the possible findings of air quality work currently being undertaken, including the potential need for mitigation~~/~~ or compensation for air quality impacts associated with growth identified in Local Plans.

2.67 At present, published HRAs for adopted or emerging Local Plans have not concluded that mitigation or compensation is currently required. However, it is also recognised that the outcomes of ongoing technical modelling and assessments cannot be predicted or pre-determined. In this light, the AFWG recognises the value of early discussion of as a 'back-pocket' exercise, just in case they subsequently prove necessary. It is emphasised that initial suggestions and consideration of potential mitigation/solutions/compensation should not be interpreted as either a recognition that they will prove necessary, nor as a commitment to eventually pursuing such measures.

~~2.48~~2.68 It is recognised that Wealden District Council as the SAC host, and Natural England, will necessarily have the key lead roles in identifying potential mitigations and/or compensation to benefit the SAC, although all parties may contribute. It is agreed to maintain a table of mitigation options in a transparent manner on an ongoing basis. This should enable all parties to be fully prepared for the possibility of needing to address effects

on the SAC, enabling them to do so (if required) without causing undue delay to the planning process.~~think that it is not required as there is currently no evidence published, which demonstrates such measures are required.~~

Table 15: Signatory position with regard to the need for mitigation or compensation measures

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council	[redacted]	
[redacted]			
[redacted]			
[redacted]			
[redacted]			

~~2.49~~2.69 These named authorities disagree with this opinion and propose the following measures:

- Wealden District Council: It is considered that based on the information currently in the public domain that there is a likely significant effect from new development. This takes into account the fact that the critical load is already being exceeded on the Ashdown Forest, the need to have regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017, and the need to take into account the in combination effect insofar as the effects of projects already consented or constructed. It also takes into account the precautionary principle and the need to guarantee beyond all reasonable doubt that there would not be a likely significant effect. Therefore it is considered that mitigation/ compensation measures should be subject of ongoing dialogue between partners.

~~2.50~~2.70 These named authorities have no position in regards to this opinion for the following reasons:

- …

~~2.51~~2.71 These named authorities reserve judgement in regard to this opinion for the following reasons

- …

3. Actions going forward

3.1 The members of the AFWG will continue to work together constructively, actively and on an on-going basis toward a consensus on the ~~agree that all will continue to work together on the~~ matter of air quality impacts on Ashdown Forest SAC associated with growth identified in Local Plans. The AFWG will continue to share evidence and information, and will work cooperatively together to discuss potential mitigation measures just in case need for these should arise, and will consider other measures to reduce the impact of nitrogen deposition around the Forest as matter of general good stewardship.

~~3.1~~3.2 The Government consultation document 'Planning for the right homes in the right places' proposes as a minimum that SoCG will need to be updated each time a signatory authority reaches a key milestone in the plan making process. The AFWG recognises that this SoCG will need to be updated regularly in line with emerging Government policy and in order to reflect emerging evidence and established knowledge of air quality impact on European nature conservation designations.

~~It should be noted that in the absence of any need for 'mitigation' associated with future growth in a particular authority does not prevent the various AFWG authorities working cooperatively together to do whatever they jointly consider appropriate in reducing traffic and improving nitrogen deposition around the Forest as matter of general good stewardship.~~

Table 16: Signatory position on actions going forward for the AFWG

Agree	Disagree	No Position	Reserve judgement
[redacted]	Wealden District Council		
[redacted]			
[redacted]			
[redacted]			
[redacted]			
[redacted]			

3.3 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: WDC disagree that there is an absence of any need for mitigation at this current time and that it is necessary for all parties to work together on the evidence base and mitigation/ compensation as necessary.
- …

3.4 These named authorities have no position in regards to this approach for the following reasons:

- …

3.5 These named authorities reserve judgement in regard to this approach for the following reasons

- …

4. Summary conclusions

4.1 This Statement of Common Ground has been signed by the following authorities and will be submitted by the SDNPA as part of the evidence base supporting the South Downs Local Plan in March 2018.

Logos and signatures to be added.

Appendix 1: Ashdown Forest SAC Reasons for Designation

The text below is extracted from the Habitats Regulations Assessment for the Pre-submission South Downs Local Plan, published for consultation in September 2017.

1.1 Introduction

Ashdown Forest contains one of the largest single continuous blocks of lowland heath in south-east England, with both European dry heaths and, in a larger proportion, wet heath.

1.2 Reasons for Designation

SAC criteria

The site was designated as being of European importance for the following interest features:

Wet heathland and dry heathland

Great crested newts

~~SPA criteria~~

~~The site qualifies under Article 4.1 pf the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:~~

~~Breeding:~~

- ~~Nightjar~~
- ~~Woodlark~~

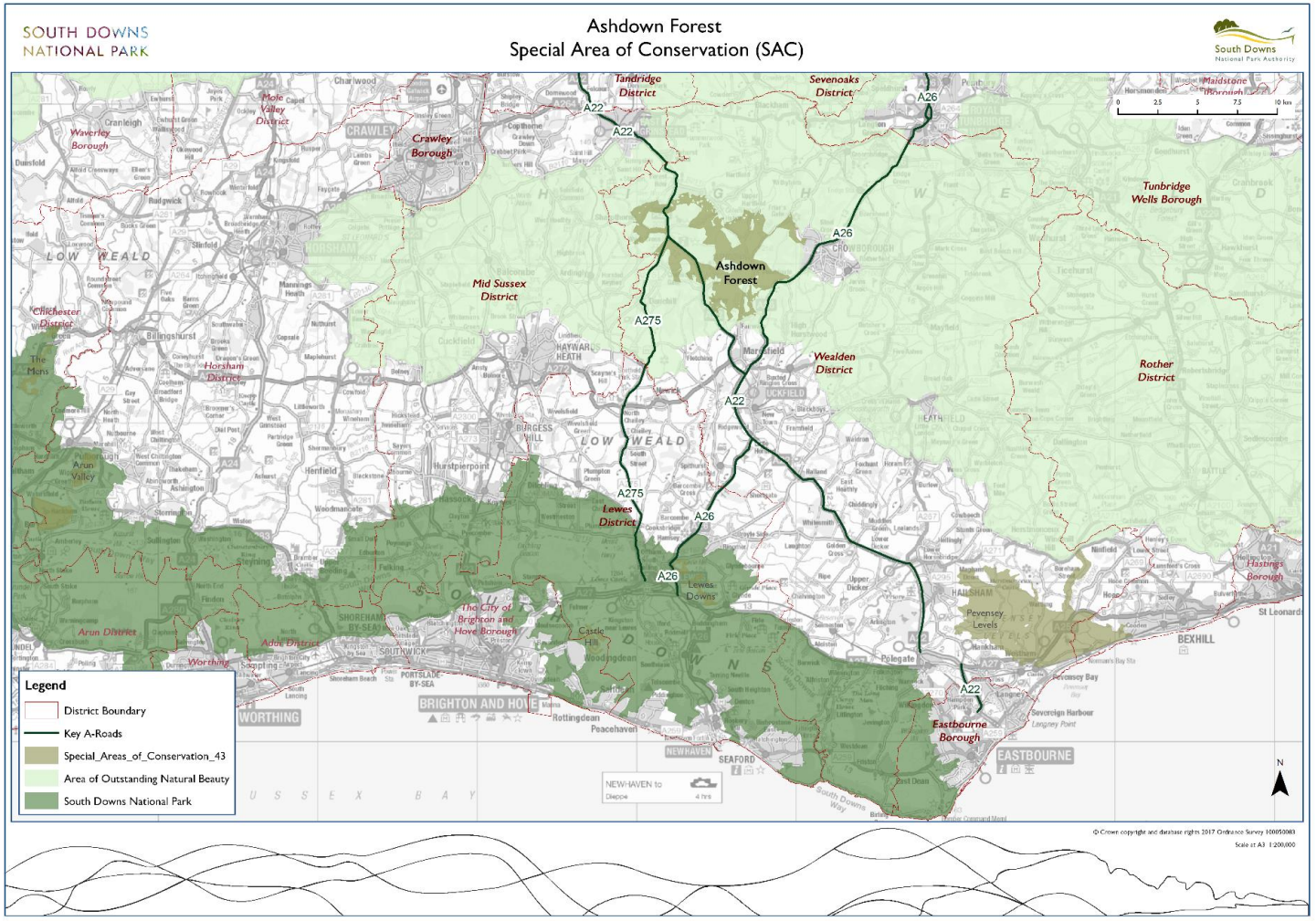
1.3 Historic Trends and Current Pressures

During the most recent condition assessment process, 99% of the SSSI was considered to be in either 'favourable' or 'unfavourable recovering' condition.

The following key environmental conditions were identified for Ashdown Forest SAC/SPA:

- Appropriate land management
- Effective hydrology to support the wet heathland components of the site
- Low recreational pressure
- Reduction in nutrient enrichment including from atmosphere.

Appendix 2-: Map of Ashdown Forest



Appendix 3: Minutes from Ashdown Forest Working Group meetings: May to December 2017

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 9TH MAY 2017 EASTERN AREA OFFICES, STANMER PARK, BRIGHTON & HOVE

Attendees:

[redacted] – Natural England

[redacted] – Wealden District Council

[redacted] - Tunbridge Wells Borough Council

[redacted] Mid Sussex District Council

[redacted] – East Sussex County Council

[redacted] – Wealden District Council

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] Mid Sussex District Council

[redacted] – South Downs National Park Authority

[redacted] South Downs National Park Authority

[redacted] - South Downs National Park Authority

[redacted] - South Downs National Park Authority

1. Introductions and Reasons for Meeting	Actions
[redacted] outlined the aims of this meeting which are to discuss: • agreeing to work collaboratively on the issues; • agreeing to share information and existing work to assist in traffic modelling for HRA work; • setting up a working group.	
2. Key stages with Local Plans and HRA timetables SDNPA's Local Plan - Pre-Submission Consultation in September 2017 Tunbridge Wells Local Plan - Issues and Options consultation this Autumn Wealden Local Plan - Pre-Submission Consultation this Autumn Lewes Local Plan Part 2 – Allocations and DM Policies - Pre-Submission Consultation this Autumn Tandridge Local Plan - Pre-submission public consultation early next year Mid Sussex Local Plan – At Examination	
3. Moving on from High Court Decision	

[redacted] highlighted that we now need to draw a line under the High Court decision as there will be no appeals or cross appeals. She explained that the group should agree to move forward together to address in combination effects of traffic generation on Ashdown Forest SAC and other affected SAC's.	All agreed to acknowledge the ruling and agreed to move forward together to address the in combination effects of traffic generation on Ashdown Forest SAC and other SACs
4. Wealden DC's latest work on HRA and Ashdown Forest [redacted] introduced this item explaining that WDC had undertaken a large amount of work on this matter and that it would be very useful to the group if WDC could set out the main studies, timetables and output for this work. This is because all local authorities affected by this issue need to be broadly using the same information and working from the same base conditions. [redacted] and [redacted] outlined the work that Wealden had undertaken over the last four years which includes air pollution monitoring on the forest, traffic monitoring, ecology work and transport modelling of future scenarios looking at Wealden's growth alone and in combination with other local authorities. [redacted] agreed to set out in an email to the group the methodologies of the work undertaken so far. [redacted] also mentioned the email that [redacted] from Tunbridge Wells had sent to her in advance of the meeting raising a number of technical questions with regards to Wealden's work. [redacted] agreed to try and answer the queries if the email could be sent directly to her and she would copy her response to all. It was also suggested that it would be helpful if this email also explained the issue with using 1000 AADT as the threshold rather than 1% process contribution.	[redacted] to send an email to all setting out the details of methodology of work undertaken so far. [redacted] to send [redacted] email to [redacted] and cc all [redacted] to reply including in her response the issue re:1000 AAD and cc all .
5. Natural England's latest work on air quality methodology for HRA's [redacted] explained that in combination effects relating to air pollution on SAC's are complex and widespread and that this is a national issue and a priority for NE. NE has set up a project group to look specifically at this issue in relation to all protected sites in the South East that have exceeded their critical load. New internal guidance is being prepared to help NE specialists provide advice to local authorities undertaking HRA's and will be available in mid-June. This will include where to obtain data, habitat trends, APIS information etc. as well as guidance on policy, avoidance and compensatory measures. The group agreed that it would be useful if some of this information could be sent directly to them. [redacted] questioned why Rother had not been included in this group. It was agreed that Rother, Crawley and Brighton and Hove should be included. [redacted] agreed to check with their consultants where they felt the main traffic movements were occurring and which authorities were affected.	[redacted] to send to group useful information from this guidance [redacted] to invite Rother, Crawley and B&H to be part of group and attend future meetings. [redacted] to check with

	consultant s which other local authorities are likely to be affected by this issue
6. Sharing and Understanding evidence [redacted] said that we need to share what information we have and need. The first year of Wealden's air pollution monitoring baseline data is in the public domain. Wealden are unable to share other year's data and outcomes at the present time as they need to be sure, before it enters the public arena, that it is robust and the peer review has been completed. The peer review of this work is being undertaken by academics at The Centre of Hydrology and Ecology. A report setting out the results of this work would likely be published in July/August of this year. Wealden are willing to give raw data to Natural England for their specialist to interpret. NE will specify what they need to [redacted] who will endeavour to provide this. Mid Sussex has used the West Sussex Transport Model and TEMPRO data to assess in combination effects. They are looking at possible areas of the District where development here would not generate traffic on Ashdown Forest.	[redacted] to circulate table to ascertain who has what information [redacted] to speak to NE's air pollution specialists to identify what data they need. [redacted] then to email [redacted] who will supply the data and cc the group
7. Policy solution options to Nitrogen deposition The group discussed possible wider longer term solutions such as the creation of a Low Emission Zone and improvements to A27. [redacted] explained that NE wished to encourage the creation of Shared Nitrogen Action Plans (SNAPs) which is something this group could establish and lead on as a way of reducing background levels of Nitrogen. The biggest contributor to nitrogen deposition on the Ashdown Forest is agriculture. All agreed that this would be a useful way forward for the group and would highlight that the local authorities were working collaboratively and identifying solutions. Developer contributions could be used to fund projects identified from this to reduce Nitrogen levels [redacted] highlighted that there was some information on SNAPs on the NE website and she would send the links to this to the group.	[redacted] to send web link to SNAPs to group. All agreed that this group should establish a SNAP as a way forward and longer term solution
8. Working Collaboratively as an Officer Group All agreed that the setting up of this group was extremely useful and that we should meet monthly. SDNPA would service the group in terms of chair, agenda and minutes. The venue would alternate between Stanmer and Mid Sussex and possibly a community centre in Wealden. [redacted] explained that Tuesdays were not a good day for her to meet and the group proposed Wednesday as an alternative. In terms of cross boundary working and Member Briefing it was felt that the East Sussex Local Planning Managers Group and East Sussex	All agreed to set up a working group on Ashdown Forest SDNPA to send out notes of meeting and make arrangements for next monthly meeting.

Strategic Planning Members Group might be useful bodies to report to. However it was recognised that Mid Sussex, Tandridge and Tunbridge Wells were not members of these groups. It was important that officers reported back to their own members.	
9. AOB [redacted] raised the issue of current planning applications that are caught by the High Court Ruling and whether Grampian conditions might be a way forward. [redacted] suggested that this should only be considered once an HRA of the application had been carried out. However in the first instance she advised that a legal opinion should be sought.	

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 9TH MAY 2017 EASTERN AREA OFFICES, STANMER PARK, BRIGHTON & HOVE

Attendees:

[redacted] – Natural England

[redacted] – Wealden District Council

[redacted] - Tunbridge Wells Borough Council

[redacted] - Mid Sussex District Council

[redacted] – East Sussex County Council

[redacted] – Wealden District Council

[redacted] Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – Mid Sussex District Council

[redacted] – South Downs National Park Authority

[redacted] - South Downs National Park Authority

[redacted] - South Downs National Park Authority

[redacted] South Downs National Park Authority

10. Introductions and Reasons for Meeting [redacted] outlined the aims of this meeting which are to discuss: • agreeing to work collaboratively on the issues; • agreeing to share information and existing work to assist in traffic modelling for HRA work; • setting up a working group.	**Actions**
11. Key stages with Local Plans and HRA timetables	

SDNPA's Local Plan - Pre-Submission Consultation in September 2017 Tunbridge Wells Local Plan - Issues and Options consultation this Autumn Wealden Local Plan - Pre-Submission Consultation this Autumn Lewes Local Plan Part 2 – Allocations and DM Policies - Pre-Submission Consultation this Autumn Tandridge Local Plan - Pre-submission public consultation early next year Mid Sussex Local Plan – At Examination	
12. Moving on from High Court Decision [redacted] highlighted that we now need to draw a line under the High Court decision as there will be no appeals or cross appeals. She explained that the group should agree to move forward together to address in combination effects of traffic generation on Ashdown Forest SAC and other affected SAC's.	All agreed to acknowledge the ruling and agreed to move forward together to address the in combination effects of traffic generation on Ashdown Forest SAC and other SACs
13. Wealden DC's latest work on HRA and Ashdown Forest [redacted] introduced this item explaining that WDC had undertaken a large amount of work on this matter and that it would be very useful to the group if WDC could set out the main studies, timetables and output for this work. This is because all local authorities affected by this issue need to be broadly using the same information and working from the same base conditions. [redacted] and [redacted] outlined the work that Wealden had undertaken over the last four years which includes air pollution monitoring on the forest, traffic monitoring, ecology work and transport modelling of future scenarios looking at Wealden's growth alone and in combination with other local authorities. [redacted] agreed to set out in an email to the group the methodologies of the work undertaken so far. [redacted] also mentioned the email that [redacted] from Tunbridge Wells had sent to her in advance of the meeting raising a number of technical questions with regards to Wealden's work. [redacted] agreed to try and answer the queries if the email could be sent directly to her and she would copy her response to all. It was also suggested that it would be helpful if this email also explained the issue with using 1000 AADT as the threshold rather than 1% process contribution.	[redacted] to send an email to all setting out the details of methodology of work undertaken so far. [redacted] to send David Scully's email to [redacted] and cc all [redacted] to reply including in her response the issue re:1000 AAD and cc all .
14. Natural England's latest work on air quality methodology for HRA's [redacted] explained that in combination effects relating to air pollution on SAC's are complex and widespread and that this is a national issue and a priority for NE. NE has set up a project group to look specifically at this issue in relation to all protected sites in the South East that have exceeded their critical load. New internal guidance is being prepared to help NE specialists provide advice to local authorities undertaking	[redacted] to send to group useful information from this guidance

HRA's and will be available in mid-June. This will include where to obtain data, habitat trends, APIS information etc. as well as guidance on policy, avoidance and compensatory measures. The group agreed that it would be useful if some of this information could be sent directly to them. [redacted] questioned why Rother had not been included in this group. It was agreed that Rother, Crawley and Brighton and Hove should be included. [redacted] agreed to check with their consultants where they felt the main traffic movements were occurring and which authorities were affected.	[redacted] to invite Rother, Crawley and B&H to be part of group and attend future meetings. [redacted] to check with consultant s which other local authorities are likely to be affected by this issue
15. Sharing and Understanding evidence [redacted] said that we need to share what information we have and need. The first year of Wealden's air pollution monitoring baseline data is in the public domain. Wealden are unable to share other year's data and outcomes at the present time as they need to be sure, before it enters the public arena, that it is robust and the peer review has been completed. The peer review of this work is being undertaken by academics at The Centre of Hydrology and Ecology. A report setting out the results of this work would likely be published in July/August of this year. Wealden are willing to give raw data to Natural England for their specialist to interpret. NE will specify what they need to [redacted] who will endeavour to provide this. Mid Sussex has used the West Sussex Transport Model and TEMPRO data to assess in combination effects. They are looking at possible areas of the District where development here would not generate traffic on Ashdown Forest.	[redacted] to circulate table to ascertain who has what information [redacted] to speak to NE's air pollution specialists to identify what data they need. [redacted] then to email [redacted] who will supply the data and cc the group
16. Policy solution options to Nitrogen deposition The group discussed possible wider longer term solutions such as the creation of a Low Emission Zone and improvements to A27. [redacted] explained that NE wished to encourage the creation of Shared Nitrogen Action Plans (SNAPs) which is something this group could establish and lead on as a way of reducing background levels of Nitrogen. The biggest contributor to nitrogen deposition on the Ashdown Forest is agriculture. All agreed that this would be a useful way forward for the group and would highlight that the local authorities were working collaboratively and identifying solutions. Developer contributions could be used to fund projects identified from this to reduce Nitrogen levels	[redacted] to send web link to SNAPs to group. All agreed that this group should establish a SNAP as a way forward and longer term solution

[redacted] highlighted that there was some information on SNAPs on the NE website and she would send the links to this to the group.	
17. Working Collaboratively as an Officer Group All agreed that the setting up of this group was extremely useful and that we should meet monthly. SDNPA would service the group in terms of chair, agenda and minutes. The venue would alternate between Stanmer and Mid Sussex and possibly a community centre in Wealden. [redacted] explained that Tuesdays were not a good day for her to meet and the group proposed Wednesday as an alternative. In terms of cross boundary working and Member Briefing it was felt that the East Sussex Local Planning Managers Group and East Sussex Strategic Planning Members Group might be useful bodies to report to. However it was recognised that Mid Sussex, Tandridge and Tunbridge Wells were not members of these groups. It was important that officers reported back to their own members.	All agreed to set up a working group on Ashdown Forest SDNPA to send out notes of meeting and make arrangements for next monthly meeting.
18. AOB [redacted] raised the issue of current planning applications that are caught by the High Court Ruling and whether Grampian conditions might be a way forward. [redacted] suggested that this should only be considered once an HRA of the application had been carried out. However in the first instance she advised that a legal opinion should be sought.	

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 21st JUNE 2017 EASTERN AREA OFFICES, STANMER PARK, BRIGHTON & HOVE

Attendees:

[redacted] – Natural England

[redacted] – Wealden District Council

[redacted] - Tunbridge Wells Borough Council

[redacted] – Sevenoaks District Council

[redacted] – South Downs National Park Authority

[redacted] – East Sussex County Council

[redacted] – East Sussex County Council

[redacted] – Tandridge District Council

[redacted] – Tunbridge Wells Brough Council

[redacted] - South Downs National Park Authority

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] - Rother District Council

19. Introductions and reasons for meeting	**Actions**

• Group introduced themselves and welcomed new attendees.	
20. Minutes and actions from last meeting Group went through the minutes to check actions were completed. Key updates to note: • Natural England Guidance – not yet available as it is still being developed. The internal guidance document will be made available to staff at Natural England and it is hoped that the salient points can be picked out in order to assist LPAs with their Appropriate Assessments. • Attendees of the group – agreed that Crawley, Brighton (Steve Tremlett suggested as contact point) and West Sussex to be invited to the group, and that Kent and Surrey County Councils should be made aware of the group. • Evidence table (outlines the evidence held by authorities which are part of the group) – agreed that completing this now is premature as there is a lot of evidence/assessment currently being undertaken/finalised. Agreed that it should be filled out in the autumn. • NE were to make a detailed request to WDC about what data they would like to see – NE and WDC are in discussion.	• [redacted] to ask Mid Sussex for contact at Crawley • [redacted] to invite West Sussex County Council and Brighton to next meeting • [redacted] to make Kent and Surrey County Councils aware of the group
21. Legal advice sought on Ashdown Forest • Legal advice already sought by TWBC. • Technical advice intended to be sought by WDC (primarily to do with PDL) and also LDC and SDNPA. • Advised that the latest position from Mid Sussex is available on their website. MSDC hearings regarding Ashdown Forest to be held on 24/25th July.	• [redacted] to share QC comments on Ashdown Forest from the Minerals Conference • ALL – those getting legal advice to share the gist of that advice with the group.
22. Air quality and traffic modelling updates • All agreed in principle to use broadly the same modelling approach (other than WDC as already progressed with own model). • All agreed in principle to share data to ensure consistency of inputs in models. • It is noted that all except WDC and MSDC are using AECOM for HRA work. • Discussed at what point development levels are taken into account – adoption/submission/publication? It was noted that TEMPRO uses growth figures as of 2014 TEMPRO can be adjusted to take into account subsequent Local Plan proposals. • It was noted that WDC have assessed all roads across Ashdown Forest, not just A roads. • It was commented that using travel to work data in the model may underestimate movements and therefore the associated impact of visitor numbers. • WDC do not have a date for the release of their HRA work – likely end of August.	• ALL – agreed to share data inputs for model. • LDC/SDNPA ask [redacted] re. impact of visitors.
23. Progress with Local Plans	

• All progressing with Local Plans as per previous meeting. • WDC advised there is a delay in their timetable. WDC are looking to commence pre-submission consultation by the end of the year. WDC met with DCLG and had a positive meeting – no discussion of the phasing policy.	
24. Long term solutions including Strategic Nitrogen Action Plans (SNAP) • Agreed that this item would be held until a future meeting once HRA work has been progressed by authorities and findings are available. • Noted that [redacted] of NE is to be covering Ashdown Forest. [redacted] will be at the next meeting and a possible SNAP could be discussed then. • There was a discussion about SNAP. NE advise that SNAP is not suitable as mitigation because it doesn't have sufficient certainty.	
25. Wealden DC to provide an update on their transport model • Technical note on transport model circulated to authorities for their information. Update now received which looks at contribution from other authorities. WDC advise they are happy to circulate update.	[redacted] – circulate update to office group.
26. AOB • WDC noted that there is an article in the HRA Journal that may be of interest which queries the 1%. Advised that the journal is subscription only. • WDC advise they are happy to share evidence individually with authorities, but also advise that some evidence is not yet feasible to share. • Agreed that the next meeting would be in August and held at MSDC offices in Haywards Heath.	[redacted] – arrange next meeting for August [redacted] – arrange meeting room at MSDC offices in Haywards Heath.

ASHDOWN FOREST OFFICER GROUP

10:00 am, 30 AUGUST 2017

MID SUSSEX DISTRICT COUNCIL, HAYWARDS HEATH

Attendees:

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Wealden District Council

[redacted] – Sevenoaks District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority

[redacted] – South Downs National Park Authority

[redacted] – Rother District Council

[redacted] – East Sussex County Council (ESCC)

[redacted] – East Sussex County Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Lewes and Eastbourne Councils

[redacted] – Lewes and Eastbourne Councils (LDC)

[redacted] – Tandridge District Council

[redacted] – Tonbridge & Malling Borough Council

AGENDA ITEM	ACTION
27. Introductions and minutes from last meeting • Group introduced themselves and welcomed new attendees. • [redacted] apologised for the lateness in sending out the minutes. Two corrections were agreed and revised minutes to be circulated. The following actions were still noted as outstanding: - [redacted] to contact Crawley BC, WSCC, Surrey CC and Brighton & Hove CC - Update on WDC transport model not yet published although a technical note is available on line[10].	• [redacted] to ask Mid Sussex for contact at Crawley • [redacted] to invite West Sussex County Council and Brighton to next meeting • [redacted] to make Kent and Surrey County Councils aware of the group
28. Wealden DC to provide update on air quality and ecology monitoring ([redacted]) • WDC have received draft air quality reports on Pevensey Levels and Lewes Downs • WDC have received draft reports on air quality and ecology for Ashdown Forest. These are being checked through. Changes are needed to explain the outcomes from the model and statistical analysis more clearly. • Once agreed with consultants WDC will share with NE. • WDC committed to share with members of group after NE and before publication on website. This will hopefully be in September 2017. • [redacted] queried the background nitrogen deposition text to A22 which at 50kgN/ha/year is much higher than the Defra mapping levels. [redacted] explained that the Defra figures are the average across the SAC, whereas the WDC figures are by 2metres squared, i.e. more finely grained analysis. • [redacted] explained that WDC and ESCC were working on expression of interest bids to the Housing &	• WDC to share air quality and ecology monitoring first with NE then the wider group in September or shortly afterwards. • [redacted] to

[10] http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CoreStrategy/CoreStrategyLibrary/Planning_Evidence_Base_Habitat_Regulations_Assessment.aspx

AGENDA ITEM	ACTION
Infrastructure Fund on the introduction of mitigation and compensatory work for Ashdown Forest. The focus would be on low emission zones. Support from members of the group would help the expression of interest. A very swift turn around on the bid is required. The group agreed that this had to be very high level and not set out any detail.	draft wording and circulate around the group for agreement.
29. Transport modelling and in combination assessments [redacted] • MSDC is updating their District Plan HRA following their Local Plan Hearings. MSDC is using the WSCC County Highways Model. The model takes account of background growth and growth in surrounding areas, using the National Trip End Model (NTEM) and TEMPRO assumptions. Amey are the consultants and [redacted] will ask if data can be shared. • Discussion on the correct figures to use, i.e. 876 or 1,090 dwellings for MSDC. The Inspector verbally agreed at the Hearings that there are grounds for adoption of the District Plan at 876 dwellings per year to 2023/24 and then a figure of 1,090 dwellings per year thereafter subject to the Habitats Regulations Assessment. • It was agreed that we should agree all our housing figures to be used in our transport models in the statement of common ground. • Discussion on TEMPro. This includes allocations and permissions but there is a gap 2014-2017. All authorities present are using TEMPro in their modelling work. • Discussion on future NOx reductions. WDC are using figures different to Defra.	• [redacted] to query sharing traffic data with Amey
30. Brief updates with Local Plans and HRAs • Covered elsewhere in meeting.	
31. A statement of common ground (SoCG) on Ashdown Forest ([redacted]) • We all need to meet the Duty to Cooperate and engage constructively, actively and on an ongoing basis on strategic cross boundary issues. The officer working group is a good starting point and a SoCG on Ashdown Forest would help to formalise and drive the work forward. • LDC directors met with PAS who offered to work with the group on the statement. [redacted] will progress with PAS. • TWBC have drafted a bilateral statement between themselves and WDC and are awaiting WDC response. [redacted] agreed to share with group. The following was agreed by the group: • To be completed and agreed by January 2018 • It would set out matters that the group agreed and didn't agree on. • It would cover air quality matters only and not other matters such as recreational pressure • It would relate only to Ashdown Forest but there was the potential to replicate it for other international designations	• [redacted] to contact PAS and invite to October meeting and find out level of support available • [redacted] to circulate draft statement of common ground • NE to consider being a signatory

AGENDA ITEM	ACTION
• It would agree the methodology assumptions for transport and air quality • It would agree housing numbers for all the LPAs to be used for traffic modelling • It would agree to share evidence and findings • It would explain the role of the officer working group • It would cover planning policy and not planning applications. Neighbourhood plans would be covered under planning policy • NE to consider whether it should be a signatory. The feeling of the group was that NE is a very necessary partner to the statement • All LPAs present happy to progress and be signatory subject to content	
32. Update from Natural England ([redacted]) • [redacted] explained to the group that the guidance on HRAs was for internal use at NE. The group discussed that there was general confusion on the matter both at a local and national level.	
33. Current approach to planning applications ([redacted]) • TWBC has received an objection to a planning application from WDC and have sought legal advice. • No other LPAs have received any objections • WDC confirmed that they are scrutinising weekly lists and objecting if an HRA has not been done when there is a net increase in traffic. • MSDC is undertaking a HRA screening for planning applications • WDC has not determined any planning applications that would result in a net increase in traffic. No appeals have been lodged on non-determination.	
34. AOB • [redacted] said that a developer, planning agent and landowner stakeholder forum has been set up for Ashdown Forest and that WDC has been invited to the next meeting in September. • Next working group meeting to be held on 9th or 13th October.	[redacted] – arrange next meeting for 9th or 13th October. [redacted] – arrange meeting room at MSDC offices in Haywards Heath.

ASHDOWN FOREST WORKING GROUP

10:00 am FRIDAY 13TH OCTOBER 2017

MID SUSSEX DISTRICT COUNCIL OFFICES, HAYWARDS HEATH

Attendees:

[redacted]) – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted] South Downs National Park Authority

[redacted] – East Sussex County Council (ESCC)

[redacted] – East Sussex County Council

[redacted] – Tunbridge Wells Borough Council

[redacted] – Sevenoaks District Council

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – West Sussex County Council

[redacted] – Tonbridge and Malling Borough Council

[redacted] – Planning Advisory Service (PAS)

AGENDA ITEM	ACTION
1. Introductions and minutes from last meeting (LH) • Group introduced themselves and welcomed new attendees. • Run through of actions from previous meeting: o [redacted] and [redacted]: bid submitted by ESCC focussing on Hailsham linked to AF mitigation. Letter of support submitted. No response yet. [redacted] will circulate documents. NH thanked group for support. o Regarding HRA work undertaken by WDC, see below. o [redacted] queried if LPA contributions would be disaggregated. [redacted] advises that this is problematic traffic may reroute differently.	• [redacted] to circulate Expression of Interest documents to group
2. Wealden DC and Natural England to provide update on air quality and ecology monitoring ([redacted] & [redacted]) • WDC have sent draft reports on Ashdown Forest SAC, Pevensey Levels SAC and Lewes Downs SAC to NE for their review. • These reports will be circulated to this officer group toward the end of week commencing 16th October 2017, and will be published on WDC website one week after circulation. • The work shared and published will be methodology and air quality work for Ashdown Forest – it will not include the ecology work as WDC have commissioned further work on this. • WDC has a DAS agreement with NE • NE will review the work produced by WDC and will include their in house air quality specialist. • [redacted] for WDC raised concerns regarding ammonia pollution arising from catalytic converters fitted to vehicles. MA	• WDC to circulate reports to the officer group toward end of week commencing 16th October 2017. • [redacted] to add SNAP to a future full officer group meeting (not SoCG subgroup meeting). • [redacted] to invite NE officer to SNAP meeting when date known. • [redacted] to confirm that NE input

notes that ammonia dissipates quickly. Discussion then began regarding Strategic Nitrogen Action Plans (SNAP): • [redacted] confirmed that NE sees merit in a SNAP for Ashdown Forest. SNAP would reduce background nitrogen. • [redacted] circulated a table of potential mitigation and solutions options, requesting that group members take shared ownership of this as a continuing 'live' piece of work, adding comments, updates and suggestions as they see fit. MA advise that the habitat management options would not be suitable as this would conflict with the reasons for the site designation. Other suggests could usefully feed into a SNAP. [redacted] reiterated the key role of agriculture in the high background levels. To a lesser extent emissions from power stations on the continent also contribute. Noted that due to dispersal of pollution, Gatwick Airport was not a specific direct issue, rather a wider regional issue. • [redacted] reiterated, and [redacted] confirmed LPAs, take action based on their own relative contribution – process contribution. • Officer Group agrees to produce a SNAP. SNAP to be added to the agenda for a future meeting (full officer group meeting rather than SoCG sub-group meetings). • Advisor for management of Ashdown Forest from NE to attend future SNAP meeting. [redacted] likely to not be	into SNAP wouldn't be charged.
3. Update on South Downs Local Plan, HRA and background paper ([redacted]) Local Plan update • Reg 19 Pre-Submission South Downs Local Plan consultation began on 26th September. It will run for 8 weeks until 21st November. HRA work • Air quality Appropriate Assessment work is set out in two sections: o Ashdown Forest: commissioned jointly with LDC and the methodology and results are set out in an addendum at the back of the report. o Other designations in and round the National Park: methodology is set out in section 2.6 and the results discussed in section 5.3. o Link to HRA: https://www.southdowns.gov.uk/wpcontent/uploads/2016/11/SDNPA-HabitatsRegulations-Assessment.pdf • Methodology: In-combination assessment undertaken using TEMPRO. Adjusted for the higher expected development likely to come forward in Local Plan around Ashdown Forest. Then air quality calculations for NOx and N were undertaken. Ecological interpretation was then done to establish the extent and significance of any changes expected. No thresholds (e.g. 1000 AADT) were used – all road links were subject to assessment at all stages. • Results: o Traffic: 5 key links modelled. In-combination traffic increase on all links between c.950 and c.3000 AADT. LDC/SDNPA contribution small between 0 and 260 AADT. o Air Quality: Currently above critical level for NOx on 3 of the routes. All expected to reduce to below critical level over the plan period even	• [redacted] to circulate links (found in the minutes)

with AADT increases expected. For N deposition, improvements in background more than offset the additional from car movements. On A26 and A275 the LDC/SDNPA contributions slow this slightly within the first 5m of the road by 0.01kgN/ha/yr. • Conclusion re. Ashdown Forest: No adverse effect on integrity on the Ashdown Forest SAC alone or in combination with other plans and projects. • Conclusion re. other designations: Same as above, but with a recommendation to monitor designations close to the A3 corridor, which brings in line with the approaches of other nearby Local Plans. • NH queried the reduction in background N deposition. KSt responded that a % assumption in N reduction is used based on guidance from Institute of Air Quality Management and DMRB. 2% is the DMRB recommendation. SDNP/LDC have taken a precautionary approach and applied 2% for the first half and no improvement for the last half of the plan period – averaging to 1%. Principle was agreed. • Biodiversity background paper published on SDNPA website.	
4. Update from Mid-Sussex on HRA [redacted] • Agenda item not discussed.	
5. PAS support for the Statement of Common Ground (SoCG) looking at [redacted]): • [redacted] introduces SoCG and role of PAS: o Right Homes in the Right Places consultation introduces mandatory SoCG o PAS and DCLG are keen to get some early learning on them o The purpose of SoCG is to help the challenges around Duty to Co-operate – to make sure that opportunities to address matters prior to examination are taken and to clearly set out the key strategic cross boundary issues and actions to planning inspectors. o It is thought that SoCG would consist of two parts: (1) geography and issues and (2) action plan o SoCG would be a short document, signed by LPAs and other, and would generally need political sign off. It would be a living breathing document that would be updated whenever a signatory gets to a new stage in the plan making process. o SoCG could be a helpful mechanism for unlocking infrastructure funding and other government funding. o PAS would like to work with 8 or so pilot groups to gather key learning ahead of the NPPF redraft – key window is next 9 weeks. NPPF draft is expected for a consultation (on wording rather than principles of content which were consulted upon over the last year or so) in January 2018 and final publish in March 2018. o In principle, DCLG would like preliminary SoCG to be published by all authorities 6 months after publish of NPPF redraft (Sept 2018) and a full SoCG 6 months after that (Mar 2019). o PAS can facilitate meetings and support write up of SoCG. • [redacted] confirms interest of the group in becoming a PAS supported pilot, and confirms that the group are working toward completing a draft SoCG for January.	
6. A Statement of Common Ground on Ashdown Forest: follow on discussion (LH) • Format of document: o [redacted] advises that, as currently set out, each authority is expected to	• All-Further work required to establish geographical

produce one SoCG which sets out the various strategic cross boundary issues and actions, and other LPAs and stakeholders are signatories to the relevant parts of the document e.g. meeting housing need would be one section of the SoCG and members of the HMA would be signatories to that part. o The group discussed and considered that this approach wouldn't work due nature of the issue, the large number of signatories and the timetable needs of the officer group. o [redacted] and group agree that the Ashdown Forest Officer group will produce an AF specific SoCG which can be cross referred to in LPAs wider SoCG. o Agreed that the SoCG on AF itself will cover multiple issues and not everyone needs to sign up to everything. For example: [redacted] says that NE will be a signatory but only to issues on which they have a view. • Geographical scope: o The group recognised that establishing the geographical scope of the SoCG would be a key issue for determining signatories. What is the extent of influence to warrant being a signatory? The scale of each LPA's contribution (process contribution) to the issue will also be a relevant factor for determining signatories. This will require further work by the group. • A risk register will need to be produced. [redacted] asks if [redacted] can provide a template. [redacted] agreed. • [redacted] advises that there is no SoCG template yet – the pilots will help in producing one which may be included within the redrafted NPPF. • PAS facilitator will not be [redacted] – [redacted] to advise [redacted] and [redacted] of who they will be. • Way forward: • All-Further work required to establish geographical scope and signatories • [redacted] to provide risk register template to [redacted] • [redacted] to advise [redacted] and [redacted] who the PAS facilitator will be • All to provide information on their [redacted] timetable, sign off process and housing numbers. • [redacted] to circulate meeting invites for 10th November and week commencing 20th November o A series of meetings will be scheduled to work on these issues and draft the SoCG: (1) geographical scope, signatories, governance arrangements, risks, establishing what the other elements of the scope are (previously agreed as air quality matters, methodology assumptions, housing numbers, sharing evidence and policy not applications), [redacted] timetables. (2) all day workshop on issues and actions. Further meetings will be required to be decided depending on outcomes of the above. o Meetings to be attended by a self-selected subgroup o SDNPA will provide administrate support for the group. o All will need to speak with members regarding sign off and provide info to the group on their sign off process.	scope and signatories • [redacted] to provide risk register template to [redacted] • [redacted] to advise [redacted] and [redacted] who the PAS facilitator will be • All to provide information on their [redacted] timetable, sign off process and housing numbers. • [redacted] to circulate meeting invites for 10th November and week commencing 20th November
7. Any other business (LH) • None.	

10:00 am Thursday 23 November 2017

Mid Sussex District Council Offices, Haywards Heath

PLEASE NOTE, THESE ARE DRAFT MINUTES

Attendees:

[redacted] – Wood on behalf of Planning Advisory Service (PAS)

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted] – South Downs National Park Authority

[redacted] – Sevenoaks District Council

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – West Sussex County Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Tunbridge Wells Borough Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Rother District Council (RDC)

[redacted] – Tonbridge and Malling Borough Council (T&MBC)

Apologies: [redacted] (WDC), [redacted] ESCC), [redacted] (ESCC), [redacted] (ESCC), [redacted] (Crawley)

AGENDA ITEM	ACTION
1. Introductions and minutes from last meeting ([redacted]) • Group went through the minutes and then actions from the previous meeting, discussing the amendments received by email prior to the meeting. A number of changes to the minutes were discussed and the final minutes were agreed by all. Further actions were also identified.	• [redacted] to request data from WDC in line with email from AECOM. • [redacted] to make agreed changes to

• [redacted] asked for a link to the separate Year 1 and Year 2 monitoring data to be circulated. [redacted] advised that only Year 1 was published in a standalone report and suggested we set out exactly what we are seeking in a question to be sent direct. • [redacted] asked again for the redacted air quality monitoring locations, suggesting that the data could be shared consultant to consultant which would be exempt for EIR. [redacted] advised that when consultants hold information used for a public body, they are in effect equivalent to 'an arm' of the authority and would be subject to the same EIR risks. • WDC advised that they have instructed counsel on a number of Ashdown Forest/HRA related issues, including the request for the redacted air quality monitoring locations and the forthcoming SCG. • Feedback from Crawley BC was that they did want to join the group but could not attend today's meeting. • Feedback from Brighton & Hove CC was that they did not currently want to join the group but would like to be kept up to date on progress. • [redacted] reiterated the role of PAS as a facilitator to support the preparation of the SoCG which will: o assist in demonstrating that parties have co-operated; o draw out any differences and identify what may need to be done to resolve those differences o be concise and non-technical	minutes and circulate finalised version.
2. Sign off arrangements (table) ([redacted]) • [redacted] outlined the table and noted that there were unlikely to be showstoppers for signoff by March. • RDC noted that they have provided two scenarios for sign off options depending on the content of the SoCG. • Queries arose regarding which authorities would be signatories. These are addressed under item 4 of the agenda.	• All to advise Chair ([redacted]) of any changes in expected sign off process.
3. Local Plan housing numbers (table) ([redacted]) It was discussed whether housing numbers could be agreed, how long they might be frozen for and how these numbers should be used in modelling. It was agreed: • The position at the last meeting was confirmed: any agreement around housing numbers would be just applicable to future modelling runs rather than retrospectively re-running models. • Numbers would always be changing and any agreement would be a snapshot of the numbers as they stand upon signing the SoCG. • Housing numbers would be a standing item on the agenda for the Working Group going forward to update at key stages in plan making.	• [redacted], in due course, to update table with disaggregated housing figures for the National Park following discussion with respective authorities. • [redacted] to compile housing table for the SoCG with the housing

• Each LPA to confirm housing numbers with individual authorities before running models.
• A general principle in the agreement of housing numbers as follows:
  o If a LP is less than 5 years old use the adopted figure
  o If an emerging LP is nearing pre-submission and the LPA is confident then use the emerging figure
  o If the adopted LP is over 5 years old and an emerging plan has not progressed use the OAN/standard methodology (once confirmed by CLG) unless otherwise evidenced.
The group went through the table and indicated the preferred current housing figure to use.
	figures to use for each authority highlighted in bold
	• [redacted] to add housing numbers as a standing item to future agendas.

4. Geographical area defined by the membership of the Working Group ([redacted]
It was agreed at the previous SoCG meeting that signatories of the SoCG would be self-selecting and broadly make up the membership of the Working Group.
 	
At this workshop it was agreed:
• Tonbridge and Malling Borough Council would be removed from the signatories list on the basis of advice from Natural England that they did not foresee TMBC being involved in the SoCG. T&MBC would like to continue to be part of the group to observe.
• Add Crawley BC
• Remove Brighton and Hove CC
• Rother included on a precautionary basis
• West and East Sussex County Councils to be added
• Surrey CC and Kent CC would be added to the circulation list for information, but would not be signatories.
• Membership of the group and signatories may change based on emerging evidence
• The list of signatories was confirmed as:
  o South Downs National Park Authority
  o Lewes District Council
  o Wealden District Council
  o Eastbourne Borough Council
  o Rother District Council
  o Tunbridge Wells Borough Council
  o Sevenoaks District Council
  o Tandridge District Council
  o Mid Sussex District Council
  o Crawley Borough Council
  o East Sussex County Council
  o West Sussex County Council
	• [redacted] to contact Crawley to add their data to the tables.

5. Transport modelling (table) ([redacted] & [redacted])
• It was agreed that the table did not cover all elements required. It was agreed:
  ○ [redacted] to rework the table and recirculate to the Working Group, providing guidance on how to complete the table. The table will be circulated on Monday 27th November.
  ○ Authorities will complete the table and return to [redacted] by Monday 4th December.
  ○ [redacted] will analyse the table and identify commonalities, minor differences and major differences. These will be colour coded.
  ○ [redacted] will circulate this analysis for comment on Monday 11th December.
  ○ The table will need to be finalised by the end of December,
  ○ [redacted] to provide narrative to the table to go into SOCG
• It was agreed that the table would provide a snapshot of some of the main differences/similarities and to get the full methodology for looking properly at the models.
• The possibility of agreeing common elements of transport modelling for future work was discussed but not agreed at this time.
• This topic would just deal with transport modelling drawing out the commonalities, major differences and minor differences.
• The use of models and proportionality was raised by [redacted] with regard to the differing scale of additional AADT. Matter discussed further under agenda item 6.
	• [redacted] will rework the table and circulate to the Working Group on Monday 27th November,
	• Authorities will complete the table and return to [redacted] by 4th December.
	• [redacted] will undertake analysis of the table and will circulate on Monday 11th December.

10. Risk Register (EP) An example risk register was circulated by PAS for consideration. The Working Group agreed that it didn't add value to the SoCG process and that the risk register related more to the preparation of individual local plans. It was agreed that the Working Group may wish to revisit the idea of a risk register once the SoCG is drafted.	
6. Proportionality (TT) [redacted] introduced this item- there is no universal standard on proportionality and the issue relates to what is the 'appropriate' level of assessment required for LPs? Where effects are demonstrably small can the level of assessment be justifiably less complex than WDC's bespoke approach? [redacted] queried what justification there is for objections from WDC to accepted industry standard methodology being used by those authorities	• WDC to provide the reasons and explanation for methodology deviation to go into the SoCG.

where their evidenced contribution to any potential impact is proportionally, substantially smaller. The inference from the Habitats Regulations and government guidance is that the assessment should be proportionate to the likely scale of impact. LH pointed out that the NPPF states that Local Plan evidence should be proportionate. Objections to industry standard robustly carried out assessments may unnecessarily frustrate plan-making therefore [redacted] posed agreement for the accepted industry standard methodology. Initial responses: • SDNPA: agree • TWBC: makes sense • LDC: agree • EBC: agree • WDC: does not agree and will not move on the standard methodology on the basis of work already undertaken. WDC contend that the standard methodology does not meet the requirements of the Ashdown Forest context. This work was undertaken in response to the Wealden Core Strategy EiP. WDC have used the Mott Macdonald methodology as amended. • NE: agree with [redacted] with regard to proportionality. Polluter pays. NE not objecting to the use of the standard methodology. • WDC say that the APIS calculation are slightly wrong with regard to deposition. WDC use a finer grained 2m² rather than 5km². • TWBC: standard methodology and result are not wrong, WDC grid squares just more refined. Justifiable to use best practice unless a clear reason not to do so. • WDC advise they will get legal advice regarding proportionality and will run their data through the standard methodology and make available. WDC advise their air quality experts will be busy until Christmas. Rother and Tandridge reserved their position. All others generally agree to use standard methodology except WDC. Ask that WDC provide the reasons and explanation for deviation to go into the SoCG.	
7. Air quality calculations The following points were briefly discussed: • WDC also assess non-standard ammonia and the 24-hr NOx mean. • [redacted] – new cars don't emit as much ammonia – specific type of catalytic converter • WDC air quality report recognised both positive and negative limitations • WDC – ammonia and NOx interact in the atmosphere and this impacts N deposition.	• [redacted] to prepare a table based around key headings below and circulate on Monday 27th November. Working group to provide their responses by 11th

• NE will be signatory on air quality/ecological interpretation elements but not on housing numbers or traffic modelling parts of the SoCG • It was agreed that the standard responses on all the items on the SoCG were Agree, Disagree, or No position. It was agreed that a table would be helpful for this [redacted] to prepare a table based around key headings below and circulate on Monday 27th November. Working group to provide their responses by 11th December. • Chemicals monitored and assessed in forecasting • Conversion ratios from NOx to N • Background improvement assumptions • Rate of dispersal from the centre line of the road up to 200m • Type of habitat included in the assessment – e.g. woodland in roadside vegetation. There may be other aspects of the methodology others may wish to note.	December. • [redacted] will send to AECOM for help in completing on behalf of all authorities using the AECOM model approach/standard methodology.
8. Ecological interpretation Three items were put forward for discussion: (1) 1% process contribution (2) Additional harm above the critical load/level (3) Type of habitat included in the assessment – e.g. woodland in roadside vegetation. (1) NE advise: 1% or more process contribution triggers Appropriate Assessment as there is considered to be a likely significant effect. The threshold is not arbitrary and is based on robust science – process contributions below 1% cannot be properly modelled and changes in air quality cannot be seen in the ecology at these levels. Above 1% does not mean an adverse impact but should check through AA process. All use or are likely to use except WDC who have not drawn a conclusions on this matter but will consider. (2) NE: look at sensitivity of impact. Dose response is curvilinear. Key thing is loss of species richness in heathland. (3) Covered in agenda item above. Overall, NE advise that it is too soon for the authorities in the Working Group to consider ecological interpretation as there is currently no evidence (for example through AA) published which says that such measures are required. The Mid Sussex and AECOM HRA screening for LSE work touches on ecological	• [redacted] to add topic into the SoCG as something that may need to be addressed in the future.

interpretation but this is beyond requirement for LSE screening. All agreed this was a topic that would go into the SoCG but as something that may need to be addressed in the future.	
9. Site Nitrogen Action Plan (SNAP) Phrasing and nature of the approach was discussed. All agreed that paragraph 4.2.8 of the LDC/SDNPA HRA addendum will be included in the draft SoCG for consideration. Noted that a SNAP is not mitigation or compensation as there is not enough measurable certainly of the results. But may include some elements of mitigation. One of the 'soft measures' to address background levels from a range of sources. NE would lead on a SNAP working with other partners.	• [redacted] to include paragraph 4.2.8 of the LDC/SDNPA HRA in the draft SoCG for consideration
10. Actions and timetable going forward • [redacted] read out list of actions to the Working Group • When comment on or signing the SoCG as 'disagree' it is incumbent upon that party to say why, but be concise. • Noted that CIEEM are undertaking an internal consultation for members only on new air quality methodology guidance. • [redacted] recommended a style of table for setting out comments on the draft SoCG – [redacted] to email to [redacted] • Agreed to meet in mid-January to discuss the draft SoCG	• [redacted] recommended a style of table for setting out comments on the draft SoCG – [redacted] to email to [redacted]t • [redacted] to circulate a draft SoCG by mid-December for the group to review. • [redacted] to arrange meeting in mid-January.

Appendix 4 – Housing numbers

This table sets out the various housing numbers approaches for each local planning authority. The numbers in **bold** are those which have been agreed by the Ashdown Forest Working Group at the time of drafting this Statement of Common Ground following the methodology outlined in section 2 of the Statement.

Authority Name	**Adopted Local Plan housing number**	**OAN**	**DCLG new methodology**	**Numbers used for own LP (and in any modelling work undertaken so far if different)**	**Numbers used for other LPAs in modelling work**	**HMA figure**
Crawley Borough Council	5,100 dwellings total **340** dwellings per annum annualised average	675 dwellings per annum	476 dwellings per annum			Northern West Sussex HMA: as for Mid Sussex District Council below
East Sussex County Council	n/a	n/a	n/a	n/a	n/a	n/a
Eastbourne Borough Council	5,022 by 2027 240 per annum	**400**	336 (capped)	No modelling undertaken to date	No modelling undertaken to date	Eastbourne & South Wealden HMA number TBD
Lewes District Council	6,900 **345** per annum	520	483	345 LP plus an additional +50% allowance for Newick	Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum Tandridge – OAN	520 (higher end) Lewes District (including the Park) within the Coastal West Sussex HMA

Authority Name	Adopted Local Plan housing number	OAN	DCLG new methodology	Numbers used for own LP (and in any modelling work undertaken so far if different)	Numbers used for other LPAs in modelling work	HMA figure
					470 per annum	
Mid Sussex District Council	The emerging Mid Sussex District Plan 2014-2031 sets a minimum housing provision figure of 16,390 homes. For the purposes of calculating the five-year housing land supply a 'stepped trajectory' will be applied through the calculation of a 5-year rolling average. The annual provision in this stepped trajectory is **876 dwellings per annum for years 2014/15 until 2023/24 and thereafter, from 1st April 2024, 1,090 dwellings per annum until 2030/31,** subject to future HRA on further allocated sites, to meet unmet needs of neighbouring authorities.	14,892 (an average of 876 dwellings per annum) for 2014-2031	1,016 dwellings per annum for 2016-2026	See second column	Growth assumptions for surrounding authorities used in the transport model: Crawley – 6,908 Wealden – 8,988 Lewes – 6,032 Brighton & Hove – 14,301 Horsham – 16,701 Tandridge – 6,395	Northern West Sussex HMA Crawley – 675 Horsham – 650 Mid Sussex – 876 = 2,201 dwellings per annum
Rother District Council	335 net dwellings pa	363 pa	469 pa (capped) 737 pa (uncapped)	n/a	n/a	Hastings and Rother HMA (as at 2014): 767 pa
Sevenoaks District Council	165 / yr 3,300 over 20 year (2006-2026)	12,400 (2015-35) 620 pa	698pa	**620** / 698	n/a	Tonbridge & Malling Tunbridge Wells

Authority Name	Adopted Local Plan housing number	OAN	DCLG new methodology	Numbers used for own LP (and in any modelling work undertaken so far if different)	Numbers used for other LPAs in modelling work	HMA figure
South Downs National Park Authority	There are several figures currently operating across the National Park but not one park-wide figure	447	Not applicable	**250**	Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum Tandridge – OAN 470 per annum	Coastal Sussex HMA : 274 Eastbourne and Wealden HMA: 14 Northern West Sussex HMA: 14 Central Hants : 144
Tandridge District Council	125 dpa	**470**	645	TBC	470	470
Tunbridge Wells Borough Council	The adopted Core Strategy figure is 300 per anum	**648** (SHMA 2015)	692	648	As above	Tunbridge Wells Borough is considered to be in a HMA which includes Sevenoaks, Tonbridge and Tunbridge Wells and extends to include Crowborough, Hawkhurst and Heathfield.
Wealden District	450 dwellings per annum or 9,600 in total 2008 - 2027	950 DPA	1247 (check)	**11,456** (total) for Ashdown Forest	2014 tempro data	Not yet determined.

Authority Name	Adopted Local Plan housing number	OAN	DCLG new methodology	Numbers used for own LP (and in any modelling work undertaken so far if different)	Numbers used for other LPAs in modelling work	HMA figure
Council				modelling 11,724 for Lewes Downs and Pevensey Levels (revised figures post March 2017 Draft WLP).		
West Sussex County Council	n/a	n/a	n/a	n/a	n/a	n/a

Appendix 5 - Ashdown Forest Transport Model Analysis

This table sets out the key elements of the transport modelling undertaken as part of HRA work for the respective local planning authorities. It also sets out some analysis prepared by West Sussex County Council on the major and minor differences and commonalities of the approaches taken.

Key	Model Base Year	Geographical Coverage	Road Network in Forest	Origin to Destination Demand Data Sources	Data Types for Base Year Validation	Origin to Destination Zone Definition	Forecasting Years	Trip Generation Methodology	Demand Changes Assessed in Study	Forecasting Background Growth	Time Periods Directly Modelled	Modelled Responses to Congestion	Other European Designated Sites Assessed?
Assessment of level of difference between Models:													
Colour Coding													
Comments	Two models are grown from older bases, whilst other models are all from 2014	Whilst all models include the Ashdown Forest SPA, there is wide variation in the choice and extent of which other areas are included, reflecting the location of the client authorities	All models include all the A class roads. Two models have represented B class roads and one minor road, although the assignment did not use them. One model also represents a number of Class C roads	There is a split between those models which use roadside interview data, - which captures all journey purposes but is based on a sample which requires infilling with data such as NTEM and NTS – and those which use 2011 census journey to work which captures only one journey purpose but with universal spatial coverage in UK and very high response rate	All models use continuous automatic traffic counters as a primary source of volumetric data. The extent to which manually observed data for junction turning movements or links is used varies and only two models have reported journey time observations.	All model zoning systems are based on Census areas, but the level of aggregation between models and and uniformity across parts of individual models is varied.	The headline forecasting year has a relatively narrow range from 2028 to 2033 (five years) No models have yet assessed intermediate forecast years for plan phasing. One model with an older base year has also used a present day forecast for comparision.	Universal use of TRICS for site specific trip generation. There will be some minor variations in use of site selection parameters where information is available.	All models assessed planned housing and employment. There is some difference in approach to smaller sites which may not vary in overall quantum from unplanned development trends. Some models concentrate mainly on individually modelled strategic sites with others treating all sites included in a Local Plan together by adjusting NTEM totals.	All models use TEMPro/NTEM with the version used reflecting the time when the model forecasting was started. There is some difference in approach to how TEMPro/NTEM is applied and the definition of what is background, with some models treating small non-strategic allocations or planned dispersed development along with background, whilst others treating all sites included in Local Plan together.	There is a split between those models which assess AADT traffic directly and those which simulate hourly flows, with AADT forecasts being calculated by factoring derived from observations.	All but one model allow re-routing. One model uses fixed routings; although there can be two alternative routings between O-D pairs, this does not vary according to travel times/costs. Two models allow destination choice, with only one model allowing mode choice.	This varies greatly according to the geographical extent of the model and study area, in particular the location of the client planning authority in relation to other designated sites.

A53

-----Original Message-----
From: [redacted] [mail to:[redacted]@wealden.gov.uk]
Sent: 13 February 2018 14:55
To: [redacted] ([redacted]@southdowns.gov.uk) [mail to:[redacted]@southdowns.gov.uk]
CC: [redacted] [mail to:K[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@wealden.gov.uk],[redacted] [mail to:[redacted]@wealden.gov.uk]
Subject: Statement of Common ground

Dear [redacted],

Please find attached WDC's contribution to the SoCG. I have not amended the statement to prevent any confusion, but I can confirm that the numbers we are modelling have changed as well as our transport model. If any authority wishes to have our latest numbers and distribution then I would be happy to provide.

Kind regards

[redacted]

[redacted]
|
Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel. 01892 602[redacted] | Email.[redacted]@wealden.gov.uk | Web. www.wealden.gov.uk

Ashdown Forest Statement of Common Ground Schedule of Changes

Proposed changes underlined for additions and ~~crossed through for deletions~~

Paragraph	Page	Precise change proposed	Reason for change	Organisation
1.4	3	**Comment** In paragraph 1.4 can it be clarified in what capacity ESCC is participating in the Statement particularly as ESCC are landowners on Ashdown Forest and the Highways Authority for the relevant roads. In this regard it may be appropriate that it is clarified that WDC is participating as Local Planning Authority.	Clarification	WDC
2.5	6	Based on the above principle set out in paragraph 2.1, Appendix 4 of the Statement sets out agreed housing numbers at the time of drafting this Statement (December 2017). It is recognised that housing numbers would change often due to the number of authorities that are signatories to this Statement, and therefore these numbers represent a snapshot in time. In light of this, a further three principles are put forward by AFWG, excluding Wealden District Council:	The statement is not neutral	WDC
Table 2	7	Disagree Wealden District Council	To provide WDC position	WDC
2.6	7	Wealden District Council considers that bullet point three is restrictive. Where there is a material change in circumstance it may be necessary to re-run models with new data. This is to ensure that the Habitat Regulations/ Habitat Directive are met and lawful decisions are made at the relevant time.	To provide WDC position	WDC
2.10	7	AFWG, excluding Wealden District Council, ~~it has been~~ agreed ~~d~~ that it is a matter for each LPA to determine the geographical coverage of their traffic modelling.	The statement is not neutral.	WDC
Below Table associated with 2.10	7	It is considered that the statement could be interpreted that the in combination assessment is limited to that which the LPA decides. For the purposes of clarity it is agreed that Tempro is used to assess in combination effects except where the LPA decides to use bespoke housing numbers and distribution in consultation with other LPAs as outlined in paragraph 2.5 (bullet point 1). In terms of transport modelling the coverage	To provide WDC position	WDC

		must be sufficiently extensive to enable reasonable modelling of flows on Ashdown Forest roads.		
2.11	8	AFWG, excluding Wealden District Council, agree or have no position that the following roads through or adjacent to Ashdown Forest are modelled:	The statement is not neutral	WDC
2.12	8	These named authorities disagree with this statement for the following reasons: Wealden District Council: Work undertaken on behalf of Wealden District Council reveals that a number of other roads adjacent to Ashdown Forest have the potential to contribute to impacts arising from air quality. Inclusion of only a few major roads would be restrictive in modelling terms and exclusion at this stage of all other roads carries with it the presumption that such roads are only used by local traffic which is not the case. It is usual practice, to include all roads (or grouped representatives) from the outset in order to aid calibration and validation to achieve the best results in all relevant areas.	To provide WDC position	WDC
Table 4	8/9	Disagree Wealden District Council	To provide WDC position	WDC
2.16	9	These named authorities disagree with this approach for the following reasons: • The 2014 database if from the ESCC Flowplot. The measured flows relate to traffic counts undertaken by ESCC, some in 2014 and others in earlier years (converted to 2014).	Precision	WDC
2.19	9	Use of TRICS rates. AFWG, excluding Wealden District Council, agree or have no position that TRICS is the national standard system of trip generation and analysis in the UK, and is used as an integral and essential part of the Transport Assessment process. The system allows its users to establish potential levels of trip generation for a wide range of development and location scenarios.	The statement is not neutral	WDC
Table 5	9	Reserve judgement Wealden District Council	To provide WDC position	WDC
2.20	9	These named authorities ~~disagree~~ reserve judgement with this approach for the following reasons: • Wealden District Council: It is agreed that TRICs is the common denominator		

		but, given that each model has interrogated TRICS independently, there is a strong likelihood that the derived trip rates could differ between authorities for exactly the same type of proposed development in exactly the same type of location. Peak hour trips will likely vary much more than all-day trip rates.		
2.23	10	AFWG, excluding Wealden District Council, agree or have no position that the demand changes assessed are Housing and Employment.	The statement is not neutral	WDC
2.24	10	These named authorities disagree with this approach for the following reasons: • Wealden District Council: It is considered that it is more appropriate that housing and employment growth at end of plan period is assessed based on Local Plans, or alternatively Objectively Assessed Need (as agreed elsewhere in this Statement) in the absence of any other bespoke modelling TEMPRO to be used and the growth rate adjusted as per paragraph 2.13 ~~and 2.5~~ for both housing and employment.	To provide WDC position	WDC
2.27	10	AFWG, excluding Wealden District Council, agree or have no position that to forecast the 'Do nothing' background growth, which is the likely growth of traffic to arise without the proposals set out in the development plan being assessed…	The statement is not neutral	WDC
2.28	11	These named authorities disagree with this approach for the following reasons: • Wealden District Council: The statement is considered correct for the purposes of carrying out conventional transport scenario modelling. However, for the purposes of the Habitat Regulations Assessment, which requires assessment of plans and projects, it is not considered appropriate. TEMPRO does not constitute a 'Do Nothing' scenario as it includes plans/ projects at the time of release (currently TEMPRO 7.2) . TEMPRO therefore is a 'Do Something' scenario. Comparing a revised new plan against what is in TEMPRO simply compares 2 plans – it is not comparing a plan against no plan. Therefore an assessment of the plan, as required by the Habitat Regulations, is not taking place using the methodology outlined in paragraph 2.27. ~~TEMPRO is based upon forecasted growth (usually derived from adopted Local Plans or forecasted growth resulting from projects) and therefore cannot constitute traffic growth if no pain / projects were in place.~~	To provide WDC position	WDC
2.32	11	AWFG, excluding Wealden District Council, agree or have no position that Nitrogen oxides	The statement is	WDC

		(NOx which includes nitric oxide (NO) and nitrogen dioxide (NO^2)), Nitrogen deposition (N), Acid Deposition, and ammonia (NH^3)….	not neutral	
2.33	12	These named authorities disagree with this approach for the following reasons: Wealden District Council: • Wealden District Council is unaware of a standard methodology which identifies pollutants to be assessed in relation to impacts from housing growth or strategic development plans on specific designated features. Taking into account the need to carry out an assessment of issues which are likely to have a significant effect on a European site, Wealden District has monitored nitric oxide (NO), nitrogen dioxide (NO2), nitrogen oxides (NOx), nitric acid (HNO3), ammonia (NH3), particulate ammonium (NH4+), and particulate nitrate (NO3-). Modelled nitrogen deposition and acid deposition fluxes also take account of published data on wet deposition of ammonium (NH4+) and nitrate (NO3-). The key pollutants which vary locally as a result of changes in local traffic flows are NO, NO2, and NH3, but all of the listed pollutants have the potential to affect sensitive habitats and local measurements provide more precision than national-scale models. All of these pollutants are, by definition, included within any assessment of nitrogen or acid deposition whether they are measured locally and modelled explicitly or not.	To provide WDC position	WDC
2.36	12	AFWG, excluding Wealden District Council, agree or have no position that t~~T~~his process involves two stages …..	The statement is not neutral	WDC
2.37	13	These named authorities disagree with this statement for the following reasons: • Wealden District Council: Has used the best available scientific information. Defra's NOx to NO2 calculator provides a robust method of calculating NO2 from NOx, albeit that it does not allow for diurnal variations. In order to facilitate its approach to deposition calculations, Wealden District Council has added a diurnal variability to Defra's NOx to NO2 calculator, based on recent monitoring. Multiplying annual mean NO2 by 0.1 suggests an annual average deposition velocity of 0.1 cm/s. This is too slow a rate for very many habitats (and a higher deposition velocity is thus recommended in the AQTAG(06) guidance) . Furthermore, there is strong evidence that applying an annual mean deposition velocity to annual mean concentrations	To provide WDC position	WDC

		may risk under-predicting the total deposition flux. Wealden District Council has thus taken account of annual and seasonal variations in concentrations and deposition fluxes in their modelling. The DMRB provides a standard approach for assessing the impacts of individual Highways England transport interventions. Highways England does not recommend its method for other types of development. AQTAG(06) also provides annual average deposition velocities which provide an alternative standard approach for assessing impacts in relation to industrial permits. The Centre for Ecology and Hydrology, working on behalf of Defra, has its own standard approach for assessing strategic-level impacts, which does not rely on annual average deposition velocities.		
2.40	13	AFWG, excluding Wealden District Council, agree or have no position that the only Government guidance on this issue ……	The statement is not neutral	WDC
2.42	14	These named authorities disagree with this statement for the following reasons: • Wealden District Council: ~~If concentrations and emission rates follow Defra assumptions up to 2023, then deposition fluxes will not reduce by exactly 2% per year. The two sets of assumptions listed are thus not mutually consistent~~. Wealden District Council has used consistent assumptions for both concentrations and deposition fluxes; acknowledging that one is a direct consequence of the other. For reduced nitrogen, the assumptions follow Defra's national-level forecasts. For oxidised nitrogen, the assumptions largely reflect those of Defra, but also take account of the observed performance of modern diesel vehicles and do not allow for the anticipated performance of currently-unproven technology. A separate set of assumptions has also been tested in which no improvements over and above the current mix of vehicle technology is assumed using the precautionary principle in relation to the need to prove that improvements will take place beyond reasonable doubt. • Wealden District Council is concerned about the basis of describing a 2% per annum reduction as 'realistic worst-case' without any supporting evidence. The 2% per annum assumption was developed at a time when NO_2 concentrations were predicted to fall appreciably between 2002 and 2010. These falls largely failed to materialise. Furthermore, the choice of 2023 as the year at which	To provide WDC position	WDC

		reductions will stop requires justification. Having said this, the future is unknown and the atmospheric chemistry involved is complex. Furthermore, emerging evidence on NOx emissions from vehicles, as well as an emerging focus on addressing NH_3 emissions across Europe, means that appreciable falls may occur in the future. Thus, while the approach taken by Wealden District Council examines some of the sources of future uncertainty in more detail than that taken by AECOM, it still does not provide a complete picture. Overall, there is little basis for saying that the ultimate outcome of either approach is correct or incorrect with respect to conditions in the future. The precautionary principle is addressed above. The AECOM approach is likely to provide results within the range of those of Wealden District Council.		
2.45	14	AFWG, excluding Wealden District Council, agree or have no position that the use of the dispersion model ADMS-Roads, by Cambridge Environmental Research Consultants, calculating at varied intervals back from each road link from the centre line of the road to 200m, with the closest distance being the closest point to the designated sites to the road.	The statement is not neutral	WDC
2.47	15	2.352.47 These named authorities disagree with this statement for the following reasons: • Wealden District Council: On average, the rate of dispersal assumed in ADMS-Roads is considered to be robust and has been used by Wealden District Council for its area-wide modelling. However, Wealden District Council has shown that there are significant deviations from this rate of dispersal on a site-by-site basis; but while these can be measured, they cannot be robustly predicted. At a distance of 200m from roads, concentrations become largely indistinguishable from the general background pollution field. This does not, however, mean that this background pollution field is not itself altered by the emissions. In the case of a strategic development plan, which can increase traffic on large numbers of roads, there is the potential for the background concentration field to be affected. The DfTs guidance was not written with the intention of assessing strategic development plans. Wealden District Council has considered the effect of road traffic across the whole of Ashdown Forest, not just within 200m from roads.	To provide WDC position	WDC
2.50	15	AFWG, excluding Wealden District Council, agree or have no position that taking the	The statement is	WDC

		precautionary approach it is assumed that that pristine heathland (the SAC feature) is present, or could be present in the future, at any point on the modelled transects irrespective of existing habitat at that location.	not neutral	
2.52	16	These named authorities disagree with this statement for the following reasons: • Wealden District Council: <u>All parts of the designated SAC are subject to protection under the Directive. If areas fall outside the SAC boundary but are notified as SSSI they are subject to the level of protection accorded by domestic law but not protection under the Directive. The protection under the Directive relates to the site's conservation objectives, which are not only maintenance but also restoration of the site's integrity, the extent and distribution of qualifying features, the structure and function of habitats, the supporting processes on which such habitats rely, the populations of qualifying species and their distribution within the site. Therefore, it is irrelevant to say that areas of the site do not currently contain relevant features: they may have the potential to contain such features in future, and they may have a supporting role in relation to parts of the site which currently do contain such features. This is the case unless it definitively and with absolute certainty that an area of the site could never be restored to contain such features and could never have any relevant supporting role to play within the integrity of the site. Wealden District Council are not aware of such evidence.</u> • WDC have assessed habitat in the manner mentioned <u>in paragraph 2.50.</u> However, WDC has also produced habitat maps using Earth Observation (EO) (satellite imagery and airborne systems) and site visits to provide an accurate understanding as to the situation on the ground. This is the best scientific information currently available and therefore this information should also be referred to or used in any assessment.	To provide WDC position	WDC
2.56	17	The AFWG has discussed the issue of proportionality and the following approach has been agreed / disagreed/ <u>no position:</u>	precision	WDC
2.57	17	These named authorities disagree with this approach for the following reasons:	To provide WDC	WDC

		• Wealden District Council: <u>In relation to paragraph 2.55 the reference within the NPPF is a general comment which is not specifically directed to the issue of appropriate assessment, which is an autonomous concept under EU law. The draft CLG guidance which was consulted on is over 10 years out of date and was not adopted. The term "appropriate" simply means appropriate for its purpose, which is considering all possible individual and in combination effects on integrity and determining whether an effect on integrity can be ruled out beyond reasonable scientific doubt.</u> • <u>In relation to bullet points 1 and 3 of 2.56 there is no test of "demonstrably small" effects in the Directive and the fact that changes in traffic may be difficult to measure or forecast in traffic modelling terms has no logical correlation with their potential impact on the SAC. Notwithstanding this there is no evidence in relation to Ashdown Forest what a traffic level of 100 AADT will produce in terms of pollution or impacts on the Forest. It is not clear if this is considered to be alone an in combination.</u> • There is currently no industry-standard HRA methodology and no official guidance on assessing the air quality impacts of HRAs has been published. Only bespoke models exist, and the main differences between these relate to the level of detail used. ~~Notwithstanding the status of a consultation document that was not adopted by DCLG.~~ It is considered that the nature and extent of the effects on Ashdown Forest require a level of detail beyond a basic approach. This is in particular regard to the fact that the critical load of the Ashdown Forest is already exceeded and it is known to be in unfavourable condition. <u>The reason for unfavourable condition is not provided, however it is acknowledged has been a failure to meet vegetation and composition targets.</u> In addition, judgement of the European Court in Case C-142/16 Commission v. Germany is relevant in this regard. The Court noted that according to settled case-law, all aspects of the project which could, either individually or in combination, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field (para. 57). It is considered that best	position	

		scientific knowledge in the field must be used as opposed to a more basic approach which less precise. Wealden District Council has undertaken additional work, as required by Policy WCS 12 of the Wealden Core Strategy (adopted February 2013) with regards to Ashdown Forest and this cannot be put aside. This is reinforced in MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission) report states: Determining whether a plan or project is likely to have a significant effect will have practical and legal consequences. Therefore, when a plan or project is proposed, it is important that, firstly, this key issue is considered, and that, secondly, the consideration is capable of standing up to scientific and expert scrutiny (Page 33). • Furthermore The Commission Guidance on the Directive in respect of conservation of species[1] states that flexibility and proportionality should not be misunderstood as concepts that reduce the obligations on Member States to act in an effective way. They provide room for authorities to adapt their way of implementation to the specific circumstances of each case. Measures need to respect the overall objective of the Directive. Therefore proportionality is not a proper means of evading the strict requirements of the Directive. [1](http://ec.europa.eu/environment/nature/conservation/species/guidance/index_en.htm)		
2.60	18	AFWG, excluding Wealden District Council, agree or have no position that the development of dose-response relationships ……	The statement is not neutral	WDC
2.63	19	These named authorities disagree with this opinion for the following reasons: • Wealden District Council: With regards to paragraph 2.60 and 2.62 o The NECR 210 Report and its conclusions should be considered in context including any limitations as duly identified within the report. o The NECR 210 report does not take into account the actual situation	To provide WDC position	

		at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. It is also noted that the NECR 210 report whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, it would appear that analysis did not include data relevant to wet heath (M16). o The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition. ~~o It is unclear where the report confirms the following "For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward". If the 0.8-1.3 figure is derived from Appendix 5 then this figure relates to the percentage loss of species/cover and is relevant to either 0.3 kg / 0.5 kg / 1kg increase in N deposition.~~ o <u>The use of summary Table 21 does not represent the full picture in terms of consideration of site integrity. It only concerns itself with species richness and a loss of 1 species. It does not consider graminoid cover or the percentage loss of species richess. As stated on page 58 "the positive, curvilinear relationship between graminoid cover in the heathlands means that graminoid cover increases dramatically above the critical load. This outcome is of key importance to site integrity." If NECR 210 is to be used then Appendix 5 is considered to be more appropriate as opposed to a summary table considering species richness in relation to reduce measured species richness by 1.</u> o The text ~~paragraph 2.9~~ also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017. o Paragraph 2.10 ignores the 'in combination effect' of plans and / or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16		

		Commission v. Germany) as required by the Conservation of Habitats and Species Regulations 2017. <u>This is necessary in terms of considering the additional impact on any plan or project on the conservation objectives.</u> • <u>In terms of paragraph 2.61 the text correctly acknowledges the legal requirement of in combination assessment. However, it then elides this issue into the separate question of mitigation plainly not all contributors to an effect on integrity will be equal. However, this misses the essential point that under articles 6(3) and (4) if a project may have an adverse effect on integrity on an in combination basis, then it simply may not proceed unless it is possible to mitigate the impacts so that it can be said with certainty that they will not have that effect (unless the derogation under article 6(4) can be applied). The Directive does not address questions of how or by whom the mitigation should be undertaken – that is for the LPA. However, unless there is assured effective mitigation in place, it is not permissible to allow a project to proceed simply because its contribution to the in combination impact is relatively minor.</u>		
2.68	20	~~It~~ <u>AFWG, excluding Wealden District Council, agree or have no position that</u> ~~is recognised that~~ Wealden District Council as the SAC host, and Natural England, will necessarily have the key lead roles in identifying potential mitigations and/or compensation to benefit the SAC , although all parties may contribute…..	The statement is not neutral	WDC
3.1	21	The AFWG will continue to share evidence and information, and will work cooperatively together to discuss potential mitigation measures just in case need for these should arise. <u>AFWG, excluding Wealden District Council, agree or have no position that</u> and will consider other measures to reduce the impact of nitrogen deposition around the Forest as matter of general good stewardship.	The statement is not neutral	WDC
Appendix 5	Modelled Responses to Congestion	WDC model can take into account what the consequences would be of any given assumed level of change including congestion if were seen to be relevant to include.	To provide WDC position	WDC

-----Original Message-----
From: [redacted] [mail to:[redacted]@wealden.gov.uk]
Sent: 6 March 2018 13:05
To: [redacted] [mail to:[redacted]@southdowns.gov.uk]
Subject: RE: Proposed Changes

Dear [redacted],

I am sorry about the delay in response, but I am currently dealing with the water shortage issues within the District for the Council.

Your comments with regards to the SoCG are noted. We are not intending to change our text further, however subject to any text you may add we reserve the right to consider any further ammendments.

Kind regards

[redacted]

From: [redacted] [mailto:[redacted]@southdowns.gov.uk]
Sent: 05 March 2018 17:38
To: [redacted]
Cc: [redacted]; [redacted]; [redacted]; [redacted]
Subject: RE: Proposed Changes
Importance: High

[redacted]

I have now discussed this with [redacted] and given the matter some further thought.

I understand that it is difficult to cut text down when it has been given to you by a technical expert. We are willing to accept your amended text, but only on the understanding that there will be no further additional text that you will want to add. Once you have confirmed this back to us, we will consider our position and add further text to support the statements as we see fit. We will not, of course, amend the text of what you have written disagreeing the statements. We will then circulate a final version of the statement of common ground for signature.

I would be grateful if you could get back to me and confirm that you are happy with this arrangement.

Kind regards

[redacted]

[redacted] South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [redacted] [mailto [redacted]@wealden.gov.uk]
Sent: 05 March 2018 08:57
To: [redacted] <[redacted]@southdowns.gov.uk>
Cc: [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@woodplc.com>
Subject: RE: Proposed Changes

Dear [redacted],

Thank you for your email.

Whilst I understand your wish to have a certain length of response within the statement, it is considered that the content that is key. As you will see I have cut down sentence length etc. to make our comments succinct however to cut it back further will mean that we will have not made the points we wish to make to the position that has been stated. Just to clarify this is a summary of our position and it provides the starting point for far greater detail if that becomes necessary as part of an examination process. From my experience, the Planning Inspector will not want WDC to be saying that they have further points to make that are not covered in the statement of common ground, and it is on this basis we have made the comments. On this basis we are not proposing to make further changes. I appreciate this is not what you wish to hear, however it is considered necessary for the Council to be able to explain why it disagrees with the points that have been raised in the statement.

Kind regards

[redacted]

From: [redacted] [mailto [redacted]@southdowns.gov.uk]
Sent: 02 March 2018 15:50

To: [redacted]
Cc: [redacted]
Subject: RE: Proposed Changes

[redacted]

Thank you very much for your amended comments. I'm afraid that they really are still too long. What we are really looking for is a summary of your position rather than you approach set out in full. I do understand the difficulties of navigating the technical language of your consultant, but the statement of common ground really does need to be succinct and to the point.

I would ask you to re-visit the work and reduce it down further. I would ask that you reduce each response to one or two paragraphs in line with the original statements made by the rest of the group. I would ask that you can turn this round by Tuesday 6th March so that we can then circulate the whole document to the group for signature.

Please do ring if you would like to discuss this further. I am WFH today and my number is [redacted] Alternatively I am back in the office from Monday on the number below.

Kind regards

[redacted]

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.southdowns.gov.uk | facebook | twitter | youtube
RTPI Award

From: [redacted] [mailto [redacted]@wealden.gov.uk]
Sent: 01 March 2018 13:22
To: [redacted] <[redacted]@southdowns.gov.uk>
Cc: [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>
Subject: Proposed Changes

Dear [redacted],

I have just got your email and thank you.

To my surprise my pressing workload for today was cleared much quicker than I anticipated so I am able to get to you the changes today (attached).

I have created a clean version of our previous comments on the areas you outlined in your previous email and I have amended to reduce down as much as possible without altering what my experts thought was necessary to state.

Hopefully this will have helped.

Kind regards

[redacted]

[redacted]
|
Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
Tel. [redacted] | Email [redacted]@wealden.gov.uk | Web. www.wealden.gov.uk

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Find out more and donate www.southdowns.gov.uk/mendourway

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- Wealden District Council: ~~In relation to paragraph 2.55~~ The reference within the NPPF is ~~a general comment which~~ is not specifically directed to the issue of appropriate assessment~~, which is an autonomous concept~~ under EU law. The draft CLG guidance ~~which was consulted on~~ is ~~over 10 years~~ out of date and ~~was~~ not adopted. The term "appropriate" ~~simply~~ means appropriate for its purpose, which is considering all possible individual and in combination effects on integrity and determining whether an effect on integrity can be ruled out beyond reasonable scientific doubt.
- In relation to bullet points 1 and 3 of 2.56 there is no test of "demonstrably small" effects in the Directive and the fact that changes in traffic may be difficult to measure or forecast ~~in traffic modelling terms~~ has no logical correlation with their potential impact on the SAC. ~~Notwithstanding this~~ There is no evidence in relation to Ashdown Forest what ~~a traffic level of~~ 100 AADT alone or in combination will produce in terms of pollution or impacts on the Forest. ~~It is not clear if this is considered to be alone an in combination.~~
- There is currently no industry standard HRA methodology and no official guidance on assessing the air quality impacts of HRAs ~~has been published~~. Only bespoke models exist, and the main differences between these relate to the level of detail used. It is considered that the nature and extent of the effects on Ashdown Forest require a level of detail beyond a basic approach. This is ~~in particular regard to the fact that~~ because the critical load of ~~the~~ Ashdown Forest is already exceeded and ~~it~~ is ~~known to be~~ in unfavourable condition. The reason for unfavourable condition is not provided, however ~~it is acknowledged has been~~ is a failure to meet vegetation and composition targets. In addition, judgement of the European Court in Case C-142/16 Commission v. Germany is relevant in this regard. The Court noted that ~~according to settled case-law,~~ all aspects of the project which could, either individually or in combination, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field (para. 57). It is considered that best scientific knowledge in the field must be used as opposed to a more basic approach which less precise. Wealden District Council has undertaken additional work, as required by Policy WCS 12 of the adopted Wealden Core Strategy ~~(adopted February 2013~~) with regards to Ashdown Forest and this cannot be put aside. ~~This is reinforced in MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (European Commission) report which states: Determining whether a plan or project is likely to have a significant effect will have practical and legal~~

~~consequences. Therefore, when a plan or project is proposed, it is important that, firstly, this key issue is considered, and that, secondly, the consideration is capable of standing up to scientific and expert scrutiny (Page 33).~~

- Furthermore The Commission Guidance on the Directive in respect of conservation of species[1] states that flexibility and proportionality should not be misunderstood as concepts that reduce the obligations on Member States to act in an effective way. ~~They provide room for authorities to adapt their way of implementation to the specific circumstances of each case.~~ Measures need to respect the overall objective of the Directive. Therefore proportionality is not a proper means of evading the strict requirements of the Directive.

1(http://ec.europa.eu/environment/nature/conservation/species/guidance/index_en.htm)

These named authorities disagree with this opinion for the following reasons:

- Wealden District Council:
  With regards to paragraph 2.60 and 2.62:
- The NECR 210 Report and its conclusions should be considered in context including any limitations as ~~duly~~ identified within the report.
- The NECR 210 report does not take into account the actual situation at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. ~~It is also noted that The NECR 210 report~~ Whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, ~~it would appear that~~ analysis did not include data relevant to wet heath (M16).
- The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition.
- ~~The use of~~ Summary Table 21 does not represent the full picture in terms of consideration of site integrity. It only concerns itself with species richness and a loss of 1 species. It does not consider graminoid cover which is key importance to site integrity (page 58) or the percentage loss of species richess. ~~As stated on page 58 "the positive, curvilinear relationship between graminoid cover in the heathlands means that graminoid cover increases dramatically above the critical load. This outcome is of key importance to site integrity."~~ If NECR 210 is to be used then Appendix 5 is considered to be more appropriate. ~~as opposed to a summary table considering species richness in relation to reduce measured species richness by 1.~~

- The text also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017.
- Paragraph 2.10 ignores the 'in combination effect' of plans ~~and /~~ or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16 Commission v. Germany) as required. ~~by the Conservation of Habitats and Species Regulations 2017. This is necessary in terms of considering the additional impact on any plan or project on the conservation objectives.~~

- ~~In terms of paragraph 2.61~~ The text at <u>paragraph 2.61</u> correctly acknowledges the legal requirement of in combination assessment. However, it then elides this ~~issue into the separate question of~~ <u>with</u> mitigation. ~~plainly not all contributors to an effect on integrity will be equal.~~ However, this misses the essential point that under articles 6(3) and (4) if a project may have an adverse effect on integrity on an in combination basis, then it ~~simply~~ may not proceed unless it is possible to mitigate the impacts so that it can be said with certainty that they will not have that effect (unless the derogation under article 6(4) can be applied). The Directive does not address questions of how or by whom the mitigation should be undertaken – ~~that is for the LPA~~. However, unless there is assured effective mitigation in place, it is not permissible to allow a project to proceed simply because its contribution to the in combination impact is relatively minor.

-----Original Message-----
From: [redacted] [mail to: [redacted]@southdowns.gov.uk]
Sent: 19 March 2018 12:36
To: [redacted] [mail to: [redacted]@tunbridgewells.gov.uk], [redacted] [mail to: [redacted]@lewes.gov.uk], [redacted] [mail to: [redacted]@wealden.gov.uk], [redacted] (NE) [mail to: [redacted]@naturalengland.org.uk], [redacted]@Tandridge.gov.uk [mail to: [redacted]@tandridge.gov.uk], [redacted]@sevenoaks.gov.uk [mail to: [redacted]@sevenoaks.gov.uk], [redacted]@midsussex.gov.uk [mail to: [redacted]@midsussex.gov.uk], [redacted] [mail to: [redacted]@TunbridgeWells.gov.uk], [redacted] [mail to: [redacted]@eastsussex.gov.uk], [redacted] [mail to: [redacted]@eastsussex.gov.uk], [redacted] [mail to: [redacted]@Tunbridgewells.gov.uk], [redacted] [mail to: [redacted]@wealden.gov.uk], [redacted] [mail to: [redacted]@southdowns.gov.uk], [redacted] [mail to: [redacted]@southdowns.gov.uk], [redacted] [mail to: [redacted]], [redacted] [mail to: [redacted]@rother.gov.uk], [redacted]@eastsussex.gov.uk [mail to: [redacted]@eastsussex.gov.uk], [redacted] [mail to: [redacted]@eastsussex.gov.uk], [redacted] [mail to: [redacted]@tandridge.gov.uk], [redacted] [mail to: [redacted]@eastsussex.gov.uk], [redacted] [mail to: [redacted]@tmbc.gov.uk], [redacted] [mail to: [redacted]@tmbc.gov.uk], [redacted]@tmbc.gov.uk [mail to: [redacted]@tmbc.gov.uk], [redacted] [mail to: [redacted]@wealden.gov.uk], [redacted] [mail to: [redacted]@westsussex.gov.uk], [redacted] (NE) [mail to: [redacted]@naturalengland.org.uk], [redacted]@local.gov.uk [mail to: [redacted]@local.gov.uk], [redacted] [mail to: [redacted]@lewes-eastbourne.gov.uk], [redacted] [mail to: [redacted]@tunbridgewells.gov.uk], [redacted] [mail to: [redacted]@woodplc.com], [redacted] [mail to: [redacted]@Crawley.gov.uk]
Subject: Ashdown Forest Statement of Common Ground

Colleagues

Please find attached the final version of the Ashdown Forest Statement of Common Ground. I am sorry for the delay in sending this out.

I would be grateful if you could have a look through and let me know if your organisation is happy to sign the document. It is up to you whether there is member or officer sign off. I will then need the signature, name and position of the person signing the document. I will also need the logo of your organisation. Please add all of this to the attached signature sheet.

Please can you respond to this email by end of play Thursday 29th March with all the necessary details. Please do ring myself or Kate if you would like to discuss this further. I will assume that if I haven't heard back from you before Easter that your organisation will not be a signatory.

Kind regards

[redacted]

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
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Ashdown Forest
Statement of Common Ground

Prepared by The South Downs National Park Authority, Chair of the Ashdown Forest Working Group

D3

Contents

1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by the South Downs National Park Authority (SDNPA) and is signed by the following members of the Ashdown Forest Working Group (AFWG):[1] the SDNPA, Lewes District Council, Eastbourne Borough Council, Wealden District Council, Tunbridge Wells Borough Council, Mid Sussex District Council, Tandridge District Council, Crawley Borough Council, Sevenoaks District Council, Rother District Council, East Sussex County Council (as the relevant Minerals and Waste Planning Authority), West Sussex County Council and Natural England. The signatories of this SCG have been self-selected and come from the AFWG. Further details of this group are set out below. The preparation of the SCG has been facilitated by the Planning Advisory Service (PAS).

1.2 The purpose of this SCG is to 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. It provides evidence on how the authorities have approached the Duty to Co-operate, clearly setting out the matters of agreement and disagreement between members of the AFWG.

1.3 The first section of the SCG introduces the document and explains the background to this cross boundary strategic issue. The second section sets out six key matters on HRA methodology for plan-making with which authorities either agree or disagree with or have no position on. Finally, actions going forward and summary conclusions are given.

1.4 The SCG highlights a number of different approaches towards undertaking HRA work. It identifies that participating local planning authorities (LPAs) consider they have taken a robust and proportionate approach to the evidence base in plan making, producing in combination assessments which they consider to have been undertaken soundly. Natural England notes that some of the approaches differ and consider that it is up to individual LPAs to determine the specific approach they use. Natural England advise that approaches proportionate to the risk are acceptable and it is not necessary for all LPAs to use exactly the same approach.

1.5 The different LPAs have used different consultants to undertake their Habitats Regulations Assessments (HRAs). AECOM are the HRA consultants for the SDNPA, Lewes District Council, Tunbridge Wells Borough Council, Tandridge District Council, East Sussex County Council and Sevenoaks District Council. ECUS Ltd, Air Quality Consultants Ltd and Centre for Ecology and Hydrology are providing information, evidence and guidance to assist Wealden District Council in their HRA work in relation to Ashdown Forest SAC. Urban Edge Environmental Consulting, Amey and Arup are the HRA consultants for Mid-Sussex District Council. Crawley Borough Council, Eastbourne Borough Council and Rother District Council have not currently engaged HRA consultants as they have up to date adopted Local Plans.

1.6 Ashdown Forest is also designated as a Special Protection Area (SPA). It should be noted that this Statement addresses the potential impact pathway of air quality on the Ashdown Forest SAC only and does not discuss matters of recreational pressure on the Ashdown Forest SPA.

[1] Tonbridge and Malling Borough Council are members of the Working Group but are not a signatory of this Statement on the basis of advice from Natural England. T&MBC continue to be part of the group to observe.

This is addressed through the working group of affected authorities that have assisted in the production of the Strategic Access Management and Monitoring Strategy.

Background to the issue

Ashdown Forest SAC

1.6 Ashdown Forest is a Natura 2000 site and is also known as a European site. It is a Special Area of Conservation (SAC) designated for its heathland habitat (and a population of great crested newt). Further details regarding the reason for its designation are set out in Appendix 1. Ashdown Forest SAC is located in Wealden District, East Sussex as shown on the map in Appendix 2.

Habitats Regulations Assessment

1.7 The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations) require an appropriate assessment of the implications for the site in view of that site's conservation objectives to be carried out for any plan or project where there are likely to be significant effects on a European site, alone or in combination with other plans or projects. The Ashdown Forest SAC features are vulnerable to atmospheric pollution from a number of sources including motor vehicles. There is a potential impact pathway from new development and associated increases in traffic flows on the roads such as the A275, A22 and A26, which traverse or run adjacent to the SAC. The emissions from these vehicles may cause a harmful increase in atmospheric pollutants which may adversely affect the integrity of the European site.

High Court Judgement

1.8 In March 2017 a legal challenge from Wealden District Council (WDC) was upheld by the High Court on the Lewes District and South Downs National Park Authority Joint Core Strategy (Lewes JCS)[2] on the grounds that the HRA was flawed because the assessment of air quality impact on the Ashdown Forest SAC was not undertaken 'in combination' with the increase in vehicle flows likely to arise from the adopted Wealden Core Strategy. This resulted in the quashing of Policies SP1 and SP2 of the Lewes JCS, insofar as they apply to the administrative area of the South Downs National Park, at the High Court on 20 March 2017.

Wealden DC Responses to other LPAs Plan Making and Decision Taking

1.9 It should be noted that the representation from WDC on the Pre-Submission version of the South Downs Local Plan and to the draft Lewes Local Plan Part 2 objects to their HRAs. Objections have also been made by WDC to the Main Modifications consultation on the Mid Sussex Local Plan. The South Downs National Park Authority, Lewes District Council and Mid Sussex District Council do not accept the objections made by Wealden District Council on the HRA work undertaken for their Local Plans and consider that the assessments undertaken are robust, reasonable and sound.

1.10 Since work started on this Statement of Common Ground, WDC have objected to planning applications in Tunbridge Wells Borough, Rother District, Lewes District, Mid Sussex District, Tandridge District, Horsham District, Sevenoaks District, Hastings Borough and Brighton & Hove City. The objections all centre on the issue of nitrogen deposition on Ashdown Forest.

[2] Wealden District Council vs Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority, and Natural England. [2017] EWHC 351 (Admin) http://www.bailii.org/ew/cases/EWHC/Admin/2017/351.html

This Statement of Common Ground is about plan-making rather than the determination of planning applications and so does not address these letters of objection.

Ashdown Forest Working Group

1.11 Following the High Court judgement, the SDNPA led on convening and now chairs the AFWG, which first met in May 2017. The group's members are listed in paragraph 1.1 of this SCG. This HRA matter has arisen for these authorities through their Local Plan work, through WDC objections to planning applications, or due to proximity to strategic roads traversing Ashdown Forest. As set out in legislation, Natural England is a statutory consultee on HRA and is providing advice on the outputs from the air quality modelling. The county councils, as well as the independent consultants mentioned in paragraph 1.5 provide advice in regard to transport evidence that has and is being undertaken to inform Local Plans. Wealden District Council has commissioned GTA Civils to provide and advise on traffic modelling.

1.12 The shared objective of the working group is to ensure that the impacts of development proposals in emerging local plans on Ashdown Forest are properly assessed through HRA and that, if required, a joint action plan is put in place should such a need arise. The Working Group has agreed to work collaboratively on the issues, to share information and existing work, and to prepare this Statement of Common Ground. The minutes to the meetings are set out in Appendix 3.

2. Key matters

Proportionality

2.1 There is no universal standard on proportionality and the issue relates to what is the 'appropriate' level of assessment required for Local Plans. Paragraph 182 of the National Planning Policy Framework (NPPF) states that for a local plan to be considered sound it needs to be justified and based on proportionate evidence. The draft CLG guidance[3] makes it clear that when implementing HRA of land-use plans, the appropriate assessment should be undertaken at a level of detail that is appropriate and proportional:

'The comprehensiveness of the assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources than is useful for its purpose.'

2.2 The AFWG has discussed the issue of proportionality and the following principles were put forward:

- Where effects are demonstrably small the level of assessment can be justifiably less complex than a bespoke model.
- Use of the industry standard air quality impact assessment methodology[4] can, if carried out robustly, provide the necessary evidence to inform HRA on the potential effects of a development plan on the Natura 2000 network and Ramsar sites.

[3] CLG (2006) Planning for the Protection of European Sites, Consultation Paper

[4] The principles in Annex F of the Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07) for the assessment of impacts on sensitive designated ecosystems due to highways works, which Highways England use for all their HRAs, but with the DMRB spreadsheet tool replaced by an appropriate dispersion model e.g. ADMS-Roads and, with appropriate allowance for rates of future improvement in air quality.

- Members of the working group are entitled, but not required, to carry out non-standard or bespoke assessments; and other members may have regard to the results of those non-standard or bespoke assessments when conducting their own HRAs.

Table 1: Signatory position regarding proportionality of assessments

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council		
Sevenoaks District Council			
Lewes District Council			
Eastbourne Borough Council			
East Sussex County Council			
Natural England			
Crawley Borough Council			
Tandridge District Council			
West Sussex County Council			

2.3 The named authorities agree with this approach for the following reasons. The approach outlined above sets out parameters for a robust and sound HRA, which is proportionate to the nature of the proposals and likely impacts. Where the spatial extent of the affected area is small then the risk to the integrity of the site needs to be approached in a reasonable and proportionate manner as concluded in the Natural England Research Report (NECR205)5 on small scale effects i.e. for much of the 'affected habitat' SAC features are not present and therefore can be excluded from consideration. With the remaining 'affected area' a proportionate approach to how this area contributes to the overall site integrity should be adopted.

2.4 Wealden District Council disagree with this approach for the following reasons:

- The reference within the NPPF is not specifically directed to the issue of appropriate assessment under EU law. The draft CLG guidance is out of date and not adopted. The term "appropriate" means appropriate for its purpose, which is considering all possible individual and in combination effects on integrity and determining whether an effect on integrity can be ruled out beyond reasonable scientific doubt.
- In relation to bullet point 1 of 2.2 there is no test of "demonstrably small" effects in the Directive and the fact that changes in traffic may be difficult to measure or forecast has no logical correlation with their potential impact on the SAC. There is no evidence in relation to Ashdown Forest what 100 AADT alone or in combination will produce in terms of pollution or impacts on the Forest.

[5] CHAPMAN, C. & TYLDESLEY, D. 2016. Small-scale effects: How the scale of effects has been considered in respect of plans and projects affecting European sites - a review of authoritative decisions. Natural England Commissioned Reports, Number 205.

- There is currently no industry-standard HRA methodology and no official guidance on assessing the air quality impacts of HRAs. Only bespoke models exist, and the main differences between these relate to the level of detail used. It is considered that the nature and extent of the effects on Ashdown Forest require a level of detail beyond a basic approach. This is because the critical load of Ashdown Forest is already exceeded and is in unfavourable condition. The reason for unfavourable condition is not provided, however a failure to meet vegetation and composition targets is. In addition, judgement of the European Court in Case C-142/16 Commission v. Germany is relevant in this regard. The Court noted that all aspects of the project which could, either individually or in combination, affect the conservation objectives of the site must be identified in the light of the best scientific knowledge in the field (para. 57). It is considered that best scientific knowledge in the field must be used as opposed to a more basic approach which less precise. Wealden District Council has undertaken additional work, as required by Policy WCS 12 of the adopted Wealden Core Strategy with regards to Ashdown Forest and this cannot be put aside.
- Furthermore The Commission Guidance on the Directive in respect of conservation of species[6] states that flexibility and proportionality should not be misunderstood as concepts that reduce the obligations on Member States to act in an effective way. Measures need to respect the overall objective of the Directive. Therefore proportionality is not a proper means of evading the strict requirements of the Directive.

Local Plan Housing Numbers

2.5 The quantum of development expected in each Local Planning Authority (LPA) area is an important matter as it is a key input into any traffic model. The AFWG has discussed this matter and the following approach is proposed as a general principle for the purpose of making forecasting assumptions relating to neighbouring planning authorities for in combination assessment of plan going forward:

- Where a Local Plan is less than 5 years old, the adopted Local Plan figures should be used, unless the LPA advise in writing that, due to a change in circumstance, an alternative figure should be used or
- Where an emerging Local Plan is at or beyond the pre-submission consultation stage and the LPA undertaking the modelling can be confident of the figures proposed, then the emerging Local Plan figure should be used, or
- For Local Plans that are over 5 years old and considered out of date, and the emerging Local Plan has not progressed, then the OAN/Government Standard Methodology (once confirmed by CLG) should be used, unless otherwise evidenced.

Table 2: Signatory position on statements above on the approach to identifying appropriate local plan housing numbers to include in modelling for the purposes of forecasting assumptions for HRA air quality modelling.

Agree	Disagree	No position	Reserve judgement
South Downs National Park Authority		Natural England	
Lewes District Council		Tandridge District Council	

[6] (http://ec.europa.eu/environment/nature/conservation/species/guidance/index_en.htm)

Wealden District Council		East Sussex County Council	
Sevenoaks District Council		West Sussex County Council	
Eastbourne Borough Council			
Crawley Borough Council			

2.6 The named authorities agree with this approach for the following reasons: The approach outlined above provides a reasonable and practical way forward to ensure that housing numbers used in future modelling work are selected in a consistent and transparent way and are most robust to inform HRA work.

2.7 These named authorities have no position in regards to this approach for the following reasons:

- Tandridge District Council: will apply this approach for consistency and the Duty to Cooperate.
- West Sussex County Council: WSCC is not an LPA for housing.

2.8 Based on the above principle set out in paragraph 2.5, Appendix 4 of the Statement sets out agreed housing numbers at the time of drafting this Statement (December 2017). It is recognised that housing numbers would change often due to the number of authorities that are signatories to this Statement, and therefore these numbers represent a snapshot in time. In light of this, a further three principles are put forward:

- It is expected that each LPA will confirm housing numbers with individual authorities before running models;
- Housing numbers will be a standing item on the agenda for the Working Group going forward. AFWG members shall notify the working group immediately if events take place (relevant to paragraph 2.5) which require an amendment to Appendix 4. In the absence of any objection within 14 days of notification, Working Group members may use the amended figures pending formal sign-off of the changes to Appendix 4 at the next Working Group meeting.
- The agreement of specific housing numbers as set out in Appendix 4, as updated from time to time is applicable to future modelling runs and does not involve retrospectively re-running models. The focus of future modelling is agreed to be to assess the (in combination) impacts of forthcoming Local Plans, not to retrospectively reassess existing adopted Local Plans.

Table 3: Signatory position on the statements above regarding housing numbers and air quality modelling.

Agree	Disagree	No position	Reserve judgement
South Downs National Park Authority	Wealden District Council	Natural England	
Lewes District Council		East Sussex County Council	

Sevenoaks District Council		West Sussex County Council	
Tandridge District Council			
Eastbourne Borough Council			
Crawley Borough Council			

2.9 The named authorities agree with this approach for the following reasons. The approach outlined above provides a reasonable and practical way forward for LPAs to work together in sharing the latest information on housing numbers to inform future modelling work.

2.10 Wealden District Council disagree with this approach for the following reasons:

- Bullet point three is restrictive. Where there is a material change in circumstance it may be necessary to re-run models with new data. This is to ensure that the Habitat Regulations/ Habitat Directive are met and lawful decisions are made at the relevant time.

2.11 These named authorities have no position in regards to this approach for the following reasons:

- West Sussex County Council: WSCC is not an LPA for housing.

Traffic Modelling

2.12 The key elements of the various traffic modelling approaches are set out in Appendix 5 of this Statement. Appendix 5 includes analysis of the major differences[7], minor differences and commonalities in traffic modelling undertaken. The AFWG has discussed these approaches for the purpose of future in combination assessments and agree/disagree with the following:

Geographical Coverage

2.13 This SCG does not set out specific geographical coverage for traffic modelling work. It is a matter for each LPA to determine if modelling is necessary having regard to other sources of traffic flow information, and, to the extent that modelling is considered necessary, the geographic coverage should be sufficiently extensive to enable reasonable and proportionate modelling of flows on Ashdown Forest roads.

Table 4: Signatory position on geographical coverage of their traffic modelling

Agree	Disagree	No position	Reserve judgement
South Downs National Park Authority	Wealden District Council		
Lewes District Council			
Tunbridge Wells Borough Council			

[7] The words 'major' and 'minor are given their common usage, and are not be restricted to the definition of major development in the Town and County Planning (Development Management Procedure) (England) Order 2015, or to proposals that raise issues of national significance

Tandridge District Council			

2.14 The named authorities agree with this approach for the following reasons. The nature of the issue is such that it is not appropriate for a set geographical boundary to be drawn. The above approach outlines a practical, proportionate and robust way forward in combination with the other parameters agreed in the subsections below.

2.15 Wealden District Council disagree with this approach for the following reasons:

- It is considered that the statement could be interpreted that the in combination assessment is limited to that which the LPA decides. For the purposes of clarity it is agreed that Tempro is used to assess in combination effects except where the LPA decides to use bespoke housing numbers and distribution in consultation with other LPAs as outlined in paragraph 2.5 (bullet point 1). In terms of transport modelling the coverage must be sufficiently extensive to enable reasonable modelling of flows on Ashdown Forest roads.

Road Network in Ashdown Forest

2.16 The following roads through or adjacent to Ashdown Forest are modelled: A22 (Royal Ashdown Forest Golf Course), A22 (Wych Cross), A22 (Nutley), A275 (Wych Cross) and A26 (Poundgate). For peripheral authorities (i.e. those that do not host the SAC) it is considered that impacts would manifest on main (A) roads in the first instance and in usual circumstances. Therefore, it is logical and reasonable to begin by modelling the roads where the impact will be highest and if, when modelling A roads, a conclusions of no likely significant effects is identified then it is not considered necessary to go on to model B and minor roads.

Table 5: Signatory position on which roads through or adjacent to Ashdown Forest are modelled

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Lewes District Council		Natural England	
Tandridge District Council			
Eastbourne Borough Council			
Crawley Borough Council			
Sevenoaks District Council			
West Sussex County Council			

2.17 These named authorities agree with this statement for the following reasons: The above approach sets out a reasonable and logical approach for determining likely significant effects in such a way that is robust and also proportionate. Beginning by modelling the more strategic busiest routes, where impacts will be highest, is an appropriate way to identify likely significant effects. These routes have the greatest current and future flows and are also routes likely to

experience greatest change in growth, especially those most likely to be used by residents of authorities some distance from the SAC.

2.18 Wealden District Council disagree with this statement for the following reasons:

- Work undertaken on behalf of Wealden District Council reveals that a number of other roads adjacent to Ashdown Forest have the potential to contribute to impacts arising from air quality. Inclusion of only a few major roads would be restrictive in modelling terms and exclusion at this stage of all other roads carries with it the presumption that such roads are only used by local traffic which is not the case. It is usual practice, to include all roads (or grouped representatives) from the outset in order to aid calibration and validation to achieve the best results in all relevant areas.

Data types for base year validation

2.19 The data type for the modelling base year is the 24hr Annual Average Daily Traffic (AADT) and uses base flow data provided by WDC for 2014.

Table 6: Signatory position on the data types for base year validation

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Lewes District Council			
Tandridge District Council			
Eastbourne Borough Council			
Crawley Borough Council			
Natural England			
Sevenoaks District Council			
West Sussex County Council			

2.20 Wealden District Council disagree with this approach for the following reasons:

- The 2014 database if from the ESCC Flowplot. The measured flows relate to traffic counts undertaken by ESCC, some in 2014 and others in earlier years (converted to 2014).

Trip Generation Methodology

2.21 Use of TRICS[8] rates. TRICS is the national standard system of trip generation and analysis in the UK, and is used as an integral and essential part of the Transport Assessment process. The system allows its users to establish potential levels of trip generation for a wide range of development and location scenarios.

Table 7: Signatory position on trip generation methodology

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority		Natural England	Wealden District Council

[8] http://www.trics.org/

Lewes District Council			
Tandridge District Council			
Eastbourne Borough Council			
East Sussex County Council			
Crawley Borough Council			
Sevenoaks District Council			
West Sussex County Council			

2.22 These named authorities agree with this approach for the following reasons. The approach outlined above is supported on the basis that TRICS is the most robust available system for LPAs to use in their respective modelling exercises.

2.23 Wealden District Council reserve judgement in regard to this approach for the following reasons:

- It is agreed that TRICs is the common denominator but, given that each model has interrogated TRICS independently, there is a strong likelihood that the derived trip rates could differ between authorities for exactly the same type of proposed development in exactly the same type of location. Peak hour trips will likely vary much more than all-day trip rates.

Demand changes assessed in study

2.24 The demand changes assessed are housing and employment. Employment figures are either provided directly by the local authority or TEMPRO includes allowances for growth in jobs. Housing numbers are identified using the methodology set out in paragraphs 2.5 and 2.8 of this SCG. These are per annum based on Local Plans, or alternatively Objectively Assessed Need (as agreed in this Statement) to be used in the National Trip End Model Program (TEMPRO).The growth rate is adjusted according to each scenario as appropriate.

Table 8: Signatory position on the demand changes assessed in study

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Lewes District Council		Natural England	
Eastbourne Borough Council			
Sevenoaks District Council			
Tandridge District Council			
West Sussex County Council			
Crawley Borough Council			

2.25 The named authorities agree with this approach for the following reasons. TEMPRO is an industry standard database tool across Great Britain, provided by the Department for Transport and therefore forecasting using TEMPRO has a high degree of consistency. TEMPRO can be adjusted with emerging plan figures (as agreed in this Statement) to reflect the latest updates in expected growth.

2.26 Wealden District Council disagree with this approach for the following reasons:

- It is considered that it is more appropriate that housing and employment growth at end of plan period is assessed based on Local Plans, or alternatively Objectively Assessed Need (as agreed elsewhere in this Statement). In the absence of any other bespoke modelling TEMPRO to be used and the growth rate adjusted as per paragraph 2.5 and 2.8 for both housing and employment.

Forecasting Growth

2.27 There are two key elements to the forecasting of growth arising from Local Plans:

- In combination assessment of the proposed Local Plan with other plans. For this the 'Do Something' (i.e. the proposed Local Plan) compared with the Base (i.e. all expected traffic growth over the assessment period).
- The relative contribution of the Local Plan in question to that in combination change. This is difference between Do Something (i.e. with Local Plan) and Do Nothing (without the Local Plan). To forecast the 'Do nothing' background growth, which is the likely growth of traffic to arise without the proposals set out in the development plan being assessed, the current issued version of TEMPRO available at the date of commencing transport study work is used. TEMPRO is based on a combination of trend based and plan based forecasting, including growth totals for households and jobs at Local Planning Authority level from adopted Local Plans at the time when updating started for the TEMPRO version being used. TEMPRO does not assume that specific housing or employment site allocations or planning consents do or do not go ahead. The difference between the 'Do Nothing' scenario and the scenario which includes the development plan being assessed, shows the relative contribution of that development plan to changes in traffic movements.

Table 9: Signatory position on forecasting background growth

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	Natural England	
East Sussex County Council			
Tandridge District Council			
Lewes District Council			
Eastbourne Borough Council			
Sevenoaks District Council			
West Sussex County Council			
Crawley Borough Council			

2.28 The named authorities agree with this approach for the following reasons: The approach outlined above follows a logical, clear and robust methodology and uses TEMPRO - an industry standard database tool across Great Britain and therefore forecasting using TEMPRO has a high degree of consistency. It shows the predicted in combination growth of a Local Plan with other plans and projects along with the predicted relative contribution of that Local Plan to any change.

2.29 Wealden District Council disagree with this approach for the following reasons:

- The statement is considered correct for the purposes of carrying out conventional transport scenario modelling. However, for the purposes of the Habitat Regulations Assessment, which requires assessment of plans and projects, it is not considered appropriate. TEMPRO does not constitute a 'Do Nothing' scenario as it includes plans/ projects at the time of release (currently TEMPRO 7.2). TEMPRO therefore is a 'Do Something' scenario. Comparing a revised new plan against what is in TEMPRO simply compares 2 plans – it is not comparing a plan against no plan. Therefore an assessment of the plan, as required by the Habitat Regulations, is not taking place using the methodology outlined in paragraph 2.27.

Air quality calculations

2.30 The key features of the air quality calculations methodology are set out in Appendix 6 of this Statement. The AFWG has discussed the following elements of air quality calculations, which are used to support the air quality HRA work and agree/disagree with the following:

Chemicals monitored and assessed in forecasting

2.31 Nitrogen oxides (NOx which includes nitric oxide (NO) and nitrogen dioxide (NO^2)), Nitrogen deposition (N), Acid Deposition, and ammonia (NH^3). The chemicals listed here (excluding ammonia) are those included within the standard methodology9. Going forward, it is considered good practice that ammonia is included since, although it is not part of the standard suite of modelled chemicals for vehicle exhaust emissions, the work undertaken by Air Quality Consultants suggests that vehicle emissions on the local road network are not negligible. In relation to the other pollutants, whilst monitoring may have been undertaken on behalf of Wealden District Council on a range of other pollutants, there is no evidence provided that there were any predictions on how these pollutants would vary in the future with the implementation of Local Plans, and how, if at all, information on these additional pollutants has changed any further ecological work or conclusions.

Table 10: Signatory position on the chemicals to be monitored and assessed in forecasting

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	Sevenoaks District Council	
Lewes District Council		Tandridge District Council	
Eastbourne Borough Council		East Sussex County Council	

[9] Design Manual for Roads and Bridges, Chapter 11, Section 3, Annex F

Natural England		West Sussex County Council	
Crawley Borough Council			
Sevenoaks District Council			

2.32 The named authorities agree with this approach for the following reasons. The approach outlined above is based on the industry standard methodology. Ammonia is agreed to be included as best practice going forward in assessment of Ashdown Forest on the basis of specific suitable evidence available.

2.33 Wealden District Council disagree with this approach for the following reasons:

- Wealden District Council is unaware of a standard methodology which identifies pollutants to be assessed in relation to impacts from housing growth or strategic development plans on specific designated features. Taking into account the need to carry out an assessment of issues which are likely to have a significant effect on a European site, Wealden District has monitored nitric oxide (NO), nitrogen dioxide (NO2), nitrogen oxides (NOx), nitric acid (HNO3), ammonia (NH3), particulate ammonium (NH4+), and particulate nitrate (NO3-). Modelled nitrogen deposition and acid deposition fluxes also take account of published data on wet deposition of ammonium (NH4+) and nitrate (NO3-). The key pollutants which vary locally as a result of changes in local traffic flows are NO, NO2, and NH3, but all of the listed pollutants have the potential to affect sensitive habitats and local measurements provide more precision than national-scale models. All of these pollutants are, by definition, included within any assessment of nitrogen or acid deposition whether they are measured locally and modelled explicitly or not.

2.34 Tandridge District Council have no position in regards to this approach for the following reasons:

- It was our understanding that Natural England do not require the monitoring of 'non-standard' chemical such as ammonia and will not be objecting where they are excluded. We have also been advised by our consultants there is currently no standard methodology available to assess ammonia, although it in the process of being researched. However, we reserve our position and may consider monitoring ammonia in the event of the assessment methodology being developed.
- West Sussex County Council: WSCC are not actively involved in this work to date.

Conversion rates from NOx to N

2.35 This process involves two stages. Firstly, NOx to NO^2 conversion is calculated using Defra's NOx to NO^2 calculator. Secondly, for N deposition, the NO^2 value is multiplied by 0.1, as set out in the Design Manual for Roads and Bridges[10] (DMRB) guidance. The multiplication of NO_x concentrations by a factor is a standard approach set out in DMRB and in Environment Agency guidance[11] or as provided in updated guidance.

[10] The Design Manual for Roads and Bridges: http://www.standardsforhighways.co.uk/ha/standards/dmrb/index.htm

[11] Environment Agency. (2011). *Air Quality Technical Advisory Group 06 - Technical guidance on detailed modelling approach for an appropriate assessment for emissions to air.*

Table 11: Signatory position on conversion rates from NOx to N

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	West Sussex County Council	
Lewes District Council		East Sussex County Council	
Eastbourne Borough Council			
Crawley Borough Council			
Natural England			
Sevenoaks District Council			
Tandridge District Council			

2.36 The named authorities agree with this statement for the following reasons. The approach outlined follows established guidance as set out in the Design Manual for Roads and Bridges and by the Environment Agency.

2.37 Wealden District Council disagree with this statement for the following reasons:

- Wealden District Council has used the best available scientific information. Defra's NOx to NO2 calculator provides a robust method of calculating NO2 from NOx, albeit that it does not allow for diurnal variations. In order to facilitate its approach to deposition calculations, Wealden District Council has added a diurnal variability to Defra's NOx to NO2 calculator, based on recent monitoring. Multiplying annual mean NO2 by 0.1 suggests an annual average deposition velocity of 0.1 cm/s. This is too slow a rate for very many habitats (and a higher deposition velocity is thus recommended in the AQTAG(06) guidance). Furthermore, there is strong evidence that applying an annual mean deposition velocity to annual mean concentrations may risk under-predicting the total deposition flux. Wealden District Council has thus taken account of annual and seasonal variations in concentrations and deposition fluxes in their modelling. The DMRB provides a standard approach for assessing the impacts of individual Highways England transport interventions. Highways England does not recommend its method for other types of development. AQTAG(06) also provides annual average deposition velocities which provide an alternative standard approach for assessing impacts in relation to industrial permits. The Centre for Ecology and Hydrology, working on behalf of Defra, has its own standard approach for assessing strategic-level impacts, which does not rely on annual average deposition velocities.

2.38 These named authorities have no position in regards to this approach for the following reasons:

- Tandridge District Council: Awaiting confirmation from consultants
- West Sussex County Council: WSCC are not actively involved in this work to date

Background improvement assumptions

2.39 The only Government guidance on this issue (from Defra and DMRB) indicates that an improvement in background concentrations and deposition rates of 2% per annum should be assumed. However, the modelling undertaken by AECOM takes a more cautious approach. Improvements in background concentrations and emission rates follow Defra/DMRB assumed improvements up to 2023, but with background rates/concentrations then being frozen for the remainder of the plan period. This is considered a realistic worst case and, averaged over the plan period, is in line with known trends in nitrogen deposition.

Table 12: Signatory position on background improvement assumptions set out in paragraph 2.39

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Lewes District Council		West Sussex County Council	
Tandridge District Council		Crawley Borough Council	
Eastbourne Borough Council			
Natural England			
Sevenoaks District Council			

2.40 The named authorities agree with this statement for the following reasons: The approach outlined above is considered robust and reasonable. It takes a precautionary approach using a realistic worst case scenario. There is a long history of improving trends in key pollutants (notably NOx) and in nitrogen deposition rates, and there is no reason to expect that will suddenly cease; on the contrary, there is every reason to expect the rate of improvement to increase as more national and international air quality improvement initiatives receive support. Both the Air Quality Consultants model for Wealden Council and the AECOM model include scenarios that make allowances for improvements in background concentrations, nitrogen deposition rates and emission factors, although the relevant Air Quality Consultants scenarios (Scenarios 3 and 5) make a greater allowance for these improvements than the AECOM scenario.

2.41 Wealden District Council disagree with this statement for the following reasons:

- Wealden District Council: WDC has used consistent assumptions for both concentrations and deposition fluxes; acknowledging that one is a direct consequence of the other. For reduced nitrogen, the assumptions follow Defra's national-level forecasts. For oxidised nitrogen, the assumptions largely reflect those of Defra, but also take account of the observed performance of modern diesel vehicles and do not allow for the anticipated performance of currently-unproven technology. A separate set of assumptions has also been tested in which no improvements over and above the current mix of vehicle technology is assumed using the precautionary principle in relation to the need to prove that improvements will take place beyond reasonable doubt. Wealden District Council is concerned about the basis of describing a 2% per annum reduction as 'realistic worst-case' without any supporting evidence. The 2% per annum assumption was developed at a time when NO2 concentrations were predicted to fall appreciably between 2002 and 2010. These falls largely failed to materialise. Furthermore, the choice of 2023 as the year at

which reductions will stop requires justification. Having said this, the future is unknown and the atmospheric chemistry involved is complex. Furthermore, emerging evidence on NOx emissions from vehicles, as well as an emerging focus on addressing NH3 emissions across Europe, means that appreciable falls may occur in the future. Thus, while the approach taken by Wealden District Council examines some of the sources of future uncertainty in more detail than that taken by AECOM, it still does not provide a complete picture. Overall, there is little basis for saying that the ultimate outcome of either approach is correct or incorrect with respect to conditions in the future. The precautionary principle is addressed above. The AECOM approach is likely to provide results within the range of those of Wealden District Council.

2.42 These named authorities have no position in regards to this approach for the following reasons:

- Crawley Borough Council; the evidence to support the adopted Local Plan screened out the need to undertake an air quality assessment and therefore Crawley has no position as we have not commissioned expertise
- West Sussex County Council: WSCC are not actively involved in this work to date …

Rate of dispersal from the road

2.43 The use of the dispersion model ADMS-Roads, by Cambridge Environmental Research Consultants, calculating at varied intervals back from each road link from the centre line of the road to 200m, with the closest distance being the closest point to the designated sites to the road.

Table 13: Signatory position on the rate of dispersal from the road used

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Lewes District Council		West Sussex County Council	
Tandridge District Council			
Eastbourne Borough Council			
Natural England			
Crawley Borough Council			
Sevenoaks District Council			

2.44 The named authorities agree with this statement for the following reasons: This approach follows the Department of Transport's Transport Analysis Guidance which advises "Beyond 200m, the contribution of vehicle emissions from the roadside to local pollution levels is not significant". In modelling work undertaken for the HRA for the South Downs Local Plan and Lewes District Local Plan, modelled transects show that NOx concentrations and nitrogen deposition rates are forecast to fall to background levels well before 200m from the roadside, therefore there is no value in extending transects any further.

2.45 Wealden District Council disagree with this statement for the following reasons:

- On average, the rate of dispersal assumed in ADMS-Roads is considered to be robust and has been used by Wealden District Council for its area-wide modelling. However, Wealden District Council has shown that there are significant deviations from this rate of dispersal on a site-by-site basis; but while these can be measured, they cannot be robustly predicted. At a distance of 200m from roads, concentrations become largely indistinguishable from the general background pollution field. This does not, however, mean that this background pollution field is not itself altered by the emissions. In the case of a strategic development plan, which can increase traffic on large numbers of roads, there is the potential for the background concentration field to be affected. The DfTs guidance was not written with the intention of assessing strategic development plans. Wealden District Council has considered the effect of road traffic across the whole of Ashdown Forest, not just within 200m from roads.

2.46 These named authorities have no position in regards to this approach for the following reasons:

- West Sussex County Council: WSCC are not actively involved in this work to date

Type of habitat included in the assessment e.g. woodland and heathland

2.47 Taking the precautionary approach it is assumed that pristine heathland (the SAC feature) is present, or could be present in the future, at any point on the modelled transects irrespective of existing habitat at that location. However, it is recognised that in practice there are affected areas in which heathland is not present and may never be present (as outlined by Natural England below) and this would need including in ecological interpretation of results'.

Table 14: Signatory position on the type of habitat included in the assessment

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority		East Sussex County Council	
Tandridge District Council	Wealden District Council	West Sussex County Council	
Lewes District Council			
Eastbourne Borough Council			
Natural England			
Crawley Borough Council			

2.48 Natural England add: This is an appropriate method for screening but on the ground it is rarely the case that all areas of a designated site will include all designated features. There are a number of reasons for this; sometimes features are SSSI notified but not part of the SAC/SPA notification and often a site boundary runs to a recognisable feature such as a field boundary or road for practicality reasons. Therefore areas of site may be considered site fabric as they do not contain and never will contain notified features of an N2K designation. This is something that is considered on a site by site basis dependant on specifics and on conservation objectives. If required the "on the ground" characteristics may be used for more detailed screening or if further assessment is required to ascertain whether plans or projects will have an adverse effect on the integrity of the site.

2.49 The named authorities agree with this statement for the following reasons. The approach outlined above takes an appropriate, precautionary and practical approach in modelling and ecological interpretation.

2.50 Wealden District Council disagree with this statement for the following reasons:

- All parts of the designated SAC are subject to protection under the Directive. If areas fall outside the SAC boundary but are notified as SSSI they are subject to the level of protection accorded by domestic law but not protection under the Directive. The protection under the Directive relates to the site's conservation objectives, which are not only maintenance but also restoration of the site's integrity, the extent and distribution of qualifying features, the structure and function of habitats, the supporting processes on which such habitats rely, the populations of qualifying species and their distribution within the site. Therefore, it is irrelevant to say that areas of the site do not currently contain relevant features: they may have the potential to contain such features in future, and they may have a supporting role in relation to parts of the site which currently do contain such features. This is the case unless it definitively and with absolute certainty that an area of the site could never be restored to contain such features and could never have any relevant supporting role to play within the integrity of the site. Wealden District Council are not aware of such evidence. WDC have assessed habitat in the manner mentioned in paragraph 2.50. However, WDC has also produced habitat maps using Earth Observation (EO) (satellite imagery and airborne systems) and site visits to provide an accurate understanding as to the situation on the ground. This is the best scientific information currently available and therefore this information should also be referred to or used in any assessment.

2.51 These named authorities have no position in regards to this approach for the following reasons:

- West Sussex County Council are not actively involved in this work to date

Ecological Interpretation

2.52 The section covers principles and methodology for the interpretation of the air quality modelling work to understand the impact of air quality changes on the ecology of Ashdown Forest SAC.

2.53 The development of dose-response relationships for various habitats12 clarifies the rate of additional nitrogen deposition that would result in a measurable effect on heathland vegetation, defined as the loss of at least one species from the sward. For lowland heathland it is indicated that deposition rates of c. 10-15kgN/ha/yr (representative of the current and forecast future deposition rates using background mapping) an increase of 0.8-1.3kgN/ha/yr would be required for the loss of one species from the sward13. The sites covered in the research had a range of different 'conditions' but the identified trends were nonetheless observable. The fact that a given

[12] Caporn, S., Field, C., Payne, R., Dise, N., Britton, A., Emmett, B., Jones, L., Phoenix, G., S Power, S., Sheppard, L. & Stevens, C. 2016. Assessing the effects of small increments of atmospheric nitrogen deposition (above the critical load) on semi-natural habitats of conservation importance. Natural England Commissioned Reports, number 210.

[13] The cited rates are presented Table 21, page 59 of Caporn et al 2016, to illustrate the trends identified (which apply not just to species richness but, as illustrated by other tables in the same report, to other parameters). That table states that at a background rate of 10kgN/ha/yr an additional 0.3 kgN/ha/yr was associated with a reduction in species richness of '1' in lowland heathland sites. At a background rate of 15kgN/ha/yr the same effect was associated with an incremental increase of 1.3 kgN/ha/yr.

heathland site may not have been included in the sample shouldn't be a basis for the identified trend to be dismissed as inapplicable. On the contrary, the value of the dose-response research is precisely in the fact that it covered a range of sites, subject to a mixture of different influences, meaning that consistent trends were identified across sites despite differing conditions at the sites involved. Based on the consistent responses (in terms of trend) across the range of habitats studied there is no reason why the identified trends (which have been identified as applying to bogs, lowland heathland, upland heathland, dunes and a range of other habitats) should not apply to all types of heath.

2.54 There is a legal need to consider/identify whether there is an 'in combination' effect. However, there is no automatic legal assumption that all contributors to any effect must then mitigate/address their contribution, no matter how small. Not all contributors to an effect will be equal. Far more likely is that there will be a small number of contributors who are responsible for the majority of the exceedance. The identification of those contributors who need to mitigate must be ultimately based on whether mitigating/removing their specific contribution will actually convey any protection to the European site in terms of achieving its conservation objectives (since this is the purpose of the Habitats Directive) and/or whether mitigating the contribution of certain contributors to any effect will sufficiently mitigate that effect.

2.55 Within the context of a forecast net improvement in nitrogen deposition, rather than a forecast net deterioration, available dose-response data make it possible to gauge whether the air quality impact of a given plan is not just of small magnitude (which could still meaningfully contribute to an effect 'in combination') but of such a small magnitude that its contribution may exist in theory (such as in the second decimal place of the air quality model) but not in practice on the ground. Such a plan would be one where it could be said with confidence that: (a) there would not be a measurable difference in the vegetation whether or not the plan proceeded, and (b) there would not be a measurable effect on the vegetation whether or not the contribution of the plan was 'mitigated' (i.e. reduced to the extent that it did not appear in the model at all). It would clearly be unreasonable to claim that such a plan would cause adverse effect 'in combination' or that it should be mitigated.

Table 15: Signatory position on ecological interpretation as part of assessments

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	West Sussex County Council	
Lewes District Council		East Sussex County Council	
Tandridge District Council			
Eastbourne Borough Council			
Natural England			
Crawley Borough Council			
Sevenoaks District Council			

2.56 These named authorities agree with this opinion for the following reasons: The approach outlined above takes an appropriate, precautionary and practical approach in modelling and ecological interpretation.

2.57 Wealden District Council disagree with this opinion for the following reasons:

- The NECR 210 Report and its conclusions should be considered in context including any limitations as duly identified within the report.
- The NECR 210 report does not take into account the actual situation at Ashdown Forest SAC with regards to local conditions, including the current condition of the heathland. Whilst analysing numerous sites and data, there was limited coverage of relevant (H2) heathland sites located in the south-east. In addition, analysis did not include data relevant to wet heath (M16).
- The NECR 210 report does not consider the potential impact of NOx or NH3. However, the report does identify that these pollutants can also influence responses to nitrogen deposition.
- Summary Table 21 does not represent the full picture in terms of consideration of site integrity. It only concerns itself with species richness and a loss of 1 species. It does not consider graminoid cover which is key importance to site integrity (page 58) or the percentage loss of species richness. If NECR 210 is to be used then Appendix 5 is considered to be more appropriate.
- The text also has no regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017.
- Paragraph 2.10 ignores the 'in combination effect' of plans and / or projects including the effects of projects already consented or constructed (judgement of the European Court in Case C-142/16 Commission v. Germany)
- The text at paragraph 2.61correctly acknowledges the legal requirement of in combination assessment. However, it then elides this with. However, this misses the essential point that under articles 6(3) and (4) if a project may have an adverse effect on integrity on an in combination basis, then it may not proceed unless it is possible to mitigate the impacts so that it can be said with certainty that they will not have that effect (unless the derogation under article 6(4) can be applied). The Directive does not address questions of how or by whom the mitigation should be undertaken. However, unless there is assured effective mitigation in place, it is not permissible to allow a project to proceed simply because its contribution to the in combination impact is relatively minor.

2.58 These named authorities have no position in regards to this approach for the following reasons:

- West Sussex County Council are not actively involved in this work to date

Need for mitigation or compensation measures

2.59 The AFWG has discussed the possible findings of air quality work currently being undertaken, including the potential need for mitigation or compensation for air quality impacts associated with growth identified in Local Plans.

2.60 At present, published HRAs for adopted or emerging Local Plans have not concluded that mitigation or compensation is currently required. However, it is also recognised that the outcomes of ongoing technical modelling and assessments cannot be predicted or pre-determined. In this light, the AFWG recognises the value of early discussion of as a 'back-pocket' exercise, just in case they subsequently prove necessary. It is emphasised that initial

suggestions and consideration of potential mitigation/solutions/compensation should not be interpreted as either a recognition that they will prove necessary, nor as a commitment to eventually pursuing such measures.

2.61 It is recognised that Wealden District Council as the SAC host, and Natural England, will necessarily have the key lead roles in identifying potential mitigations and/or compensation to benefit the SAC, although all parties may contribute. It is agreed to maintain a table of mitigation options in a transparent manner on an ongoing basis. This should enable all parties to be fully prepared for the possibility of needing to address effects on the SAC, enabling them to do so (if required) without causing undue delay to the planning process.

Table 16: Signatory position with regard to the need for mitigation or compensation measures

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council	East Sussex County Council	
Sevenoaks District Council		West Sussex County Council	
Lewes District Council			
Eastbourne Borough Council			
Tandridge District Council			
Crawley Borough Council			
Natural England			

2.62 Wealden District Council disagree with this opinion and propose the following measures:

- It is considered that based on the information currently in the public domain that there is a likely significant effect from new development. This takes into account the fact that the critical load is already being exceeded on the Ashdown Forest, the need to have regard to the conservation objectives of the Ashdown Forest SAC, as required by the Conservation of Habitats and Species Regulations 2017, and the need to take into account the in combination effect insofar as the effects of projects already consented or constructed. It also takes into account the precautionary principle and the need to guarantee beyond all reasonable doubt that there would not be a likely significant effect. Therefore it is considered that mitigation/ compensation measures should be subject of ongoing dialogue between partners.

2.63 These named authorities have no position in regards to this opinion for the following reasons:

- West Sussex County Council are not actively involved in this work to date

3. Actions going forward

3.1 The members of the AFWG will continue to work together constructively, actively and on an on-going basis toward a consensus on the matter of air quality impacts on Ashdown Forest SAC associated with growth identified in Local Plans. The AFWG will continue to share evidence and information, and will work cooperatively together to discuss potential mitigation

measures just in case need for these should arise, and will consider other measures to reduce the impact of nitrogen deposition around the Forest as matter of general good stewardship.

3.2 The Government consultation document 'Planning for the right homes in the right places' proposes as a minimum that SCG will need to be updated each time a signatory authority reaches a key milestone in the plan making process. The AFWG recognises that this SCG will need to be updated regularly in line with emerging Government policy and in order to reflect emerging evidence and established knowledge of air quality impact on European nature conservation designations.

Table 17: Signatory position on actions going forward for the AFWG

Agree	Disagree	No Position	Reserve judgement
South Downs National Park Authority	Wealden District Council		
Sevenoaks District Council			
Tandridge District Council			
Lewes District Council			
East Sussex County Council			
Eastbourne Borough Council			
Crawley Borough Council			
Natural England			
West Sussex County Council			

3.3 These named authorities disagree with this approach for the following reasons:

- Wealden District Council: WDC disagree that there is an absence of any need for mitigation at this current time and that it is necessary for all parties to work together on the evidence base and mitigation/ compensation as necessary.

4. Summary conclusions

4.1 This Statement of Common Ground has been signed by the following authorities and will be submitted by the SDNPA as part of the evidence base supporting the South Downs Local Plan in March 2018.

Appendix 1: Ashdown Forest SAC Reasons for Designation

The text below is extracted from the Habitats Regulations Assessment for the Pre-submission South Downs Local Plan, published for consultation in September 2017.

1.1 Introduction

Ashdown Forest contains one of the largest single continuous blocks of lowland heath in south-east England, with both European dry heaths and, in a larger proportion, wet heath.

1.2 Reasons for Designation

SAC criteria

The site was designated as being of European importance for the following interest features:

Wet heathland and dry heathland

Great crested newts

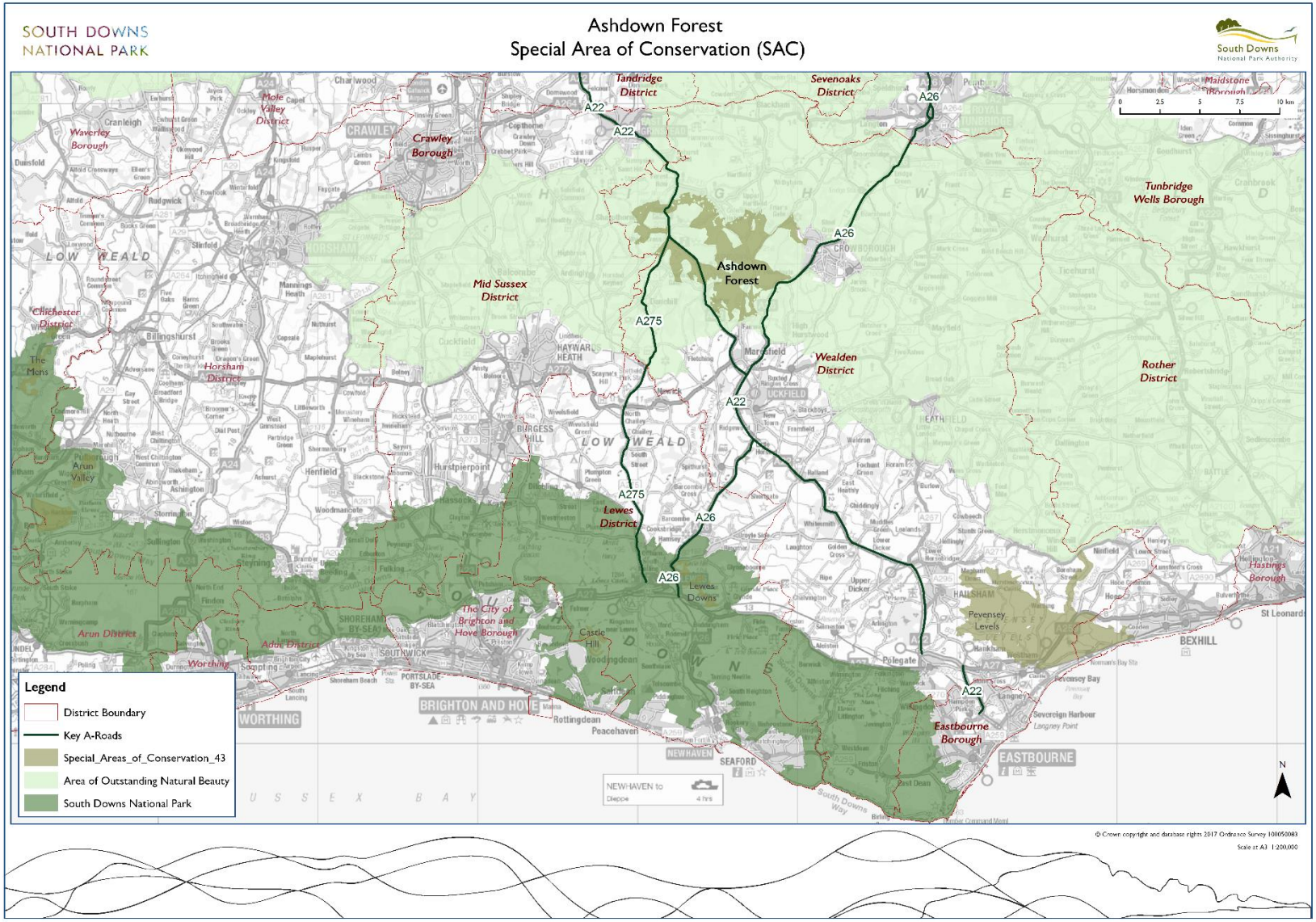
1.3 Historic Trends and Current Pressures

During the most recent condition assessment process, 99% of the SSSI was considered to be in either 'favourable' or 'unfavourable recovering' condition.

The following key environmental conditions were identified for Ashdown Forest SAC/SPA:

- Appropriate land management
- Effective hydrology to support the wet heathland components of the site
- Low recreational pressure
- Reduction in nutrient enrichment including from atmosphere.

Appendix 2: Map of Ashdown Forest



Appendix 3: Notes from Ashdown Forest Working Group meetings: May 2017 to January 2017

These meeting notes are a summary of officer discussions. The SCG sets out the final positions of each of the signatory organisations at the time of signing and where there are discrepancies the SCG takes precedence.

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 9TH MAY 2017 EASTERN AREA OFFICES, STANMER PARK, BRIGHTON & HOVE

Attendees:

[redacted] – Natural England

[redacted] – Wealden District Council

[redacted] - Tunbridge Wells Borough Council

[redacted] - Mid Sussex District Council

[redacted] – East Sussex County Council

[redacted] – Wealden District Council

[redacted] – Lewes and Eastbourne Councils

[redacted]) – Tandridge District Council

[redacted] – Mid Sussex District Council

[redacted] – South Downs National Park Authority

[redacted] - South Downs National Park Authority

[redacted] - South Downs National Park Authority

[redacted]- South Downs National Park Authority

1. Introductions and Reasons for Meeting	**Actions**
[redacted] outlined the aims of this meeting which are to discuss: • agreeing to work collaboratively on the issues; • agreeing to share information and existing work to assist in traffic modelling for HRA work; • setting up a working group.	
2. Key stages with Local Plans and HRA timetables SDNPA's Local Plan - Pre-Submission Consultation in September 2017 Tunbridge Wells Local Plan - Issues and Options consultation this Autumn Wealden Local Plan - Pre-Submission Consultation this Autumn Lewes Local Plan Part 2 – Allocations and DM Policies - Pre-Submission Consultation this Autumn Tandridge Local Plan - Pre-submission public consultation early next year Mid Sussex Local Plan – At Examination	

3. Moving on from High Court Decision [redacted] highlighted that we now need to draw a line under the High Court decision as there will be no appeals or cross appeals. She explained that the group should agree to move forward together to address in combination effects of traffic generation on Ashdown Forest SAC and other affected SAC's.	All agreed to acknowledge the ruling and agreed to move forward together to address the in combination effects of traffic generation on Ashdown Forest SAC and other SACs
4. Wealden DC's latest work on HRA and Ashdown Forest [redacted]introduced this item explaining that WDC had undertaken a large amount of work on this matter and that it would be very useful to the group if WDC could set out the main studies, timetables and output for this work. This is because all local authorities affected by this issue need to be broadly using the same information and working from the same base conditions. [redacted] and [redacted] outlined the work that Wealden had undertaken over the last four years which includes air pollution monitoring on the forest, traffic monitoring, ecology work and transport modelling of future scenarios looking at Wealden's growth alone and in combination with other local authorities. [redacted] agreed to set out in an email to the group the methodologies of the work undertaken so far. [redacted] also mentioned the email that [redacted] from Tunbridge Wells had sent to her in advance of the meeting raising a number of technical questions with regards to Wealden's work. [redacted] agreed to try and answer the queries if the email could be sent directly to her and she would copy her response to all. It was also suggested that it would be helpful if this email also explained the issue with using 1000 AADT as the threshold rather than 1% process contribution.	[redacted] to send an email to all setting out the details of methodology of work undertaken so far. [redacted] to send [redacted] email to [redacted] and cc all [redacted] to reply including in her response the issue re:1000 AAD and cc all .
5. Natural England's latest work on air quality methodology for HRA's [redacted] explained that in combination effects relating to air pollution on SAC's are complex and widespread and that this is a national issue and a priority for NE. NE has set up a project group to look specifically at this issue in relation to all protected sites in the South East that have exceeded their critical load. New internal guidance is being prepared to help NE specialists provide advice to local authorities undertaking HRA's and will be available in mid-June. This will include where to obtain data, habitat trends, APIS information etc. as well as guidance on policy, avoidance and compensatory measures. The group agreed that it would be useful if some of this information could be sent directly to them. [redacted] questioned why Rother had not been included in this group. It was agreed that Rother, Crawley and Brighton and Hove should be included. [redacted] agreed to check with their consultants where they felt the main traffic movements were occurring and which authorities were affected.	[redacted] to send to group useful information from this guidance [redacted] to invite Rother, Crawley and B&H to be part of group and attend future meetings.

	[redacted] to check with consultant s which other local authorities are likely to be affected by this issue
6. Sharing and Understanding evidence [redacted] said that we need to share what information we have and need. The first year of Wealden's air pollution monitoring baseline data is in the public domain. Wealden are unable to share other year's data and outcomes at the present time as they need to be sure, before it enters the public arena, that it is robust and the peer review has been completed. The peer review of this work is being undertaken by academics at The Centre of Hydrology and Ecology. A report setting out the results of this work would likely be published in July/August of this year. Wealden are willing to give raw data to Natural England for their specialist to interpret. NE will specify what they need to [redacted] who will endeavour to provide this. Mid Sussex has used the West Sussex Transport Model and TEMPRO data to assess in combination effects. They are looking at possible areas of the District where development here would not generate traffic on Ashdown Forest.	[redacted] to circulate table to ascertain who has what information [redacted] to speak to NE's air pollution specialists to identify what data they need. [redacted] then to email [redacted] who will supply the data and cc the group
7. Policy solution options to Nitrogen deposition The group discussed possible wider longer term solutions such as the creation of a Low Emission Zone and improvements to A27. [redacted] explained that NE wished to encourage the creation of Shared Nitrogen Action Plans (SNAPs) which is something this group could establish and lead on as a way of reducing background levels of Nitrogen. The biggest contributor to nitrogen deposition on the Ashdown Forest is agriculture. All agreed that this would be a useful way forward for the group and would highlight that the local authorities were working collaboratively and identifying solutions. Developer contributions could be used to fund projects identified from this to reduce Nitrogen levels [redacted] highlighted that there was some information on SNAPs on the NE website and she would send the links to this to the group.	[redacted] to send web link to SNAPs to group. All agreed that this group should establish a SNAP as a way forward and longer term solution
8. Working Collaboratively as an Officer Group All agreed that the setting up of this group was extremely useful and that we should meet monthly. SDNPA would service the group in terms of chair, agenda and minutes. The venue would alternate between Stanmer and Mid Sussex and possibly a community centre in Wealden [redacted] explained that Tuesdays were not a good day for her to meet and the group proposed Wednesday as an alternative.	All agreed to set up a working group on Ashdown Forest SDNPA to send out notes of meeting and make arrangements for next monthly meeting.

In terms of cross boundary working and Member Briefing it was felt that the East Sussex Local Planning Managers Group and East Sussex Strategic Planning Members Group might be useful bodies to report to. However it was recognised that Mid Sussex, Tandridge and Tunbridge Wells were not members of these groups. It was important that officers reported back to their own members.	
9. AOB [redacted] raised the issue of current planning applications that are caught by the High Court Ruling and whether Grampian conditions might be a way forward. [redacted] suggested that this should only be considered once an HRA of the application had been carried out. However in the first instance she advised that a legal opinion should be sought.	

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 21st JUNE 2017 EASTERN AREA OFFICES, STANMER PARK, BRIGHTON & HOVE

Attendees:

[redacted] – Natural England

[redacted] – Wealden District Council

[redacted] - Tunbridge Wells Borough Council

[redacted] – Sevenoaks District Council

[redacted] – South Downs National Park Authority

[redacted] – East Sussex County Council

[redacted] – East Sussex County Council

[redacted] – Tandridge District Council

[redacted] – Tunbridge Wells Brough Council

[redacted] - South Downs National Park Authority

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] - Rother District Council

10. Introductions and reasons for meeting	**Actions**
• Group introduced themselves and welcomed new attendees.	
11. Minutes and actions from last meeting Group went through the minutes to check actions were completed. Key updates to note:	• [redacted] to ask Mid Sussex for contact at Crawley • [redacted] to invite West Sussex County

• Natural England Guidance – not yet available as it is still being developed. The internal guidance document will be made available to staff at Natural England and it is hoped that the salient points can be picked out in order to assist LPAs with their Appropriate Assessments. • Attendees of the group – agreed that Crawley, Brighton ([redacted] suggested as contact point) and West Sussex to be invited to the group, and that Kent and Surrey County Councils should be made aware of the group. • Evidence table (outlines the evidence held by authorities which are part of the group) – agreed that completing this now is premature as there is a lot of evidence/assessment currently being undertaken/finalised. Agreed that it should be filled out in the autumn. • NE were to make a detailed request to WDC about what data they would like to see – NE and WDC are in discussion.	Council and Brighton to next meeting • [redacted] to make Kent and Surrey County Councils aware of the group
12. Legal advice sought on Ashdown Forest • Legal advice already sought by TWBC. • Technical advice intended to be sought by WDC (primarily to do with PDL) and also LDC and SDNPA. • Advised that the latest position from Mid Sussex is available on their website. MSDC hearings regarding Ashdown Forest to be held on 24/25th July.	• [redacted] to share QC comments on Ashdown Forest from the Minerals Conference • ALL – those getting legal advice to share the gist of that advice with the group.
13. Air quality and traffic modelling updates • All agreed in principle to use broadly the same modelling approach (other than WDC as already progressed with own model). • All agreed in principle to share data to ensure consistency of inputs in models. • It is noted that all except WDC and MSDC are using AECOM for HRA work. • Discussed at what point development levels are taken into account – adoption/submission/publication? It was noted that TEMPRO uses growth figures as of 2014 TEMPRO can be adjusted to take into account subsequent Local Plan proposals. • It was noted that WDC have assessed all roads across Ashdown Forest, not just A roads. • It was commented that using travel to work data in the model may underestimate movements and therefore the associated impact of visitor numbers. • WDC do not have a date for the release of their HRA work – likely end of August.	• ALL – agreed to share data inputs for model. • LDC/SDNPA ask [redacted] re. impact of visitors.
14. Progress with Local Plans • All progressing with Local Plans as per previous meeting. • WDC advised there is a delay in their timetable. WDC are looking to commence pre-submission consultation by the end of the year. WDC met with DCLG and had a positive meeting – no discussion of the phasing policy.	
15. Long term solutions including Strategic Nitrogen Action Plans (SNAP)	

• Agreed that this item would be held until a future meeting once HRA work has been progressed by authorities and findings are available. • Noted that [redacted] of NE is to be covering Ashdown Forest. [redacted] will be at the next meeting and a possible SNAP could be discussed then. • There was a discussion about SNAP. NE advise that SNAP is not suitable as mitigation because it doesn't have sufficient certainty.	
16. Wealden DC to provide an update on their transport model • Technical note on transport model circulated to authorities for their information. Update now received which looks at contribution from other authorities. WDC advise they are happy to circulate update.	[redacted] – circulate update to office group.
17. AOB • WDC noted that there is an article in the HRA Journal that may be of interest which queries the 1%. Advised that the journal is subscription only. • WDC advise they are happy to share evidence individually with authorities, but also advise that some evidence is not yet feasible to share. • Agreed that the next meeting would be in August and held at MSDC offices in Haywards Heath.	[redacted] – arrange next meeting for August [redacted] – arrange meeting room at MSDC offices in Haywards Heath.

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 30th AUGUST 2017 MID SUSSEX DISTRICT COUNCIL, HAYWARDS HEATH

Attendees:

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Wealden District Council

[redacted] – Sevenoaks District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority

[redacted] – South Downs National Park Authority

[redacted] – Rother District Council

[redacted] – East Sussex County Council (ESCC)

[redacted] – East Sussex County Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Lewes and Eastbourne Councils

[redacted] – Lewes and Eastbourne Councils (LDC)

[redacted] – Tandridge District Council

[redacted] – Tonbridge & Malling Borough Council

AGENDA ITEM	ACTION
18. Introductions and minutes from last meeting • Group introduced themselves and welcomed new attendees. • [redacted] apologised for the lateness in sending out the minutes. Two corrections were agreed and revised minutes to be circulated. The following actions were still noted as outstanding: - [redacted] to contact Crawley BC, WSCC, Surrey CC and Brighton & Hove CC - Update on WDC transport model not yet published although a technical note is available on line[14].	• [redacted] to ask Mid Sussex for contact at Crawley • [redacted] to invite West Sussex County Council and Brighton to next meeting • [redacted] to make Kent and Surrey County Councils aware of the group
19. Wealden DC to provide update on air quality and ecology monitoring ([redacted]) • WDC have received draft air quality reports on Pevensey Levels and Lewes Downs • WDC have received draft reports on air quality and ecology for Ashdown Forest. These are being checked through. Changes are needed to explain the outcomes from the model and statistical analysis more clearly. • Once agreed with consultants WDC will share with NE. • WDC committed to share with members of group after NE and before publication on website. This will hopefully be in September 2017. • [redacted] queried the background nitrogen deposition text to A22 which at 50kgN/ha/year is much higher than the Defra mapping levels. MB explained that the Defra figures are the average across the SAC, whereas the WDC figures are by 2metres squared, i.e. more finely grained analysis. • [redacted] explained that WDC and ESCC were working on expression of interest bids to the Housing & Infrastructure Fund on the introduction of mitigation and compensatory work for Ashdown Forest. The focus would be on low emission zones. Support from members of the group would help the expression of interest. A very swift turn around on the bid is	• WDC to share air quality and ecology monitoring first with NE then the wider group in September or shortly afterwards. • [redacted] to draft wording and circulate around the group for agreement.

[14] http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CoreStrategy/CoreStrategyLibrary/Planning_Evidence_Base_Habitat_Regulations_Assessment.aspx

AGENDA ITEM	ACTION
required. The group agreed that this had to be very high level and not set out any detail.	
20. Transport modelling and in combination assessments ([redacted]) • MSDC is updating their District Plan HRA following their Local Plan Hearings. MSDC is using the WSCC County Highways Model. The model takes account of background growth and growth in surrounding areas, using the National Trip End Model (NTEM) and TEMPRO assumptions. Amey are the consultants and JH will ask if data can be shared. • Discussion on the correct figures to use, i.e. 876 or 1,090 dwellings for MSDC. The Inspector verbally agreed at the Hearings that there are grounds for adoption of the District Plan at 876 dwellings per year to 2023/24 and then a figure of 1,090 dwellings per year thereafter subject to the Habitats Regulations Assessment. • It was agreed that we should agree all our housing figures to be used in our transport models in the statement of common ground. • Discussion on TEMPro. This includes allocations and permissions but there is a gap 2014-2017. All authorities present are using TEMPro in their modelling work. • Discussion on future NOx reductions. WDC are using figures different to Defra.	• [redacted] to query sharing traffic data with Amey
21. Brief updates with Local Plans and HRAs • Covered elsewhere in meeting.	
22. A statement of common ground (SCG) on Ashdown Forest ([redacted]) • We all need to meet the Duty to Cooperate and engage constructively, actively and on an ongoing basis on strategic cross boundary issues. The officer working group is a good starting point and a SCG on Ashdown Forest would help to formalise and drive the work forward. • LDC directors met with PAS who offered to work with the group on the statement. [redacted] will progress with PAS. • TWBC have drafted a bilateral statement between themselves and WDC and are awaiting WDC response. [redacted] agreed to share with group. The following was agreed by the group: • To be completed and agreed by January 2018 • It would set out matters that the group agreed and didn't agree on. • It would cover air quality matters only and not other matters such as recreational pressure • It would relate only to Ashdown Forest but there was the potential to replicate it for other international designations • It would agree the methodology assumptions for transport and air quality • It would agree housing numbers for all the LPAs to be used for traffic modelling • It would agree to share evidence and findings	• [redacted] to contact PAS and invite to October meeting and find out level of support available • [redacted] to circulate draft statement of common ground • NE to consider being a signatory

AGENDA ITEM	ACTION
• It would explain the role of the officer working group • It would cover planning policy and not planning applications. Neighbourhood plans would be covered under planning policy • NE to consider whether it should be a signatory. The feeling of the group was that NE is a very necessary partner to the statement • All LPAs present happy to progress and be signatory subject to content	
23. Update from Natural England (MA) • [redacted] explained to the group that the guidance on HRAs was for internal use at NE. The group discussed that there was general confusion on the matter both at a local and national level.	
24. Current approach to planning applications (DS) • TWBC has received an objection to a planning application from WDC and have sought legal advice. • No other LPAs have received any objections • WDC confirmed that they are scrutinising weekly lists and objecting if an HRA has not been done when there is a net increase in traffic. • MSDC is undertaking a HRA screening for planning applications • WDC has not determined any planning applications that would result in a net increase in traffic. No appeals have been lodged on non-determination.	
25. AOB • [redacted] said that a developer, planning agent and landowner stakeholder forum has been set up for Ashdown Forest and that WDC has been invited to the next meeting in September. • Next working group meeting to be held on 9th or 13th October.	[redacted] – arrange next meeting for 9th or 13th October. [redacted] – arrange meeting room at MSDC offices in Haywards Heath.

NOTES OF MEETING ASHDOWN FOREST 10:00 AM, 13th OCTOBER 2017 MID SUSSEX DISTRICT COUNCIL, HAYWARDS HEATH

Attendees:

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted] – South Downs National Park Authority

[redacted] – East Sussex County Council (ESCC)

[redacted] – East Sussex County Council

[redacted] – Tunbridge Wells Borough Council

[redacted] – Sevenoaks District Council

[redacted]– Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – West Sussex County Council

[redacted] – Tonbridge and Malling Borough Council

[redacted] – Planning Advisory Service (PAS)

AGENDA ITEM	ACTION
1. Introductions and minutes from last meeting ([redacted]) • Group introduced themselves and welcomed new attendees. • Run through of actions from previous meeting: o [redacted] and [redacted]: bid submitted by ESCC focussing on Hailsham linked to AF mitigation. Letter of support submitted. No response yet. [redacted] will circulate documents. [redacted] thanked group for support. o Regarding HRA work undertaken by WDC, see below. o [redacted] queried if LPA contributions would be disaggregated. GP advises that this is problematic traffic may reroute differently.	• [redacted] to circulate Expression of Interest documents to group
2. Wealden DC and Natural England to provide update on air quality and ecology monitoring ([redacted] & [redacted]) • WDC have sent draft reports on Ashdown Forest SAC, Pevensey Levels SAC and Lewes Downs SAC to NE for their review. • These reports will be circulated to this officer group toward the end of week commencing 16th October 2017, and will be published on WDC website one week after circulation. • The work shared and published will be methodology and air quality work for Ashdown Forest – it will not include the ecology work as WDC have commissioned further work on this. • WDC has a DAS agreement with NE • NE will review the work produced by WDC and will include their in house air quality specialist. • [redacted] for WDC raised concerns regarding ammonia pollution arising from catalytic converters fitted to vehicles. [redacted] notes that ammonia dissipates quickly. Discussion then began regarding Strategic Nitrogen Action Plans (SNAP): • [redacted] confirmed that NE sees merit in a SNAP for Ashdown Forest. SNAP would reduce background nitrogen. • [redacted] circulated a table of potential mitigation and solutions	• WDC to circulate reports to the officer group toward end of week commencing 16th October 2017. • [redacted] to add SNAP to a future full officer group meeting (not SCG subgroup meeting). • [redacted] to invite NE officer to SNAP meeting when date known. • [redacted] to confirm that NE input into SNAP wouldn't be charged.

options, requesting that group members take shared ownership of this as a continuing 'live' piece of work, adding comments, updates and suggestions as they see fit. [redacted] advise that the habitat management options would not be suitable as this would conflict with the reasons for the site designation. Other suggests could usefully feed into a SNAP. [redacted] reiterated the key role of agriculture in the high background levels. To a lesser extent emissions from power stations on the continent also contribute. Noted that due to dispersal of pollution, Gatwick Airport was not a specific direct issue, rather a wider regional issue. • [redacted] reiterated, and [redacted] confirmed LPAs, take action based on their own relative contribution – process contribution. • Officer Group agrees to produce a SNAP. SNAP to be added to the agenda for a future meeting (full officer group meeting rather than SCG sub-group meetings). • Advisor for management of Ashdown Forest from NE to attend future SNAP meeting. [redacted] likely to not be	
3. Update on South Downs Local Plan, HRA and background paper ([redacted]) Local Plan update • Reg 19 Pre-Submission South Downs Local Plan consultation began on 26th September. It will run for 8 weeks until 21st November. HRA work • Air quality Appropriate Assessment work is set out in two sections: o Ashdown Forest: commissioned jointly with LDC and the methodology and results are set out in an addendum at the back of the report. o Other designations in and round the National Park: methodology is set out in section 2.6 and the results discussed in section 5.3. o Link to HRA: https://www.southdowns.gov.uk/wpcontent/uploads/2016/11/SDNPA-HabitatsRegulations-Assessment.pdf • Methodology: In-combination assessment undertaken using TEMPRO. Adjusted for the higher expected development likely to come forward in Local Plan around Ashdown Forest. Then air quality calculations for NOx and N were undertaken. Ecological interpretation was then done to establish the extent and significance of any changes expected. No thresholds (e.g. 1000 AADT) were used – all road links were subject to assessment at all stages. • Results: o Traffic: 5 key links modelled. In-combination traffic increase on all links between c.950 and c.3000 AADT. LDC/SDNPA contribution small between 0 and 260 AADT. o Air Quality: Currently above critical level for NOx on 3 of the routes. All expected to reduce to below critical level over the plan period even with AADT increases expected. For N deposition, improvements in background more than offset the additional from car movements. On A26 and A275 the LDC/SDNPA contributions slow this slightly within the first 5m of the road by 0.01kgN/ha/yr. • Conclusion re. Ashdown Forest: No adverse effect on integrity on the Ashdown Forest SAC alone or in combination with other plans and projects.	• [redacted] to circulate links (found in the minutes)

• Conclusion re. other designations: Same as above, but with a recommendation to monitor designations close to the A3 corridor, which brings in line with the approaches of other nearby Local Plans. • NH queried the reduction in background N deposition. KSt responded that a % assumption in N reduction is used based on guidance from Institute of Air Quality Management and DMRB. 2% is the DMRB recommendation. SDNP/LDC have taken a precautionary approach and applied 2% for the first half and no improvement for the last half of the plan period – averaging to 1%. Principle was agreed. • Biodiversity background paper published on SDNPA website.	
4. Update from Mid-Sussex on HRA ([redacted]) • Agenda item not discussed.	
5. PAS support for the Statement of Common Ground (SCG) looking at ([redacted]): • [redacted] introduces SCG and role of PAS: o Right Homes in the Right Places consultation introduces mandatory SCG o PAS and DCLG are keen to get some early learning on them o The purpose of SCG is to help the challenges around Duty to Co-operate – to make sure that opportunities to address matters prior to examination are taken and to clearly set out the key strategic cross boundary issues and actions to planning inspectors. o It is thought that SCG would consist of two parts: (1) geography and issues and (2) action plan o SCG would be a short document, signed by LPAs and other, and would generally need political sign off. It would be a living breathing document that would be updated whenever a signatory gets to a new stage in the plan making process. o SCG could be a helpful mechanism for unlocking infrastructure funding and other government funding. o PAS would like to work with 8 or so pilot groups to gather key learning ahead of the NPPF redraft – key window is next 9 weeks. NPPF draft is expected for a consultation (on wording rather than principles of content which were consulted upon over the last year or so) in January 2018 and final publish in March 2018. o In principle, DCLG would like preliminary SCG to be published by all authorities 6 months after publish of NPPF redraft (Sept 2018) and a full SCG 6 months after that (Mar 2019). o PAS can facilitate meetings and support write up of SCG. • [redacted] confirms interest of the group in becoming a PAS supported pilot, and confirms that the group are working toward completing a draft SCG for January.	
6. A Statement of Common Ground on Ashdown Forest: follow on discussion (LH) • Format of document: o [redacted] advises that, as currently set out, each authority is expected to produce one SCG which sets out the various strategic cross boundary issues and actions, and other LPAs and stakeholders are signatories to the relevant parts of the document e.g. meeting housing need would be one section of the SCG and members of the HMA would be signatories to that part. o The group discussed and considered that this approach wouldn't work due nature of the issue, the large number of signatories and the timetable needs of the officer group.	• All-Further work required to establish geographical scope and signatories • [redacted] to provide risk register template to [redacted] • [redacted] to advise [redacted]

o [redacted] and group agree that the Ashdown Forest Officer group will produce an AF specific SCG which can be cross referred to in LPAs wider SCG. o Agreed that the SCG on AF itself will cover multiple issues and not everyone needs to sign up to everything. For example: [redacted] says that NE will be a signatory but only to issues on which they have a view. • Geographical scope: o The group recognised that establishing the geographical scope of the SCG would be a key issue for determining signatories. What is the extent of influence to warrant being a signatory? The scale of each LPA's contribution (process contribution) to the issue will also be a relevant factor for determining signatories. This will require further work by the group. • A risk register will need to be produced. [redacted] asks if [redacted] can provide a template. [redacted] agreed. • [redacted] advises that there is no SCG template yet – the pilots will help in producing one which may be included within the redrafted NPPF. • PAS facilitator will not be [redacted] – [redacted] to advise [redacted] and [redacted] of who they will be. • Way forward: • All-Further work required to establish geographical scope and signatories • [redacted] to provide risk register template to [redacted] • [redacted] to advise [redacted] and [redacted] who the PAS facilitator will be • All to provide information on their LP timetable, sign off process and housing numbers. • [redacted] to circulate meeting invites for 10th November and week commencing 20th November o A series of meetings will be scheduled to work on these issues and draft the SCG: (1) geographical scope, signatories, governance arrangements, risks, establishing what the other elements of the scope are (previously agreed as air quality matters, methodology assumptions, housing numbers, sharing evidence and policy not applications), [redacted] timetables. (2) all day workshop on issues and actions. Further meetings will be required to be decided depending on outcomes of the above. o Meetings to be attended by a self-selected subgroup o SDNPA will provide administrate support for the group. o All will need to speak with members regarding sign off and provide info to the group on their sign off process.	and [redacted] who the PAS facilitator will be • All to provide information on their LP timetable, sign off process and housing numbers. • [redacted] to circulate meeting invites for 10th November and week commencing 20th November
7. Any other business ([redacted]) • None.	

Attendees:

[redacted] – Wood on behalf of Planning Advisory Service (PAS)

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted] – South Downs National Park Authority

[redacted] – Sevenoaks District Council

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – West Sussex County Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Tunbridge Wells Borough Council (TWBC)

Apologies: [redacted] (WDC), [redacted] (WDC), [redacted] (ESCC), [redacted] (ESCC), [redacted] (TWBC), [redacted] (Rother District Council)

AGENDA ITEM	ACTION
1. Minutes and actions from last meeting ([redacted]) All the actions arising from the meeting on 13th October had been actioned. [redacted] questioned why WDC had redacted key parts of their Ashdown Forest SAC Air Quality Monitoring & Modelling report. [redacted] confirmed that the redaction had been put in place to disguise the exact locations of the monitoring stations due to previous problems with vandalism, theft and sabotage. [redacted] confirmed that there was an exclusion under EIR regs to protect the ongoing study under public interest. [redacted] confirmed that it was not possible for others to plug the information into their models without exact locations and again the unredacted information was requested by those using the AECOM model. [redacted] refused to share the data on the grounds detailed above. [redacted] stressed the need to understand the abnormally high NOx figures in the WDC study. [redacted] suggested we seek advice on how the data could be shared with other authorities without being subject to EIR requests and asked if WDC would consider any potential solutions to data sharing put forward by the group. [redacted] agreed WDC could consider data sharing proposals put forward. [redacted] also requested WDC provided year 1 and 2 measurements separately. It was noted that NE had seen an early draft of the Air Quality and Ecology Monitoring Report . There was a brief discussion on the risk register.	• [redacted] to send link to years 1and 2 monitoring data • All to investigate sharing of information • [redacted] to send risk register for SoCG

[redacted] noted that TDC were in the process of appointing Aecom to undertake traffic, air and ecological modelling, but the redactions in place meant it would be difficult to utilise the WDC data.	
2. Introductions and reasons for the meeting [redacted] explained that the role of PAS was to provide skeletal but not detailed drafting of the SoCG. The SoCG was a mechanism for demonstrating Duty to Cooperate. The SoCG will not go into technical detail.	
3. Roles and responsibilities for the SoCG [redacted] confirmed that the SDNPA will draft the SoCG.	
4. Geographical scope of the SoCG There was a discussion on the initial geographic approach relating to the 7km zone of influence for recreational disturbance for the SPA and then modified by journeys to work. It was noted that the 7km zone is not directly relevant to the SAC. However, due to the complexity of this work and the need to make progress it was decided by all that instead of 'geographic scope' the SoCG would refer to the 'geographical area defined by the membership of the Ashdown Forest Working Group.' The following authorities were defined as members and it was agreed to contact Crawley and Brighton & Hove again about membership. • South Downs National Park Authority • Lewes District Council • Wealden District Council • Eastbourne Borough Council • Rother District Council • Tunbridge Wells Borough Council • Sevenoaks District Council • Tandridge District Council • Mid Sussex District Council • Crawley Borough Council • Brighton & Hove Council • East Sussex County Council • West Sussex County Council It was discussed that the geographic areas having a bearing on Ashdown Forest air quality may in practice bisect individual lpa boundaries. [redacted] confirmed that WDC had received their transport model for Ashdown Forest this week. [redacted] raised the option of widening the scope of the SoCG to encompass all Ashdown Forest issues (i.e. also including issues related to the SPA and recreational impacts). The Group decided to continue with current scope focusing solely on air quality.	• [redacted] to contact Crawley BC about membership • [redacted] to contact B&H CC about membership of group
5. Other elements of scope **(a) Local Plan Housing numbers**	• [redacted] to re-circulate Housing Figures

Most of this table had already been completed. Awaiting figures from Crawley, TWBC, T&MBC and Brighton & Hove if they choose to join the group. Figures for those districts partly covered by the National Park needed to be disaggregated for inside/outside the National Park to prevent double counting. The figures would then be agreed on 23rd November and frozen for a set period yet to be determined.	table for all to complete by 20-11-17 • [redacted] to disaggregate housing figures in regard to the National Park and circulate by 20-11-17
5. Other elements of scope **(b) Methodology assumption headlines** It was agreed that there are 3 groups of assumptions each of which was discussed as follows: **(i) Transport modelling** Three different models had been used by the group namely West Sussex model used by MSDC, the Wealden model used by WDC and the AECOM model used by everyone else. The key differences between them were: • What the model deals with e.g. residential, employment, visitors • Background future forecasting e.g. 2009/2014 • Input e.g. geographical unit such as Census super output area • Origin/destination zones • Outputs e.g. AADT • Roads • Other SACs • Model structure e.g. growth factors and base year • Input data e.g. Census and TRICs • Use of OAN or plan-based figures for neighbouring lpas 'in-combination' housing number. GP to draft the headings of a table and circulate for all to complete. **(ii) Air quality calculations** The principles of the following topics were discussed: • Chemicals monitored • Forecasting assumptions for methodology Circulation of another table was discussed. It was agreed however, that all parties would look into their own air quality calculations methodology for a discussion at the workshop. **(iii) Ecological interpretation** It was decided that there should be a discussion but not a table on ecological interpretation focusing on the following: • 1% contribution process • Key HRA regs arguments	• [redacted] to draft and circulate table of transport modelling by 15-11-17 and all to complete and return to [redacted] by 20-11-17

There was discussion about mitigation and whether it should be addressed in the SoCG. It was agreed that it shouldn't but should be discussed by the group in the New Year once the SoCG was finalised. [redacted] requested that consideration of potential mitigation and compensation be included in the scope of the SoCG. [redacted] noted that evidence does not exist to justify the need for compensation. The consensus was to not include this on the basis that it is a later HRA stage and would not necessarily be required. [redacted] felt it should be covered as there is a risk that it may be required and we needed to be prepared for this eventuality. Alternatively, [redacted] requested that the SoCG could at least include a statement to the effect that the Group agreed to work in partnership on mitigation/compensation in the event of such measures proving necessary. It was agreed that the group would look at Strategic Nitrogen Action Plans (SNAP) after the completion of the SoCG.	
6. Local Plan timetables Table to be completed by all.	• All to complete table and return to [redacted] by 20-11-17
7. Sign off arrangements and timelines for SoCG Table to be completed by all.	• All to complete table and return to [redacted] by 20-11-17
8. Planning for our workshop on 23rd November The workshop is expected to last approximately 6 hours. It was agreed that by the end of the workshop we needed enough information to draft the SoCG. NE will only be able to attend part of the workshop and it was thought most useful if this was the second half. The agenda would follow the same broad headings of today's meeting. There was a discussion about whether expert consultants should be allowed to attend the workshop. Their role would be to draw out the differences between the different assumptions but not the credence of the different models. [redacted] to ask PAS whether [redacted] (SDNP, TWBC and LDC's HRA Consultant) attendance would be appropriate bearing in mind that WDC and MSDC Consultants are unlikely to be able to attend. [redacted]/PAS to report back to the group with recommendations. All to ascertain availability of consultants for workshop. It was clarified that even if consultants were unable to attend, there would be an opportunity for the draft SoCG to be circulated to them post-workshop.	• [redacted] to circulate draft agenda 20-11-17 • [redacted] to confirm with group whether it is appropriate or not for a Consultant(s) to attend next SoCC workshop. • All to confirm whether consultant(s) are available, as appropriate.
9. AOB None	

Post meeting notes:

- Tonbridge & Malling Borough Council have requested not to appear in the Statement of Common Ground on the advice given by Natural England on 13th October.
- The membership of East and West Sussex County Councils is to be discussed at the next meeting of the group.

NOTES OF MEETING ASHDOWN FOREST SAC WORKSHOP 10:00 AM, 23rd NOVEMBER 2017
MID SUSSEX DISTRICT COUNCIL, HAYWARDS HEATH

Attendees:

[redacted] – Wood on behalf of Planning Advisory Service (PAS)

[redacted]– Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council

[redacted] – Mid Sussex District Council (MSDC)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted] – South Downs National Park Authority

[redacted] – Sevenoaks District Council

[redacted] – Lewes and Eastbourne Councils

[redacted] – Tandridge District Council

[redacted] – West Sussex County Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Tunbridge Wells Borough Council

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] – Rother District Council (RDC)

[redacted] – Tonbridge and Malling Borough Council (T&MBC)

Apologies: [redacted] (WDC), [redacted] (ESCC), [redacted] (ESCC), [redacted] (ESCC), [redacted] (Crawley)

AGENDA ITEM	ACTION
1. Introductions and minutes from last meeting [redacted])	• [redacted] to request data from WDC

• Group went through the minutes and then actions from the previous meeting, discussing the amendments received by email prior to the meeting. A number of changes to the minutes were discussed and the final minutes were agreed by all. Further actions were also identified. • [redacted] asked for a link to the separate Year 1 and Year 2 monitoring data to be circulated. [redacted] advised that only Year 1 was published in a standalone report and suggested we set out exactly what we are seeking in a question to be sent direct. • [redacted] asked again for the redacted air quality monitoring locations, suggesting that the data could be shared consultant to consultant which would be exempt for EIR. [redacted] advised that when consultants hold information used for a public body, they are in effect equivalent to 'an arm' of the authority and would be subject to the same EIR risks. • WDC advised that they have instructed counsel on a number of Ashdown Forest/HRA related issues, including the request for the redacted air quality monitoring locations and the forthcoming SCG. • Feedback from Crawley BC was that they did want to join the group but could not attend today's meeting. • Feedback from Brighton & Hove CC was that they did not currently want to join the group but would like to be kept up to date on progress. • EP reiterated the role of PAS as a facilitator to support the preparation of the SoCG which will: o assist in demonstrating that parties have co-operated; o draw out any differences and identify what may need to be done to resolve those differences o be concise and non-technical	in line with email from AECOM. • [redacted] to make agreed changes to minutes and circulate finalised version.
2. Sign off arrangements (table) (KSt) • [redacted] outlined the table and noted that there were unlikely to be showstoppers for signoff by March. • RDC noted that they have provided two scenarios for sign off options depending on the content of the SoCG. • Queries arose regarding which authorities would be signatories. These are addressed under item 4 of the agenda.	• All to advise Chair [redacted]) of any changes in expected sign off process.
3. Local Plan housing numbers (table) [redacted] It was discussed whether housing numbers could be agreed, how long they might be frozen for and how these numbers should be used in modelling. It was agreed: • The position at the last meeting was confirmed: any agreement around housing numbers would be just applicable to future modelling runs rather than retrospectively re-running models.	• [redacted] in due course, to update table with disaggregated housing figures for the National Park following discussion with

• Numbers would always be changing and any agreement would be a snapshot of the numbers as they stand upon signing the SoCG.
• Housing numbers would be a standing item on the agenda for the Working Group going forward to update at key stages in plan making.
• Each LPA to confirm housing numbers with individual authorities before running models.
• A general principle in the agreement of housing numbers as follows:
  o If a LP is less than 5 years old use the adopted figure
  o If an emerging LP is nearing pre-submission and the LPA is confident then use the emerging figure
  o If the adopted LP is over 5 years old and an emerging plan has not progressed use the OAN/standard methodology (once confirmed by CLG) unless otherwise evidenced.
The group went through the table and indicated the preferred current housing figure to use.
	respective authorities.
	• [redacted] to compile housing table for the SoCG with the housing figures to use for each authority highlighted in bold
	• [redacted] to add housing numbers as a standing item to future agendas.

4. Geographical area defined by the membership of the Working Group [redacted]
It was agreed at the previous SoCG meeting that signatories of the SoCG would be self-selecting and broadly make up the membership of the Working Group.
 	
At this workshop it was agreed:
• Tonbridge and Malling Borough Council would be removed from the signatories list on the basis of advice from Natural England that they did not foresee TMBC being involved in the SoCG. T&MBC would like to continue to be part of the group to observe.
• Add Crawley BC
• Remove Brighton and Hove CC
• Rother included on a precautionary basis
• West and East Sussex County Councils to be added
• Surrey CC and Kent CC would be added to the circulation list for information, but would not be signatories.
• Membership of the group and signatories may change based on emerging evidence
• The list of signatories was confirmed as:
  o South Downs National Park Authority
  o Lewes District Council
  o Wealden District Council
  o Eastbourne Borough Council
  o Rother District Council
  o Tunbridge Wells Borough Council
	• [redacted] to contact Crawley to add their data to the tables.

○ Sevenoaks District Council ○ Tandridge District Council ○ Mid Sussex District Council ○ Crawley Borough Council ○ East Sussex County Council ○ West Sussex County Council	
5. Transport modelling (table) ([redacted]) • It was agreed that the table did not cover all elements required. It was agreed: ○ [redacted] to rework the table and recirculate to the Working Group, providing guidance on how to complete the table. The table will be circulated on Monday 27th November. ○ Authorities will complete the table and return to [redacted] by Monday 4th December. ○ [redacted] will analyse the table and identify commonalities, minor differences and major differences. These will be colour coded. ○ [redacted] will circulate this analysis for comment on Monday 11th December. ○ The table will need to be finalised by the end of December, ○ [redacted] to provide narrative to the table to go into SOCG • It was agreed that the table would provide a snapshot of some of the main differences/similarities and to get the full methodology for looking properly at the models. • The possibility of agreeing common elements of transport modelling for future work was discussed but not agreed at this time. • This topic would just deal with transport modelling drawing out the commonalities, major differences and minor differences. • The use of models and proportionality was raised by [redacted] with regard to the differing scale of additional AADT. Matter discussed further under agenda item 6.	• [redacted] will rework the table and circulate to the Working Group on Monday 27th November, • Authorities will complete the table and return to [redacted] by 4th December. • [redacted] will undertake analysis of the table and will circulate on Monday 11th December.
10. Risk Register [redacted]) An example risk register was circulated by PAS for consideration. The Working Group agreed that it didn't add value to the SoCG process and that the risk register related more to the preparation of individual local plans. It was agreed that the Working Group may wish to revisit the idea of a risk register once the SoCG is drafted.	
6. Proportionality (TT)	• WDC to provide the reasons and explanation for

[redacted] introduced this item- there is no universal standard on proportionality and the issue relates to what is the 'appropriate' level of assessment required for LPs? Where effects are demonstrably small can the level of assessment be justifiably less complex than WDC's bespoke approach? [redacted] queried what justification there is for objections from WDC to accepted industry standard methodology being used by those authorities where their evidenced contribution to any potential impact is proportionally, substantially smaller. The inference from the Habitats Regulations and government guidance is that the assessment should be proportionate to the likely scale of impact. [redacted] pointed out that the NPPF states that Local Plan evidence should be proportionate. Objections to industry standard robustly carried out assessments may unnecessarily frustrate plan-making therefore [redacted] posed agreement for the accepted industry standard methodology. Initial responses: • SDNPA: agree • TWBC: agree • LDC: agree • EBC: agree • WDC: does not agree and will not move on the standard methodology on the basis of work already undertaken. WDC contend that the standard methodology does not meet the requirements of the Ashdown Forest context. This work was undertaken in response to the Wealden Core Strategy EiP. WDC have used the Mott Macdonald methodology as amended. • NE: agree with [redacted] with regard to proportionality. Polluter pays. NE not objecting to the use of the standard methodology. • WDC say that the APIS calculation are slightly wrong with regard to deposition. WDC use a finer grained 2m² rather than 5km². • TWBC: standard methodology and result are not wrong, WDC grid squares just more refined. Justifiable to use best practice unless a clear reason not to do so. • TWBC asked WDC to confirm the reasons for taking such a pessimistic approach within their methodology and the absence of any allowance of background improvements to air quality. WDC replied that this approach was justified by the application of the precautionary principle. • WDC advise they will get legal advice regarding proportionality and will run their data through the standard methodology and make available. WDC advise their air quality experts will be busy until Christmas. Rother and Tandridge reserved their position. All others generally agree to use standard methodology except WDC. Ask that WDC	methodology deviation to go into the SoCG.

provide the reasons and explanation for deviation to go into the SoCG.	
7. Air quality calculations The following points were briefly discussed: • WDC also assess non-standard ammonia and the 24-hr NOx mean. • [redacted] – new cars don't emit as much ammonia – specific type of catalytic converter • WDC air quality report recognised both positive and negative limitations • WDC – ammonia and NOx interact in the atmosphere and this impacts N deposition. • NE will be signatory on air quality/ecological interpretation elements but not on housing numbers or traffic modelling parts of the SoCG • It was agreed that the standard responses on all the items on the SoCG were Agree, Disagree, or No position. It was agreed that a table would be helpful for this. [redacted] to prepare a table based around key headings below and circulate on Monday 27th November. Working group to provide their responses by 11th December. • Chemicals monitored and assessed in forecasting • Conversion ratios from NOx to N • Background improvement assumptions • Rate of dispersal from the centre line of the road up to 200m • Type of habitat included in the assessment – e.g. woodland in roadside vegetation. There may be other aspects of the methodology others may wish to note.	• [redacted] to prepare a table based around key headings below and circulate on Monday 27th November. Working group to provide their responses by 11th December. • [redacted] will send to AECOM for help in completing on behalf of all authorities using the AECOM model approach/standard methodology.
8. Ecological interpretation Three items were put forward for discussion: (1) 1% process contribution (2) Additional harm above the critical load/level (3) Type of habitat included in the assessment – e.g. woodland in roadside vegetation. (1) NE advise: 1% or more process contribution triggers Appropriate Assessment as there is considered to be a likely significant effect. The threshold is not arbitrary and is based on robust science – process contributions below 1% cannot be properly modelled and changes in air quality cannot be seen in the ecology at these levels. Above 1% does not mean an adverse impact but should check through AA process.	• [redacted] to add topic into the SoCG as something that may need to be addressed in the future.

All use or are likely to use except WDC who have not drawn a conclusions on this matter but will consider. (2) NE: look at sensitivity of impact. Dose response is curvilinear. Key thing is loss of species richness in heathland. (3) Covered in agenda item above. Overall, NE advise that it is too soon for the authorities in the Working Group to consider ecological interpretation as there is currently no evidence (for example through AA) published which says that such measures are required. The Mid Sussex and AECOM HRA screening for LSE work touches on ecological interpretation but this is beyond requirement for LSE screening. All agreed this was a topic that would go into the SoCG but as something that may need to be addressed in the future.	
9. Site Nitrogen Action Plan (SNAP) Phrasing and nature of the approach was discussed. All agreed that paragraph 4.2.8 of the LDC/SDNPA HRA addendum will be included in the draft SoCG for consideration. Noted that a SNAP is not mitigation or compensation as there is not enough measurable certainly of the results. But may include some elements of mitigation. One of the 'soft measures' to address background levels from a range of sources. NE would lead on a SNAP working with other partners.	• [redacted] to include paragraph 4.2.8 of the LDC/SDNPA HRA in the draft SoCG for consideration
10. Actions and timetable going forward • [redacted] read out list of actions to the Working Group • When comment on or signing the SoCG as 'disagree' it is incumbent upon that party to say why, but be concise. • Noted that CIEEM are undertaking an internal consultation for members only on new air quality methodology guidance. • [redacted] recommended a style of table for setting out comments on the draft SoCG – KSh to email to [redacted] • Agreed to meet in mid-January to discuss the draft SoCG	• [redacted] recommended a style of table for setting out comments on the draft SoCG – [redacted] to email to [redacted] • [redacted] to circulate a draft SoCG by mid-December for the group to review. • [redacted] to arrange meeting in mid-January.

Ashdown Forest SAC Statement of Common Ground Workshop

10:00 am Thursday 18 January 2018

Mid Sussex District Council Offices, Haywards Heath

PLEASE NOTE THESE MEETING NOTES ARE DRAFT

Attendees:

[redacted]– on behalf of the Planning Advisory Service (PAS)

[redacted] – South Downs National Park Authority (SDNPA)

[redacted]) - South Downs National Park Authority (SDNPA)

[redacted] - Mid Sussex District Council (MSDC)

[redacted] – Natural England (NE)

[redacted] – Wealden District Council (WDC)

[redacted] – Wealden District Council (WDC)

[redacted] – Lewes and Eastbourne Councils (LDC)

[redacted] – Lewes and Eastbourne Councils (LDC)

[redacted] – Tunbridge Wells Borough Council (TWBC)

[redacted] - Tunbridge Wells Borough Council (TWBC)

[redacted] – East Sussex County Council (ESCC)

[redacted] – Tandridge District Council (TDC)

[redacted] – West Sussex County Council (WSCC)

[redacted] – Rother District Council (RDC)

[redacted] – Crawley District Council (CDC)

[redacted] – Sevenoaks District Council (SDC)

[redacted] – Horsham District Council (HDC)

Agenda Item	Actions
1. Introductions and reasons for meeting: • [redacted] commends all for getting to this point in process and said the SoCG was a clear demonstration of the group's efforts to meet the Duty to Cooperate. • Advises that extra level of detail is required for arguments agreeing as well as disagreeing key matters. • The SoCG is intended for a Planning Inspector to pick up and understand the issues.	None
2. Minutes from last meeting • Proposed amendments from TWBC agreed. • All actions identified had been actioned other that 'WDC to provide the reasons and explanation for methodology deviation.'	[redacted] to follow up deviation from standard methodology

3. Focused discussion on the following proposed changes to the SoCG	(a.) Summary of the High Court judgement, pages 4-5 (Tandridge District Council). Tandridge District Council suggest in their comments that this summary should be removed. • Agree to delete majority of this section, retaining paragraph 1.8	• [redacted] to make changes to the draft SoCG as agreed in the meeting and recirculate on approximately 26th January – members of the group to then feed back. • [redacted] will let the group know a rough date when internal guidance may be shared with LPAs. • [redacted] to provide some revised wording for 'Types of habitat to be included in the assessment' section.
	(b.) The use of agreed housing numbers in future model reruns, page 6, paragraph 2.3 (Wealden District Council). The text currently says that the agreed numbers would not involve retrospectively re-running models. Wealden District Council propose to add 'for adopted local plans'. • General disagreement with the proposed change from WDC. [redacted] to add WDC disagree to the relevant table and WDC to provide reasons when next draft circulated.	
	(c.) Geographical coverage for transport modelling, pages 6-7 • NE noted that it has been asked if internal guidance may be shared with LPAs in due course and [redacted] will let the group know a rough date when available. (i.) Lewes District Council comment that this section should be deleted as the geographical coverage for in combination is a matter for each local authority to justify. (Lewes District Council) • Agreed that geographical coverage within modelling work should be determined by each LPA and the following text reflecting this is to replace current wording in this section. 'It has been agreed that it is a matter for each LPA to determine the geographical coverage of their traffic modelling.' Table to be deleted. (ii.) Wealden District Council comment that modelling should include, but not be limited to the proposals from the authorities listed (Wealden District Council). • Agreed that this item no longer needed to be discussed as superseded by agreed changes above.	
	(d.) Roads to be included in modelling of Ashdown Forest, page 7 (West Sussex County Council) West Sussex County Council propose additional wording regarding modelling of B roads and minor roads. • Change agreed	
	(e.) Types of habitat to be included in the assessment, page 11 (Natural England) Natural England comment that they disagree with the approach set out in the SoCG. • Agreed that [redacted] would provide some amended text and [redacted] to remove from 'not agree' column.	
	(f.) Precautionary principle, page 14 (Wealden District Council). Wealden District Council propose additional wording including the phrase *guarantee* no reasonable doubt. • [redacted] disagrees with WDC's wording but [redacted] said that it was wording from their barrister	
	General item 3 comments:	

	• Every signatory to give their position in each table • Additional column titled 'reserve judgement' to be added • Space added for explanations on each position	
4. Letters of objection to various planning applications by Wealden DC • [redacted] outlines the broad content of the letter and advises the letter is authored by the development management part of WDC. The letters are broadly the same with the last part of the letter tailored to each authority. • Purpose of the letters was to raise the need to undertake HRA • Tandridge District Council has received 11 objections, 3 of which relate to sites North of the M25 • Separate meeting is offered by WDC • The problem of separate letters coming from the policy and DM parts of WDC is raised and noted. Group say that a joint policy and DM response from WDC would be helpful. • Issue raised by affected LPAs that these letters have come forward with no discussion/prior warning and this has caused consternation amongst members and officers. • Some of the queries raised include: o How will WDC pursue the letter? o Why have these applications been chosen to receive the letter? Criteria for selecting applications which would receive the letter. o Are HRAs being objected to? o Clarification on the differences of the final paragraphs of each letter o Clarification of the approach with adopted and emerging plans.		• [redacted] to take questions from the group and discuss with [redacted] • WDC will provide clarification to the group's questions by the 26th January in the form of a letter or statement • WDC to provide suggested dates for a meeting in early Feb to discuss the planning application objection letters.
5. The timetable for the way forward with the SCG • Recognise that there is not a lot of time before the SoCG is needed in mid-March. Dates were discussed and agreed. • Wording of section 3 'actions going forward' was discussed. It was agreed that it is important for the group to determine a way forward which all can sign up to. [redacted] to rework this section to reflect discussion.		• Version 1 to circulate on approx. 26th Jan for people to state their position and provide explanations • Version 2 circulated approximately 9th Feb for final review and minor tweaks to position • Signatory version circulated approximately 16th Feb to be signed off by all by mid-March. • [redacted] to reword section 3 to reflect discussion
6. AOB • Mitigation discussed as raised by [redacted]:		• [redacted] to make changes as agreed

○ Agreed that phrasing of 'mitigation/compensation' should be changed on the basis that these two are very different. ○ Discussed SNAP (and associated mitigation table) and agreed that it should be reflected in actions going forward • Appendix 5 transport modelling table raised by [redacted]. Agreed that a table with less detail would be more appropriate, focusing on [redacted] analysis.	• [redacted] to provide [redacted] with revised Appendix 5 transport modelling table

Appendix 4 – Housing numbers

This table sets out the various housing numbers approaches for each local planning authority. The numbers in **bold** are those which have been agreed by the Ashdown Forest Working Group at the time of drafting this Statement of Common Ground following the methodology outlined in section 2 of the Statement.

Authority Name	**Adopted Local Plan housing number**	**OAN**	**DCLG new methodology**	**Numbers used for own LP (and in any modelling work undertaken so far if different)**	**Numbers used for other LPAs in modelling work**	**HMA figure**
Crawley Borough Council	5,100 dwellings total **340** dwellings per annum annualised average	675 dwellings per annum	476 dwellings per annum			Northern West Sussex HMA: as for Mid Sussex District Council below
East Sussex County Council	n/a	n/a	n/a	n/a	n/a	n/a
Eastbourne Borough Council	5,022 by 2027 240 per annum	**400**	336 (capped)	No modelling undertaken to date	No modelling undertaken to date	Eastbourne & South Wealden HMA number TBD
Lewes District Council	6,900 **345** per annum	520	483	345 LP plus an additional +50% allowance for Newick	Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum	520 (higher end) Lewes District (including the Park) within the Coastal West Sussex HMA

Authority Name	**Adopted Local Plan housing number**	**OAN**	**DCLG new methodology**	**Numbers used for own LP (and in any modelling work undertaken so far if different)**	**Numbers used for other LPAs in modelling work**	**HMA figure**
					Tandridge – OAN 470 per annum	
Mid Sussex District Council	The emerging Mid Sussex District Plan 2014-2031 sets a minimum housing provision figure of 16,390 homes. For the purposes of calculating the five-year housing land supply a 'stepped trajectory' will be applied through the calculation of a 5-year rolling average. The annual provision in this stepped trajectory is **876 dwellings per annum for years 2014/15 until 2023/24 and thereafter, from 1st April 2024, 1,090 dwellings per annum until 2030/31,** subject to future HRA on further allocated sites, to meet unmet needs of neighbouring authorities.	14,892 (an average of 876 dwellings per annum) for 2014-2031	1,016 dwellings per annum for 2016-2026	See second column	Growth assumptions for surrounding authorities used in the transport model: Crawley – 6,908 Wealden – 8,988 Lewes – 6,032 Brighton & Hove – 14,301 Horsham – 16,701 Tandridge – 6,395	Northern West Sussex HMA Crawley – 675 Horsham – 650 Mid Sussex – 876 = 2,201 dwellings per annum
Rother District Council	335 net dwellings pa	363 pa	469 pa (capped) 737 pa (uncapped)	n/a	n/a	Hastings and Rother HMA (as at 2014): 767 pa

Authority Name	**Adopted Local Plan housing number**	**OAN**	**DCLG new methodology**	**Numbers used for own LP (and in any modelling work undertaken so far if different)**	**Numbers used for other LPAs in modelling work**	**HMA figure**
Sevenoaks District Council	165 / yr 3,300 over 20 year (2006-2026)	12,400 (2015-35) 620 pa	698pa	**620** / 698	n/a	Tonbridge & Malling Tunbridge Wells
South Downs National Park Authority	There are several figures currently operating across the National Park but not one park-wide figure	447	Not applicable	**250**	Tunbridge Wells – OAN 648 per annum Sevenoaks – OAN 620 per annum Wealden – OAN 832 per annum Mid Sussex – inspector figure 1,026 per annum Tandridge – OAN 470 per annum	Coastal Sussex HMA : 274 Eastbourne and Wealden HMA: 14 Northern West Sussex HMA: 14 Central Hants : 144
Tandridge District Council	125 dpa	**470**	645	TBC	470	470
Tunbridge Wells Borough Council	The adopted Core Strategy figure is 300 per anum	**648** (SHMA 2015)	692	648	As above	Tunbridge Wells Borough is considered to be in a HMA which includes Sevenoaks, Tonbridge and Tunbridge Wells and extends to include Crowborough, Hawkhurst and Heathfield.

Authority Name	**Adopted Local Plan housing number**	**OAN**	**DCLG new methodology**	**Numbers used for own LP (and in any modelling work undertaken so far if different)**	**Numbers used for other LPAs in modelling work**	**HMA figure**
Wealden District Council	450 dwellings per annum or 9,600 in total 2008 - 2027	950 DPA	1247 (check)	**11,456** (total) for Ashdown Forest modelling 11,724 for Lewes Downs and Pevensey Levels (revised figures post March 2017 Draft WLP).	2014 tempro data	Not yet determined.
West Sussex County Council	n/a	n/a	n/a	n/a	n/a	n/a

D60

Appendix 5 - Ashdown Forest Transport Model Analysis

This table sets out the key elements of the transport modelling undertaken as part of HRA work for the respective local planning authorities. It also sets out some analysis prepared by West Sussex County Council on the major and minor differences and commonalities of the approaches taken.

Key	Model Base Year	Geographical Coverage	Road Network in Forest	Origin to Destination Demand Data Sources	Data Types for Base Year Validation	Origin to Destination Zone Definition	Forecasting Years	Trip Generation Methodology	Demand Changes Assessed in Study	Forecasting Background Growth	Time Periods Directly Modelled	Modelled Responses to Congestion	Other European Designated Sites Assessed?
Assessment of level of difference between Models:													
Colour Coding													
Comments	Two models are grown from older bases, whilst other models are all from 2014	Whilst all models include the Ashdown Forest SPA, there is wide variation in the choice and extent of which other areas are included, reflecting the location of the client authorities	All models include all the A class roads. Two models have represented B class roads and one minor road, although the assignment did not use them. One model also represents a number of Class C roads	There is a split between those models which use roadside interview data, - which captures all journey purposes but is based on a sample which requires infilling with data such as NTEM and NTS – and those which use 2011 census journey to work which captures only one journey purpose but with universal spatial coverage in UK and very high response rate	All models use continuous automatic traffic counters as a primary source of volumetric data. The extent to which manually observed data for junction turning movements or links is used varies and only two models have reported journey time observations.	All model zoning systems are based on Census areas, but the level of aggregation between models and and uniformity across parts of individual models is varied.	The headline forecasting year has a relatively narrow range from 2028 to 2033 (five years) No models have yet assessed intermediate forecast years for plan phasing. One model with an older base year has also used a present day forecast for comparison.	Universal use of TRICS for site specific trip generation. There will be some minor variations in use of site selection parameters where information is available.	All models assessed planned housing and employment. There is some difference in approach to smaller sites which may not vary in overall quantum from unplanned development trends. Some models concentrate mainly on individually modelled strategic sites with others treating all sites included in a Local Plan together by adjusting NTEM totals.	All models use TEMPro/NTEM with the version used reflecting the time when the model forecasting was started. There is some difference in approach to how TEMPro/NTEM is applied and the definition of what is background, with some models treating small non-strategic allocations or planned dispersed development along with background, whilst others treating all sites included in Local Plan together.	There is a split between those models which assess AADT traffic directly and those which simulate hourly flows, with AADT forecasts being calculated by factoring derived from observations.	All but one model allow re-routing. One model uses fixed routings; although there can be two alternative routings between O-D pairs, this does not vary according to travel times/costs. Two models allow destination choice, with only one model allowing mode choice.	This varies greatly according to the geographical extent of the model and study area, in particular the location of the client planning authority in relation to other designated sites.

D61

Appendix 6 - Ashdown Forest Air Quality Calculations Methodology Information

This table sets out the key elements of the air quality calculations undertaken as part of HRA work for the respective local planning authorities.

Authority & consultant	**Chemicals monitored and assessed in forecasting**	**Conversion ratios from NOx to N**	**Background improvement assumptions**	**Rate of dispersal from the centre line of the road up to 200m**	**Type of habitat included in the assessment – e.g. woodland in roadside vegetation.**
South Downs National Park Authority, Lewes District Council, Tunbridge Wells Brough Council, and likely Tandridge District Council - AECOM	NOx, N deposition, Acid Deposition	NOx to NO_2 conversion calculated using Defra's NOx to NO_2 calculator. Then NO_2 multiplied by 0.1 for N deposition as per DMRB guidance.	For N deposition -2% applied up to 2023 (equivalent of 1% per year for plan period to 2030). Improvements in background concentrations and emission rates assumed following Defra assumed improvements up to 2023.	Modelled using dispersion model ADMS-Roads, written by CERC.	A precautionary assumption was made that pristine heathland (the SAC feature) was present, or could be present in the future, at any point on the modelled transects irrespective of existing habitat at that location. Therefore heathland was the only modelled habitat.
Wealden District Council - AQC and ECUS.	NOx, NO_2, NH_3, HNO_3, particulate NH_4^+, and particulate NO_3^-. Wet deposition of NH_4^+ and NO_3^- included via CEH maps (these are the same maps as available via CEH's APIS website but are year-specific).	NOx to NO_2 converted using Defra's NOx to NO_2 calculator (with diurnal variations based on recent monitoring). Dry deposition (of NO_2 as well as other chemicals) calculated using big-leaf model.	Non-traffic emissions of oxidised species (i.e. those which originate from NOx emissions) change in line with Defra's 2013-based background maps. Traffic-related oxidised species projections combine national and local activity data (from Defra and TEMPRO respectively) with CURED2A model. Reduced species (those which originate from NH_3 emissions) change in line with Defra's national-level emissions projections. Separate test also considered no changes in emissions of NOx or NH_3 per vehicle.	Modelled using ADMS-Roads. For specific transects, dispersal rates were calibrated against local monitoring transects.	Dry dwarf shrub heath, wet dwarf shrub heath, semi-natural woodland, open water, grassland, bracken, scattered bracken, bare ground. Predictions cover whole SAC – from kerbside to 'background'.

D62

-----Original Message-----
From: [redacted] [mail to:[redacted]@southdowns.gov.uk]
Sent: 26 April 2018 09:31
To: [redacted] [mail to:[redacted]@wealden.gov.uk]
CC: [redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@wealden.gov.uk],[redacted] [mail to:[redacted]@wealden.gov.uk],[redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to:[redacted]@southdowns.gov.uk]
Subject: RE: Wealden Local Plan Update - 12 April 2018

[redacted]

Thank you for your email.

I am attaching the email that I sent [redacted] on 29th March, which states that 'the SDNPA will now need to consider its options going forward in regard to the Statement of Common Ground.' We did just this and made the decision to circulate a new SCG to the affected authorities. As I explained below we really did need to make progress on the document and were left with no alternative after WDC's decision not to sign by the deadline. We will of course let you know when we publish the core document library on our website.

I think a meeting would be very timely. Please can you liaise with my colleague Zara Kelleway who I have cc'd into this email about times and location.

Kind regards

[redacted] South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
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From: N [mailto: @wealden.gov.uk]
Sent: 26 April 2018 09:05
To: @southdowns.gov.uk>
Cc: <T @southdowns.gov.uk>;
<@southdowns.gov.uk>;
<@southdowns.gov.uk>;
@wealden.gov.uk>; @wealden.gov.uk>;
<@southdowns.gov.uk>
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear

Thank you for your email.

It is interesting that we were not made aware, until prompted by my email, that you have decided to publish without our input, especially given email of 29 March (attached for ease of reference) which was clear that we were taking advice before signing rather than we had decided not to sign.

I would be grateful if you could notify me once you do publish as we may wish to do likewise.

In relation to your request for a meeting I will check with colleagues and come back to you with some possible dates.

Best regards

Wealden District Council

From: [mailto @southdowns.gov.uk]

Sent: 25 April 2018 09:59
To: [redacted]
Cc: [redacted]
Subject: RE: Wealden Local Plan Update - 12 April 2018

Good morning [redacted]

Many thanks for your email updating us on your position with the Ashdown Forest Statement of Common Ground (SCG). I note your comments on why WDC declined to sign the SCG in March. I am sure you understand that the compilation of such a detailed document with a number of signatories is challenging and does necessitate deadlines with which signatory authorities have to comply with. As you know, WDC provided a lot of text written by your consultants for incorporation into the SCG; this resulted in delays to the final version for signature. It is always the case with SCGs and similar documents that at some point a line has to be drawn in the sand after which the signatory authorities can no longer make changes. Everyone can then read the final document and decide whether to sign or not. This is entirely reasonable and allows SCGs to be signed off in a timely fashion. On a personal note, I would add that I was greatly disappointed when WDC decided not to sign the SCG after all the work they had contributed to it.

I will now update you on the SCG. After the decision of WDC not to sign the document it was necessary to prepare a new iteration of the document without the input provided by WDC. This was circulated and signed by all the affected authorities and Natural England. It will form part of our core document library on submission of our Local Plan this month. Therefore the version of the SCG that you have now offered to sign no longer exists.

The preparation of SCGs is meant to be iterative and is often triggered by a local planning authority reaching a key stage in their local plan preparation. AS WDC are approaching the Pre-Submission stage of their Local Plan I would suggest that you lead on the next iteration of the SCG. Following on from recent developments I would imagine that many more authorities such as Brighton & Hove and Hastings would want to be signatories of the next iteration.

We are intending to submit our Local Plan for examination this week. I sent you a draft bilateral SCG on Monday, which I am attaching to this email. This deals mainly with housing, but also has a brief section on the Ashdown Forest SPA. I would be grateful if you could let me know by end of play today whether WDC would like any further amendments to this document and whether you would like to sign it. This will then also become part of our core document library. I am sorry for the short deadline, but I am sure you understand that we need to finalise our statements of common ground before submission. We have been working jointly on this bilateral document since we met in November as part of our Pre-Submission consultation.

The National Park Authority would also like to work in a spirit of partnership and cooperation on all strategic cross boundary issues including Ashdown Forest. As a National Park Authority we take biodiversity very seriously and indeed conserving and enhancing wildlife is part of our first purpose set in law.

It would be really good if we could meet in the next few weeks to discuss Ashdown Forest. We are happy to meet in Hailsham, Midhurst or in a satellite office at Falmer. I think the meeting should include both yourself and our Director of Planning, Tim Slaney. Please can you let me

know what dates work for you and where you would like to meet and we will get something in the diary.

Do please give me a ring if you would like to discuss anything I have raised in this email.

Kind regards

[redacted]

[redacted] South Downs National Park Authority
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RTPI Award

From: [redacted] [mailto:[redacted]@wealden.gov.uk]
Sent: 24 April 2018 17:55
To: [redacted] <[redacted]@southdowns.gov.uk>
Cc: [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] Bates <[redacted]@southdowns.gov.uk>
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear [redacted]

Thank you again for your emails.

We appreciate that time is of the essence for you, as indeed it is for us.

Our position in relation to the Ashdown Forest Local Authorities Group SoCG was that we needed time to review our position given that text in the SoCG was amended and we were not permitted to amend our text further, which has resulted in some of our responses appearing out of context. [redacted] email of 29 March covered this.

We have now reviewed the AF Group SoCG and are prepared to sign it with the proviso that it is recognised that the WDC responses may not directly link with the text prior to the WDC

responses and that this is noted within the document. Please find our signature sheet attached.

We are doing this in a spirit of partnership and co-operation which is how we have always approached our discussions and work with our neighbouring authorities, as evidenced by the amount of time we invested in the AF Group SoCG.

I hope this is helpful.

Best regards

[redacted]

Director Planning Policy and Economic Development
Wealden District Council

From: [redacted] [mailto:[redacted]@southdowns.gov.uk]
Sent: 20 April 2018 14:58
To: [redacted]
Cc: [redacted]
Subject: RE: Wealden Local Plan Update - 12 April 2018

[redacted]

Thank you for getting back to me.

Time is of the essence as we are due to submit our Local Plan for examination by the end of the month. I would suggest that we progress our bilateral statement of common ground (SCG) next week. I will contact [redacted] and [redacted] about this on Monday. The main cross boundary issue that the SCG deals with is housing numbers and I think it will need to remain silent on Ashdown Forest. This is unfortunate as Wealden did not sign the wider statement of common ground on the matter.

I hope that we can continue to work together on Ashdown Forest both through the working group and individually. I would suggest that it would be useful to get a meeting in the diaries after our submission when we can talk about Wealden's approach to our examination and your further thoughts on your letter of objection. As I said previously I am happy for this to be in Hailsham, Midhurst or at our area office in Falmer.

Kind regards

[redacted], South Downs National Park Authority
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From: [redacted] [mailto:[redacted]@wealden.gov.uk]
Sent: 18 April 2018 11:21
To: [redacted] <[redacted]@southdowns.gov.uk>
Cc: [redacted] <[redacted]@southdowns.gov.uk>; [redacted]
<T[redacted]@southdowns.gov.uk>; [redacted]
<[redacted]@southdowns.gov.uk>; [redacted]
<[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>
Subject: RE: Wealden Local Plan Update - 12 April 2018

Dear [redacted]

Thank you for your email. I am glad you found the update helpful.

I will discuss the questions you raise with colleagues over the next few working days and come back to you next week with a fuller response.

Best regards

[redacted]

[redacted]
Wealden District Council
[redacted]

From: [redacted] [mailto[redacted]@southdowns.gov.uk]
Sent: 16 April 2018 09:54
To: [redacted]
Cc: [redacted]
Subject: FW: Wealden Local Plan Update - 12 April 2018
Importance: High

[redacted]

Thank you for your update on the Wealden Local Plan. It is really good news and the South Downs National Park Authority (SDNPA)really does welcome that Wealden District Council (WDC)

'fully recognises and respects that each council (or the Planning Inspector or the Secretary of State depending on the situation) is the "competent authority" for its area and will make decisions based on each council's specific set of circumstances and the evidence and advice it has available to it. WDC recognises this applies to Local Plans, appeals and to individual applications.'

We are planning to submit our Local Lan for examination by the end of April. It is the first Local Plan that will cover the National Park in its entirety and is landscape led seeking to deliver multiple ecosystem services benefits. As you know, WDC objected to the Pre-Submission version of the Local Plan principally in regard to Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA). I am attaching a copy of the letter for your information. Furthermore, WDC and the SDNPA worked for several months with the other affected authorities on a Statement of Common Ground (SCG) for the Ashdown Forest SAC. WDC declined to sign the SCG. Both authorities are also working on a bilateral SCG that deals with all strategic cross boundary issues shared by the two authorities. I attach a draft of the latest version.

Following on from your letter of objection, we commissioned a considerable amount of further HRA work from our consultants AECOM. As the competent authority, we consider this work to be robust and the conclusions to be beyond reasonable scientific doubt. The revised HRA includes updating our modelling to include ammonia and model verification on measured data provided in the December 2017 AQC report for WDC. The further work comes to similar conclusion as our pre-submission HRA namely that no adverse effects upon the integrity of the Ashdown Forest SAC is expected to result from development provided by the South Downs Local alone or in combination with other plans.

As all these different streams of work come together, I thought it would be good to seek clarity from you on the WDC approach to the South Downs Local Plan. The principle question I would like to ask you is whether WDC are willing to withdraw their letter of objection in light of Thursday's update. If this is not the case, I would be grateful if you could set out the reasons for not doing this and explain what your approach will be at our examination.

We also need to complete our individual SCG. The original version simply signposted the SCG on Ashdown Forest SAC and did not go into any detail on the matter. This will now need to be updated and expanded. The key point that I would like to agree with you is that there is more than one way to carry out a robust HRA to support a sound local plan.

It would be really good to hear your thoughts on the matter. If it would be helpful, a face to face meeting with myself and our Director of Planning in the next few days may help to move things forward. We would be happy to meet in Midhurst, Hailsham or at our area office at Brighton University.

I look forward to hearing from you.

Kind regards

[redacted]

[redacted], South Downs National Park Authority

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RTPI Award

From: [redacted] [mailto:[redacted]@wealden.gov.uk]
Sent: 12 April 2018 16:36
To: [redacted] <[redacted]@rother.gov.uk>; [redacted] <[redacted]@rother.gov.uk>; [redacted] [redacted]@woodplc.com>; [redacted] <[redacted]@Tunbridgewells.gov.uk>; [redacted] <[redacted]@lewes.gov.uk>; [redacted] (NE)' <[redacted]@naturalengland.org.uk>; [redacted]@tandridge.gov.uk'; [redacted]@sevenoaks.gov.uk'; [redacted]@midsussex.gov.uk'; [redacted] [redacted]@TunbridgeWells.gov.uk>; [redacted] <[redacted]@eastsussex.gov.uk>; [redacted] <[redacted]@eastsussex.gov.uk>; [redacted] <[redacted]@Tunbridgewells.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@brighton-hove.gov.uk>; [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@tandridge.gov.uk>; [redacted]@eastsussex.gov.uk'; [redacted] <[redacted]@eastsussex.gov.uk>; [redacted] <[redacted]@tandridge.gov.uk>; [redacted] [redacted]@eastsussex.gov.uk>; [redacted] <[redacted]Reid@tmbc.gov.uk>; [redacted] [redacted]@tmbc.gov.uk>; '[redacted]@tmbc.gov.uk'; [redacted] [redacted]@westsussex.gov.uk>; [redacted] <[redacted]@crawley.gov.uk>; [redacted] (NE [redacted]@naturalengland.org.uk>; [redacted]@local.gov.uk'; [redacted] <[redacted]@lewes-eastbourne.gov.uk>; [redacted] <[redacted]@TunbridgeWells.gov.uk>; [redacted] <[redacted]@crawley.gov.uk>; [redacted]@horsham.gov.uk; [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@local.gov.uk>; [redacted]@hastings.gov.uk; [redacted] <[redacted]@horsham.gov.uk>; [redacted] [redacted]@horsham.gov.uk>; [redacted] <[redacted]@rother.gov.uk>; [redacted] ([redacted]@eastsussex.gov.uk) <[redacted]@eastsussex.gov.uk>; [redacted] ([redacted]@lewes-eastbourne.gov.uk) <[redacted]@lewes-eastbourne.gov.uk>; [redacted] (NE) <[redacted]@naturalengland.org.uk>
Cc: [redacted] [redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>
Subject: Wealden Local Plan Update - 12 April 2018

Dear Colleague

Please find an update attached covering the latest position on the Wealden Local Plan.

Best regards

[redacted]

[redacted]
Wealden District Council
[redacted]

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Do you love the South Downs Way? Please help us to mend it.
Mend our Way is a new campaign to raise £120,000 to help us fix four damaged sections of the trail.
Find out more and donate www.southdowns.gov.uk/mendourway

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-----Original Message-----
From: [redacted] [mail to:[redacted]@southdowns.gov.uk]
Sent: 29 March 2018 11:31
To: [redacted] [mail to:[redacted]@wealden.gov.uk]
CC: [redacted] [mail to:[redacted]@southdowns.gov.uk],[redacted] [mail to[redacted]@wealden.gov.uk],[redacted] [mail to:[redacted]@wealden.gov.uk],[redacted] [mail to:[redacted]@lewes-eastbourne.gov.uk],TWBC - [redacted] [mail to:[redacted]@tunbridgewells.gov.uk],[redacted] [mail to:[redacted]@sevenoaks.gov.uk],[redacted] [mail to:[redacted]@Crawley.gov.uk],[redacted] [mail to:[redacted]@westsussex.gov.uk],[redacted] (NE) [mail to:[redacted]@naturalengland.org.uk],[redacted] [mail to:[redacted]@tandridge.gov.uk],[redacted] [mail to:d[redacted]@rother.gov.uk],[redacted] [mail to:[redacted]@woodplc.com],[redacted] [mail to:[redacted]@local.gov.uk]
Subject: RE: Ashdown Forest Statement of Common Ground

[redacted]

Thank you for the update. It is really unfortunate that WDC are not in a position to sign the document after all the hard work that you and the other authorities have put into the document. The SDNPA will now need to consider its options going forward in regard to the Statement of Common Ground.

I am WFH today and you can give me a ring on [redacted] if you would like to discuss further. I am then on leave until 9th April.

Kind regards

[redacted]

[redacted], South Downs National Park Authority
South Downs Centre, North Street, Midhurst, West Sussex GU29 9DH
Tel: [redacted]
www.southdowns.gov.uk | facebook | twitter | youtube

From: [redacted] [mailto:[redacted]@wealden.gov.uk]
Sent: 29 March 2018 10:31
To: [redacted] <[redacted]@southdowns.gov.uk>
Cc: [redacted] <[redacted]@southdowns.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>; [redacted] <[redacted]@wealden.gov.uk>
Subject: Ashdown Forest Statement of Common Ground

Dear [redacted],

I apologise for not responding sooner, but you may be aware that I have been on leave for a few days.

We have taken advice with regards to the Ashdown Forest Statement of Common Ground (SoCG) and unfortunately we are not in a position to meet your timescale. This is because we need more time to raise outstanding issues and take further advice from consultants before we are able to sign the SoCG.

I am in the office today and back to work on Tuesday if you wish to discuss.

Kind regards

[redacted]

[redacted]
|
Wealden District Council | Council Offices | Vicarage Lane | Hailsham | East Sussex | BN27 2AX
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