



# Wealden

Draft Local Plan



**REGULATION 18**

March 2024



## How to Contact Us

### Planning Policy

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If you, or somebody you know, would like the information contained in this document in large print, braille, audio tape/ CD or in another language please contact Wealden District Council on 01323 443322 or [info@wealden.gov.uk](mailto:info@wealden.gov.uk)

## Foreword

Thank you for taking the time to read this draft Local Plan. It is underpinned by a strong vision for the District's future up to 2040, supported by detailed objectives to be achieved throughout its lifetime. The Plan has been influenced by our new Council Strategy which seeks to make Wealden '*a place where people and nature thrive together* where our priorities are '*climate change and the environment*', '*community resilience and wellbeing*' and the local economy'. It will become the spatial expression of our Council Strategy, seeking to strike the right balance between housing, the economy and the environment. Once adopted it will be used to guide and shape development within Wealden over a 15-year period, so it is very important that we consult and gather your views on the draft policies and topics set out within this draft Plan.

This draft Plan contains provisional allocations for development across the district. I know that some people wish to see little or no development within the area, but that is not possible or in many respects desirable. Change and development will happen with or without this Plan, but we will be in a much better position to determine what happens through having a plan in place than not having one. We operate in a plan-led system which means Government requires all planning authorities to have an up-to-date plan in place. Without a properly prepared one we have little power to resist inappropriate development, as the past decade or so has shown, and limited avenues to challenge what is looks like, how sustainable it is, and most importantly where it should be located. Inevitably, there has been a lot of focus around this Local Plan and the draft allocations within it but it's much more than just a list of proposed sites. It contains many policies to guide future development in this district, including ones that will secure the mix of bedroom numbers and thereby influence the affordability of housing, better meet the needs of our ageing population, provide higher levels of Biodiversity Net Gain and larger buffers to Ancient Woodland, require higher design standards including better energy efficiency, all of which are positive responses to our climate and biodiversity crises.

We are very keen to hear your views on this draft Plan. This is a real opportunity to shape future planning policies for the district, so please get involved. We're running face to face exhibitions so come along, look at the plans and talk to planning officers and councillors. We're holding a virtual exhibition for those who would rather look online. Comments submitted through the channels will help shape the next version of the document before it gets independently scrutinised (we can't consider comments submitted in other ways). Please tell us which policies you like as well as about any you don't like; the ones that get a good level of support can start to have effect sooner along the process.

Thank you for your interest in this Local Plan and the future of Wealden District.

Ian Tysh, Portfolio Holder for Planning and Environment

**Councillor  
Ian Tysh**





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Policy SS2	Provision of Homes
Policy SS3	Gypsy, Traveller and Travelling Showpeople - Accommodation Needs
Policy SS4	Retail Provision and Town Centres
Policy SS5	Provision of Employment Floorspace
Policy SS6	Strategic Employment Allocations
Policy SS7	Ensuring Comprehensive Development and Housing Delivery
Policy SS8	Responding to Climate Change
Policy SS9	Health, well-being and quality of life
Policy SS10	Green Infrastructure
Policy CC7	Managing Flood Risk
Policy NE5	Ashdown Forest SPA
Policy NE6	Landscape character
Policy NE7	The High Weald National Landscape
Policy NE8	Setting of the South Downs National Park
Policy HE1	The Conservation, Protection and Enhancement of the Historic Environment
Policy HO1	Housing Type and Mix
Policy HO3	Brownfield Land
Policy HO8	Affordable Housing
Policy HO10	Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites
Policy INF1	Infrastructure provision, delivery, and funding
Policy INF2	Sustainable transport and active travel
Policy INF5	Safeguarding of Infrastructure
Policy INF7	Local services and Community Facilities
Policy DE1	Achieving well-designed and high-quality places
Policy EC2	Existing Strategic Employment Sites
Policy TC1	District, Service and Local Centre Hierarchy and 'Town Centre' First Principles



# 01

## Introduction





## Introduction

### Draft Local Plan Consultation

**1.1** Wealden District Council is preparing a new Local Plan. The Plan will be the key planning document for Wealden District, excluding the area covered by the South Downs National Park Authority. The South Downs National Park has planning powers for its own area.

**1.2** The Local Plan looks ahead to 2040; it will provide a vision for the district, a long-term spatial strategy for growth, including the locations where development will take place. It will provide a range of both strategic and non-strategic policies that will guide development across the district contributing to social, environmental and economic (sustainability) goals. Once adopted, the Local Plan will form part of the Development Plan for the district, replacing all existing local plan policies and will be used to assess and make decisions on planning applications, as well as to inform investment and the provision of infrastructure. The Planning and Compulsory Purchase Act 2004 requires that “for the purpose of making any determination under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

**1.3** Overall, this Plan will help meet the district’s needs and priorities, whilst protecting our natural and physical environments. It will ensure that future growth is delivered alongside required infrastructure and improvements, as well as deliver on climate change objectives. It will also help to ensure that our communities are supported with the services and facilities that they need to support daily life.

**1.4** This stage of the local plan (known as Regulation 18) sets out the Council’s draft policies and growth strategy and is an important stage in the plan-making process. It provides an opportunity at an early stage for all our communities, businesses, landowners, developers, partners and stakeholders to ‘have a say’ and comment on the draft Local Plan before it is considered further and then finalised.

**1.5** Throughout the plan process including after this consultation, we will continue to work with our partners, stakeholders and infrastructure providers to further test the plan and our options to deliver sustainable development. This will ensure that the next iteration of our Plan and the final strategy that we submit to the Planning Inspectorate for examination is robust, sound and deliverable. An Interim Infrastructure Delivery Plan (March 2024) has been published alongside this local plan consultation. This sets out our understanding so far, it includes the potential infrastructure needs required to support the growth strategy as well as further work that will be required to understand infrastructure requirements as we progress the Local Plan further.

### What has informed this Draft Local Plan?

**1.6** This Regulation 18 draft Local Plan has been informed by the Direction of Travel consultation, which took place between 23rd November 2020 and 18<sup>th</sup> January 2021. The consultation document presented issues and policy options on several key themes such as climate change, housing, our economy, our natural environment, landscape and heritage, design and health and wellbeing. It also presented four high-level options for growth. The consultation provided the opportunity for early engagement with our communities, businesses, infrastructure providers, Statutory Consultees, local authority partners, organisations, stakeholders and developers. We received 1,702 responses from 304 individuals / organisations.

All responses have been considered as part of the preparation of this draft Regulation 18 Local Plan and a summary of the main issues raised from consultees is available on our website<sup>1</sup> as well as summarised within this draft Plan.

**1.7** As part of our early consultation, we undertook a call for sites. The call for sites invited landowners and those with an interest in land to submit their sites for an assessment as to whether sites are suitable and deliverable for development. This assessment, called the Strategic Housing and Economic Land Availability Assessment (February 2024), is published alongside this Plan, and has informed the local plan spatial strategy and site allocations set out in this document.

**1.8** Since our previous consultation, we have also been consulting and working closely with infrastructure providers, partner organisations and stakeholders. This has allowed us to understand issues and constraints, to test different options for delivering growth, including the deliverability of these options. Many of these conversations will be ongoing as we progress the plan further following this consultation.

## Legislative and Policy Framework

**1.9** Plan-making takes place within a legal and policy framework and in producing our Plan, we must comply with these legally defined processes. We are also required to respond to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). This sets out the Government's planning policies and guidance for England and a framework for how these policies and guidance should be applied at a local level. Any deviation from the NPPF must be supported by local evidence that would justify a different approach. Alongside a local plan (and any adopted ('made') neighbourhood plans and the adopted Waste and Minerals Local Plan), the NPPF is a material consideration in planning decisions. The NPPF was revised on 19<sup>th</sup> December 2023 replacing the September 2023 version in response to the Levelling-up and Regeneration Bill: reform to national planning policy consultation. We have endeavoured to capture the latest references to updated paragraph numbers contained in the updated NPPF as far as we can given the Local Plan timelines. We will consider the revision in the NPPF in more detail for the Regulation 19 Local Plan. This will include considering NPPF revision as part of our Local Plan evidence base.

## Sustainable Development

**1.10** The purpose of the planning system is to contribute to sustainable development. This can be summarised as *'meeting the needs of the present without compromising the ability of future generations to meet their own needs'*.

**1.11** The NPPF sets three overarching objectives - an economy, a social and an environmental objective. These also relate to the United Nations (UN) 17 Global Goals and targets for sustainable development in the period to 2030, which seek to address social progress, economic wellbeing and environmental protection.

**1.12** Considering the 17 UN Sustainable Development Goals (SDG) is considered good practice in plan-making. The SDGs are a call for action on a global partnership basis. They address the global challenges we face relating to a range of issues such as poverty, health,

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<sup>1</sup> Wealden Local Plan Direction of Travel Sub-Committee Report (11<sup>th</sup> March 2021) <https://council.wealden.gov.uk/ieListDocuments.aspx?CId=534&MId=5057&Ver=4>

education, inequality and economic growth whilst also tackling climate change and protecting our environment.

**1.13** The UK is committed to the delivery of the SDGs and as part of our plan-making we have sought to embed these goals within our spatial strategy and policies.

**Figure 1 Sustainable Development Goals**



**1.14** In relation to achieving sustainable development, the NPPF sets out that both plans and planning decisions should apply a *'presumption in favour of sustainable development'*. For plan-making this means that we need to promote a sustainable pattern of growth that meets the needs of our area (including housing, infrastructure and other uses), whilst improving our environment and mitigating and adapting to climate change. This has been a key consideration in our plan-making and planning applications that accord with our Plan, once adopted, will be approved, unless material considerations indicate otherwise.

### **Ambitions for Wealden District**

**1.15** Developing a local plan provides an opportunity to consider local priorities and ambitions of the Council and its partners and consider how to respond to these on a spatial level. This draft Regulation 18 Local Plan has had regard to Wealden District Council's Strategy 2023 - 2027 which sets out the Council's aims. The Local Plan seeks to support these aims.

**1.16** There are also a number of other plans and strategies that the Plan seeks to support including the Council's Economic Strategy 2023 - 2033<sup>2</sup>, the Health & Wellbeing Strategy 2022

<sup>2</sup> Wealden Economic Development Strategy 2023-2033 <https://www.wealden.gov.uk/UploadedFiles/Wealden-Economic-Development-Strategy-2023-2033-FINAL.pdf>

- 2025<sup>3</sup>, the East Sussex Economy Recovery Plan<sup>4</sup>, the Playing Pitch Strategy Action Plan<sup>5</sup> and the Council's Climate Change Emergency Plan<sup>6</sup> to name a few. We also seek to support a number of strategies produced by partner organisations. More information on the plans, policies and programmes that we have considered are set out in this document as relevant as well as within our Sustainability Appraisal Scoping Report (January 2024).

## Evidence base

**1.17** The NPPF requires policies to be underpinned by robust, relevant and up to date evidence to support and justify policies at a local level. We have undertaken a number of studies covering a range of topic areas and we have referred to these, as relevant, in this plan. The evidence base that we have progressed to date is available and published on our website<sup>7</sup>.

**1.18** For certain planning topic areas our evidence base work is ongoing and where this is the case, we have made this clear in this plan. As we refine the plan for the next stage, certain evidence bases may also need to be updated to account for baseline information changes such as forthcoming Census data or national policy / legislative changes. There are also some areas of policy where collecting evidence at this time would not be productive. This could be where government guidance is still emerging or where legislation, national policy is rapidly changing or being updated. Any of these areas could affect the way we need to collect our evidence and consider our evidence. We will progress this work at the right time to ensure that our evidence is robust to support our policies for the Regulation 19 Local Plan.

## Sustainability Appraisal and Habitats Regulations Assessment

**1.19** As part of the plan-making process, we are required to undertake a Sustainability Appraisal (SA) and a Habitats Regulations Assessment (HRA).

**1.20** A SA evaluates the social, economic and environmental impacts of the local plan and its policies. It is an iterative process and is integral to plan-making, ensuring that the Local Plan and its policies contributes to sustainability.

**1.21** The first stage in the SA process is to produce a Scoping Report. A previous scoping report was consulted upon and published in 2020/2021 alongside our Direction of Travel Consultation. Since publishing our first SA Scoping Report there have been several legislation and data changes. We have therefore recently updated our SA Scoping Report to account for this alongside a fresh consideration of the district's sustainability issues and how we can consider these when approaching the SA. We consulted on the SA Scoping Report update between 26<sup>th</sup> June to 7<sup>th</sup> August 2023 and published an updated SA Scoping Report (January 2024) taking into account consultation responses.

**1.22** The first stage of HRA is to undertake a screening assessment. If impacts cannot be screened out, then an 'Appropriate Assessment' is required to consider the potential impacts in further detail. The HRA work is iterative and further work and testing including partnership

3 Wealden Health and Well-being Strategy 2022-2025 <https://www.wealden.gov.uk/health-and-wellbeing-strategy/>

4 East Sussex Economy Recovery Plan: East Sussex Reset <https://www.eastsussex.gov.uk/business/support/economic-development/recovery-plan#:~:text=The%20East%20Sussex%20Economy%20Recovery,drive%20economic%20recovery%20and%20resilience.>

5 [1] Wealden District Council Playing Pitch and Outdoor Sports Strategy – Strategy and Action Plan <https://www.wealden.gov.uk/UploadedFiles/FINAL-Wealden-PPOSS-Strategy-and-Action-Plan-18.12.23.pdf>

6 Wealden District Council Climate Change Emergency Plan <https://www.wealden.gov.uk/UploadedFiles/Wealden-District-Council-Climate-Emergency-Plan-FINAL.pdf>

7 Local Plan evidence <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/wealden-local-plan/local-plan-evidence-bases/>



working with other relevant local authorities will be required as the plan progresses. However, the Interim HRA that accompanies this plan, alongside the SA has informed the preferred options set out in this draft Local Plan.

## Equality Impact Assessment and Health Impacts

**1.23** As part of the plan-making process, we have also undertaken an Equalities Impact Assessment (EqIA) (March 2024). The EqIA is a way to help identify the likely or actual effects of policies upon all people and sectors of the community. The aim of the assessment is to ensure that any negative consequences for those people with protected characteristics as defined by the Equality Act 2010 are eliminated or minimised, and opportunities for promoting equality are maximised.

**1.24** The NPPF requires planning policies and decisions to “*enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs*”. In essence, national policy requires a Health Impact Assessment (HIA) of the Local Plan to be undertaken to ascertain whether planning policies prevent ill health, promote good health and/or healthy lifestyles and reduce health inequalities. We have chosen to integrate the HIA of the local plan into our SA.

## Duty to Cooperate

**1.25** As part of a local authority’s plan preparation, legislation and national policy requires constructive and active engagement with relevant bodies as part of an ongoing process. This is referred to as ‘duty to cooperate’. The aim of this duty is to maximise effective working on the preparation of Local Plans in relation to strategic cross boundary matters. Wealden has a number of duty to cooperate partners and we have been working on an ongoing basis with our partners in the consideration of a range of cross boundary issues. A Duty to Cooperate Topic Paper has been published alongside this draft Local Plan consultation. This sets out the process so far and how strategic cross boundary issues have been / will continue to be addressed as the plan is developed further.

**1.26** Following the above work, we are publishing this draft Local Plan under Regulation 18 of the Town and Country Planning Regulations (2012) for consultation.

## Structure of this document

**1.27** This Local Plan is structured around key themes to help make it easier to consider our preferred approach on a topic-by-topic basis. However, the Local Plan should be read as a whole, and individual policies should not be read in isolation. This is because all policies, proposals and supporting text when considered together set out the Council’s strategy for achieving sustainable development. Once the plan is adopted, applications for development will be considered against all relevant policies, the NPPF, neighbourhood plans and any other material considerations.

**1.28** Throughout the Plan we provide the context and justification for each policy as well as provide an explanation as to how the policy is intended to operate. We have also published a separate document containing policies maps. The maps detail the areas in the district where specific policies apply.

**1.29** The plan contains both strategic and non-strategic policies as presented in the above table.

## How to have your say

**1.30** The Consultation on the Draft Local Plan will run from Friday 15th March to 5pm Friday 10th May 2024. Whether you have comments on the overall spatial strategy, the vision and objectives, individual site allocations and / or any of the Plan's draft policies, we really would like to hear from you. This is your opportunity to feed into this process ahead of us developing and testing the plan further before its third and final stage in preparation (Regulation 19).

**1.31** To comment on the draft Local Plan or to find out more about the consultation please go to our [Local Plan Consultation webpage](#)

**1.32** Comments can be made directly online and instructions on how to comment are provided.

**1.33** Alternatively, if you don't have access to the internet, you can complete a comments form or collect a paper comments form from the locations below where the plan can be inspected. Please return the comments form to [planningpolicy@wealden.gov.uk](mailto:planningpolicy@wealden.gov.uk) or by post to: Wealden District Council Offices, Vicarage Lane, Hailsham, BN27 2AX. Please note that we will not acknowledge forms received by post.

**1.34** If you are having issues accessing or commenting on our Local Plan consultation then please contact us on 01892 602008 or email us at [planningpolicy@wealden.gov.uk](mailto:planningpolicy@wealden.gov.uk)

## Where can I view a paper copy of the draft Local Plan consultation document?

**1.35** You can view all consultation and supporting documents online. Paper copies of the draft Local Plan and other key documents such as the Sustainability Appraisal and Habitats Regulations Assessment are also available for inspection at the following locations.

**Table 1 Locations where you can view consultation documents**

Venue	Address	Opening Hours
Wealden District Council	Council Offices, Vicarage Lane, Hailsham, East Sussex BN27 1AX	Monday - Friday 09.00am - 17.00pm
East Sussex County Council	County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1UE	Monday - Thursday 08.00am - 17.00pm, Friday 08.00am - 16.30pm
Crowborough Library	Pine Grove, Crowborough, East Sussex TN61DH	Monday 12.30pm - 17.00pm Tuesday, Friday & Saturday 10.00am - 17.00pm, Wednesday 10.00am - 14.00pm Thursday 11.00am - 18.00pm
Forest Row Library	The Community Centre, Hartfield Road, Forest Row, East Sussex RH18 5DZ	Monday & Thursday 14.00pm - 17.00pm, Wednesday & Saturday 10.00am - 13.00pm, Friday 13.00pm - 16.00pm

Venue	Address	Opening Hours
Hailsham Library	Western Road, Hailsham, East Sussex BN27 3DN	Monday & Tuesday 12 noon - 17.00pm Thursday 10.00am - 18.00pm, Friday & Saturday 10.00am - 17.00pm
Heathfield Library	21 High Street, Heathfield, East Sussex TN21 8LU	Monday & Saturday 10.00am - 13.00pm, Tuesday 10.00am - 17.00pm, Thursday 14.00pm - 18.00pm, Friday 10.00am - 16.00pm
Uckfield Library	Library Way, High Street, Uckfield, East Sussex TN22 1AR	Monday 10.00am - 13.00pm, Tuesday, Friday & Saturday 10.00am - 16.30pm, Wednesday 14.00pm - 16.30pm, Thursday 10.00am - 18.00pm
Wadhurst Library	High Street, Wadhurst, East Sussex TN5 6AP	Monday & Friday 14.00pm - 16.30pm, Wednesday 10.00am - 16.30pm, Saturday 10.00am - 13.00pm
Willingdon Library	Coppice Avenue, Lower Willingdon, East Sussex BN20 9PN	Tuesday 14.00pm - 16.00pm, Wednesday 10.00am - 12 noon, Thursday 14.00pm - 16.00pm, Saturday 10.00am - 12 noon
Crowborough Town Council Offices	Council Offices, Pine Grove, Crowborough, East Sussex TN6 1DH	Monday - Thursday 09.00am - 17.00pm, Friday 08.00am - 16.30pm
Forest Row Parish Council Offices	The Community Centre, Hartfield, Road, Forest Row, East Sussex RH18 5DZ	Monday - Friday 09.00am - 14.00pm
Hailsham Town Council Offices	Inglenook, Market Street, Hailsham, East Sussex BN27 2AE	Monday- Friday 10.00am - 16.00pm
Heathfield & Waldron Parish Council Offices	73 High Street, Heathfield, East Sussex TN21 8HU	Monday - Friday 09.30am - 13.00pm 13.30pm - 15.00pm
Horam Parish Council Offices	The Horam Centre, 3 Bank Buildings, Horam, East Sussex TN21 0EH	Tuesday - Thursday 09.30am - 12.30pm, Friday 10.00am - 13.00pm
Maresfield Parish Council Offices	Parish Office, Social Club Building, Churchfields, High	Monday - Friday 10.00am - 12.30pm

Venue	Address	Opening Hours
	Street, Nutley, East Sussex TN22 3NA	
Mayfield Parish Council Offices	The Old Manor House, High Street, Mayfield, East Sussex TN20 6AL	Monday & Friday 09.00am - 11.00am, Wednesday 09.00am - 16.00pm
Pevensy Parish Council Offices	Ethel Wood Community Centre, 129 Coast Road, Pevensy Bay, East Sussex BN24 6NS	Monday - Thursday 09.00am - 14.00pm
Polegate Town Council Offices	49 High Street, Polegate, East Sussex BN26 6AL	Monday - Friday 09.00am - 13.00pm
Uckfield Town Council Offices	Civic Centre, Uckfield, East Sussex TN22 1AE	Monday - Thursday 09.00am - 17.00pm, Friday 08.00am - 16.00pm
Willingdon & Jevington Parish Council Offices	Council Office, The Triangle, Willingdon, East Sussex BN20 9PJ	Monday - Friday 09.00am- 13.00pm

## Where and when will 'in person' exhibitions take place?

**1.36** You can view our virtual exhibition at any time. This can be accessed via our Local Plan consultation webpage.

**1.37** We will be holding a number of 'in person' exhibitions to provide an opportunity for you to ask any questions about the draft Local Plan and to speak to Council Officers. These events will take place as follows:

**Table 2 'In Person' Consultation Exhibitions**

Venue	Date	Time
Crowborough Community Centre	Saturday 20th April 2024	10.00am - 16.00pm
East Hoathly Village Hall	Monday 22nd April 2024	14.00pm - 20.00pm
Frant Memorial Hall	Tuesday 23rd April 2024	14.00pm - 20.00pm
Hailsham Civic Community Centre	Saturday 23rd March 2024	10.00am - 16.00pm
Heathfield Community Centre	Wednesday 17th April 2024	14.00pm - 20.00pm
Horam Village Hall	Saturday 4th May 2024	10.00am - 16.00pm

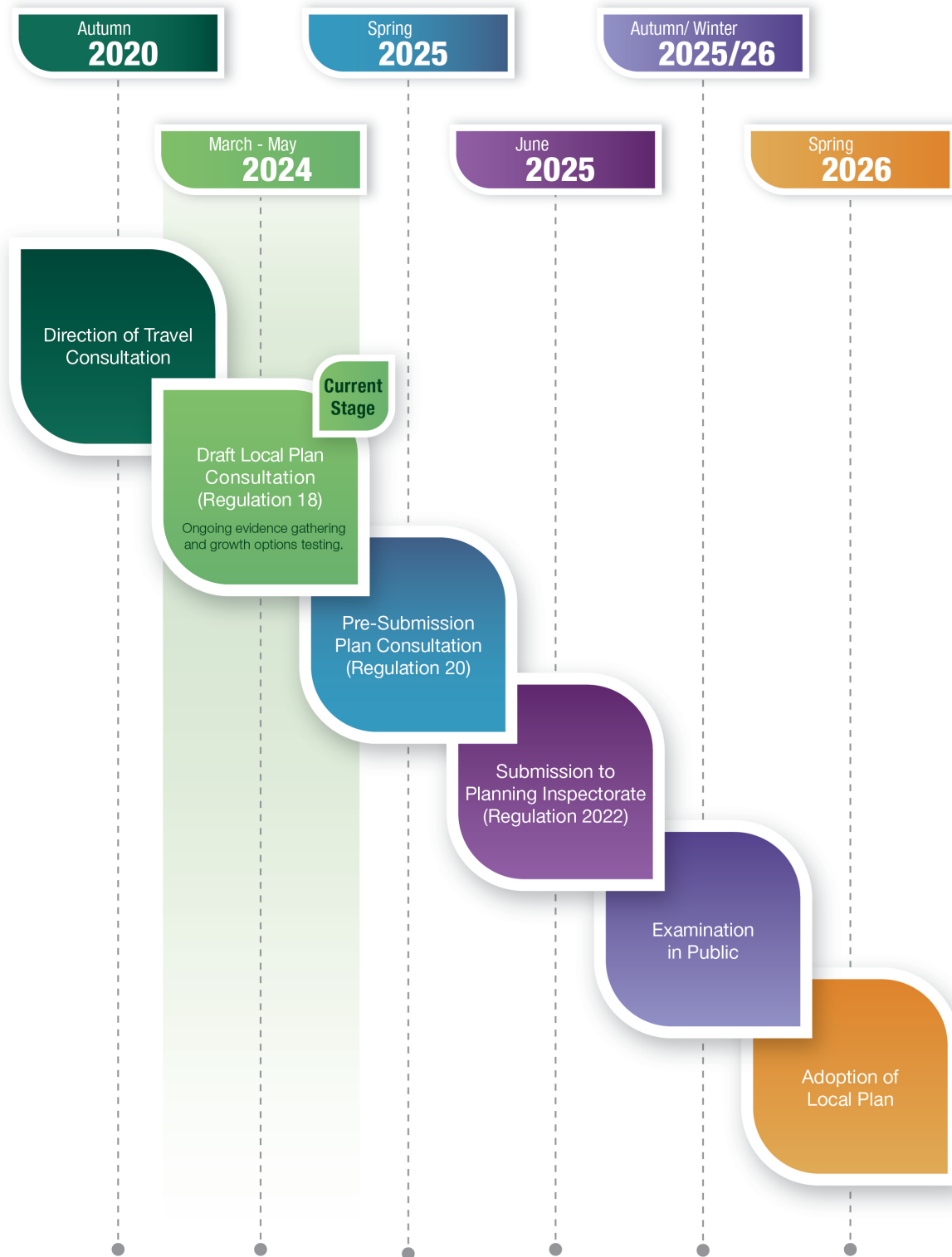
Venue	Date	Time
Maresfield Village Hall	Monday 25th March 2024	14.00pm - 20.00pm
Polegate Community Centre	Tuesday 26th March 2024	14.00pm - 20.00pm
Uckfield Civic Centre	Saturday 13th April 2024	10.00am - 16.00pm

### Next Steps and Local Plan timetable

**1.38** Once this consultation stage has ended, we will review and consider all the responses that we receive. We will continue to test and consider the spatial strategy, site allocations and we will continue to consider our draft strategic and non-strategic planning policies. We will update the Plan to account for consultation responses, any new published legislation, national policy and guidance changes (as relevant). We will continue to collect and update evidence to support the development of the Pre-Submission (Regulation 19) version of the Local Plan and test spatial strategy and policy options. The purpose of the Regulation 19 consultation is to provide an opportunity for representations to be made on the local plan before it is examined by a Planning Inspector.

**1.39** The detailed timeline for the plan is set out in our Local Development Scheme (January 2024). A summary is provided in the figure below:

**Figure 2 Local Plan Stages and Timeline**



# 02

## Key Characteristics







## Key Characteristics

### Our District

**2.1** Located in the economic powerhouse of the Southeast, close to London and within easy reach of Europe, Wealden District covers an area of 321 square miles. It is the 44<sup>th</sup> largest out of 317 local authorities in England, the second largest in the southeast region and the largest and most rural local authority in East Sussex.

**2.2** We have 75 defined settlements, ranging from our larger towns of Hailsham, Crowborough, Uckfield, Heathfield and Polegate to a range of large villages, such as Forest Row and Wadhurst, as well as many other smaller villages and hamlets. In general terms, just over half of our residents (55%) live within our towns, with the remainder of our population (45%) living in our more rural areas. Overall, our location, as well as our high-quality environment, landscape and heritage makes Wealden a very attractive place to live, work and visit.

**2.3** Wealden District Council is responsible for planning (both plan-making and Development Management) for 39 out of the 42 Town and Parish Council areas in the district. The South Downs National Park Authority is responsible for planning in the Alfriston, Cuckmere Valley and the East Dean and Friston Parish. Each of our parishes, towns and villages are unique and special in their own way, each with their own communities, character, history and heritage.

**2.4** Our towns and villages are crucial, providing our communities with valuable local services and facilities and reducing the need for our communities to travel further afield. However, we are also located close to much larger, regional towns outside of our district including Tunbridge Wells and Sevenoaks to the north, Eastbourne to the south, Lewes and Brighton and Hove to the south-west, East Grinstead, Horsham and Crawley to the north-west, Haywards Health and Burgess Hill to the west and Bexhill and Hastings to the southeast. These centres also provide important retail, employment, leisure and other services for our communities.

### Forest Row High Street



**Figure 3 Regional Context**



**KEY**

Wealden District	Administrative Boundaries
Motorways	Main Towns in Wealden
Rail	Main Towns
Rail Stations	English Channel

## Population Change

**2.5** The makeup of our population and population change into the future are important considerations and key to understanding the issues and challenges we will face in the future. The district's population has grown and is expected to continue to grow, mainly due to people moving into the district from other parts of the country or less so, from abroad.

**2.6** With a change in population, as well as an increase in life expectancy, comes changes to the district's age and health profile. We expect to see significant increases in residents aged 65 and over, a small increase in residents aged 16-64 and a small decrease in residents aged under 16. Although there are differences in our population age structure between our different towns and villages, we are faced with the overall challenge of ensuring that we provide for the needs of our residents both now and into the future. This means that we will need to provide a variety of more homes, jobs, services, community facilities and infrastructure in the right places and where people want to live and work. The district's ageing population and net out-migration of younger people has the potential to affect areas such as housing provision, as well as the economy and service provision, such as health care, especially as the proportion of the district's population living with a long-term illness or a disability is projected to increase within the plan period.

### Walshes Park, Crowborough



### Sheffield Park, near Fletching



# POPULATION CHANGE

- Growing population – The district’s population has increased by 7.5% from 148,900 in 2011 to 160,100 in 2021 according to the 2021 Census.
- Rural district - Wealden is the fourth least densely populated of the Southeast’s 64 local authority areas, with 195 residents per square kilometre or around two residents living on a football pitch-sized area of land.
- Age structure - A significant proportion of the district’s population is 65 and over. Wealden has a below national and southeast average of under 16s and people aged 16 – 64 and the proportion of people 65 and over is expected to continue to increase during the plan period.
- Ethnicity - Residents from minority ethnic groups make up a small, but important, proportion of Wealden’s population.
- Disability – The proportion of the district’s population who identify as disabled has decreased from 6.5% in 2011 to 5.8% in 2021 according to the 2021 Census.

## Health and Wellbeing

**2.7** Health and well-being are impacted not only by people’s choices and behaviour but also by much wider factors, such as the built and natural environment. It is also impacted by social conditions such as where we live and work as well as our age. Some of the most pressing health challenges such as obesity, mental health issues, physical inactivity, and the needs of an ageing population, can all be influenced by the quality of our built and natural environment.

# HEALTH AND WELLBEING

- Life expectancy - Average life expectancy in Wealden is above the national, southeast and East Sussex average at 85 years for women and 81.6 years for men.<sup>1</sup>
- Limiting long-term health and disability - Data from the 2021 Census shows that 5.8% of the district's population has a limiting long-term health problem or disability, which limits their daily activities or the work they can do, including issues that are age related. This percentage is projected to increase significantly during the plan period as the population ages.<sup>2</sup>
- Access to GPs - Although there is variability for different settlements, only 54.6% of households overall have access to a GP practice within 15 mins by public transport or walking. This is below the average for East Sussex, which is 63.5%.<sup>3</sup>
- Childhood overweight and obesity - Around 1 in 5 children between the ages of 4 and 5 and around 1 in 4 children between the ages of 10 and 11 in Wealden are considered overweight or obese. This is below the national and county average.<sup>4</sup>
- Adulthood overweight and obesity - Around 3 out of 5 adults (58%) in Wealden are classified as being overweight or obese. This is similar to the national average.<sup>5</sup>
- Children in poverty - The percentage of children living in low-income families has also increased over the last decade rising from 12.6% in 2017/18 to 14.7% in 2021/22.<sup>6</sup>
- Ageing population - By 2039, it is estimated that there will be a 75% increase in the number of people aged 65+ with dementia and a 66% increase in those aged 65+ with mobility problems.<sup>7</sup>
- Deprivation - The English Indices of Deprivation 2019 ranks Wealden 254 out of 317 local authorities. Therefore, Wealden overall, has a low level of deprivation. However, there are areas of Wealden with pockets of deprivation.<sup>8</sup>
- Fuel poverty - In 2018, 8.5% of households in Wealden were living in fuel poverty, finding it difficult to afford sufficient fuel to maintain a satisfactory heating regime. This may of course increase given the increase in the cost of fuel.<sup>9</sup>
- Economic Inactivity - Around 20.2% of the district's working population (16-64) are economically inactive in the district; this includes 2.8% of the working population who are inactive due to long-term sickness or disability.<sup>10</sup>
- Open space - There are 372 sites of open space covering around 1,965 hectares. The largest contributor is natural and semi-natural greenspace, which makes up 88% of provision. This does not include playing pitches.<sup>11</sup>

<sup>1</sup>ONS, 2020. Life expectancy at birth statistics

<sup>2</sup>ONS, 2023. Disability, England and Wales: Census 2021

<sup>3</sup>DfT, 2021. Journey time statistics, 2019

<sup>4</sup>OfHI&D, 2022. Local Health – Small Area Public Health Data

<sup>5</sup>East Sussex JSNA, 2019. Wealden district area profile

<sup>6</sup>DWRP, 2023. Children in low-income families

<sup>7</sup>Wealden District Council, 2019.

Freedom Leisure Scoping Paper.

<sup>8</sup>MoHC&LG, 2019. Indices of Deprivation (2019)

<sup>9</sup>BEIS, 2022. Households in fuel poverty, 2008-2020

<sup>10</sup>ONS, 2022. Economic activity and inactivity in 2021

<sup>11</sup>Wealden District Council, 2022. Open Space – Assessment Report

## Housing

**2.8** An increasing population, alongside the attractiveness of the district in relation to its environment and access to employment centres creates a high demand for housing. It also contributes to an upward pressure on house prices, and this is seen particularly in the north of the district. Overall and across the whole district, there is a significant mismatch between household incomes and the cost of market housing. This leads to significant shortages of market housing that is affordable and results in difficulties for people to get onto the housing ladder, particularly younger people. In addition to high house prices, it is also expensive to rent a property within Wealden, which again goes to affordability, especially for those on lower incomes who are also unable to access market housing.

### Old Hop Gardens, Hailsham



### Woodpecker View, Crowborough



# HOUSING

- Households - In 2021, the census recorded that Wealden has 68,300 households with at least one resident.<sup>12</sup>
- Housing occupancy - It is reported by DLUHC that Wealden has a stock of 72,733 net dwellings and a primary dwelling occupancy rate of 93.9%. Around 91% of the district's housing stock is private sector, with the majority being owner occupied. In 2021, the census recorded 13.5% of the district's housing stock was private rented and 8.4% was social rented.
- Council housing - In 2022, the Council owned 3,043 dwellings in the district. 93.3% are social rental stock. 6.7% are affordable rental. The majority of these dwellings have one or two bedrooms.
- Social housing - There are 3,047 dwellings owned by Registered Providers in Wealden. This takes the total social/affordable stock to 6,090, which equates to around 8.4% of all housing stock in the district.<sup>13</sup>
- Housing mix - Wealden has far less one, two and three bedroom homes and flats than the national, regional and sub-regional average. This has ramifications for supporting younger people onto the housing ladder and facilitating downsizing.
- Housing stock divide - Settlements in the north of the district have higher proportions of larger 4 and 5+ bedroom stock and settlements in the south of the district have higher proportions of smaller 2-bedroom stock (particularly Polegate and Hailsham).
- Housing type - 74.7% of all homes in the district are either detached or semi-detached as of the 2021 Census.
- Local housing prices - The south of the district around Hailsham and Polegate achieves lower house prices than the north of the district around Crowborough and those areas close to Tunbridge Wells.
- Housing affordability - Affordability has significantly deteriorated in Wealden since 1998 and in 2022; the median house price in Wealden was 13.25 times median annual workplace-based earnings (higher than across the Southeast region (10.75) and across England and Wales (8.28)).<sup>14</sup>
- Completions - Housing completions (net) in the district have averaged 726 dwellings per annum between 2011/12 and 2021/22. Overall, the rate of growth has been around 0.9% per annum.
- Housing need - In April 2023, there were 743 households on the Wealden housing register.

<sup>12</sup>ONS, 2023. Census 2021

<sup>13</sup>DLUHC, 2023. Live tables on dwelling stock

<sup>14</sup>ONS, 2022.

## Transport and accessibility

**2.9** Although Wealden is located within the southeast, the rurality of the district brings its own challenges in relation to transportation and connecting our communities with key employment locations, education provision, services and facilities. The public transport network within the district is currently considered poor. There are bus and rail services for some settlements to neighbouring larger key destinations, such as Eastbourne, Brighton and Tunbridge Wells as well as from some settlements to our towns. However, whilst some services are regular, others provide a limited frequency, especially at weekends or in the evenings. There are also often poor connections for onward journeys.

**2.10** In relation to rail, Wealden has a number of train stations that connect Frant, Wadhurst, Uckfield, Buxted, Crowborough and Eridge to London. Also connecting Pevensey, Westham, Polegate and Berwick to Hastings, Eastbourne, Brighton and Lewes, with an onward journey from Lewes to Gatwick and London. In general terms, rail services in Wealden are located within the eastern and southern part of the district. This means that many urban areas, such as Hailsham and Heathfield, as well as many other of the district's settlements, do not have direct access to rail services.

**2.11** Overall, with nearly half of the district's population living in rural or remote areas, many of our communities have either no or very limited access to public transport. Consequently, most households within Wealden have access to either one or more cars and there is a heavy reliance within the district on the use of private vehicles for journeys.

**2.12** The district is connected to the Major Road Network (MRN) largely via the A22 and A26, which run through the district providing access to and between Eastbourne, Tunbridge Wells, East Grinstead as well as providing links to Gatwick and London via the M23 and M25. Several key junctions and roads on these corridors are currently at, or reaching capacity, and experience congestion and delay during peak hours. A package of highway improvement schemes to the southern part of the A22 are currently being progressed as part of a MRN funding programme. These improvements were included in the Government's growth budget announcements; however, we will not know the outcome of the Major Road Network bid until 2025<sup>8</sup>.

**2.13** The A27, which is part of the Strategic Road Network (SRN), is situated in the southern part of the district, providing connections with Lewes and Brighton. National Highways (NH) have recently implemented highway improvements on the A27. An offline A27 to improve capacity issues has also been mooted as part of future opportunities to improve congestion between Polegate and Lewes. However, should this be an option, it is unlikely to be delivered until after this plan period.

**2.14** Whilst Wealden has some A-road connectivity, the more rural areas of the district are poorly connected by road.

**2.15** Key to reducing traffic and congestion on our road network and reducing carbon emissions will be the promotion of active travel. The district benefits from National Cycle Network Route 21 running north-south through the middle of the district. This route makes use of the Cuckoo Trail, which is mainly an off-road route running between Polegate to Heathfield incorporating, Hailsham, Horam and Maynards Green. It continues on-road from Heathfield to Groombridge and Tunbridge Wells. The Cuckoo Trail provides a safe route for cycling, walking

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8 [Department for Transport, 2018. Major Road Network and Large Local Majors Programmes: programme investment planning.](#)



and horse riding. In addition to the Cuckoo trail, improvements have recently been delivered alongside the A27 corridor connecting Polegate with Lewes, which offers an alternative to driving along this busy route. In all other locations across the district cycle paths are currently very limited.

**2.16** In 2021, East Sussex County Council published their Local Cycling and Walking Infrastructure Plan. This identified a number of priorities for walking and cycling improvements. Potential schemes are identified with a focus around Wealden's main towns of Hailsham, Polegate, Crowborough and Uckfield. These schemes will however rely on growth and partnership working for both their funding and delivery. East Sussex County Council's emerging Local Transport Plan 4 (LTP4) also provides a key focus upon active and sustainable travel.

## Economy

**2.17** The district's economic performance has been relatively strong in recent years considering its size, rural nature and the Covid 19 pandemic. This performance is expected to continue into the future.

**2.18** Wealden supports a range of manufacturing industries, professional service activities, construction and land-based industries including viticulture, tourism and the visitor economy. Sector strengths for the Wealden economy, when compared to England as a whole are agriculture, construction, other services, arts, accommodation and food (tourism) that are largely low value sectors.

**2.19** Overall, Wealden has a diverse and resilient economy, which is characterised by a high number of Small and Medium Enterprises (SMEs) and a highly qualified workforce. However, for the past decade, jobs growth has been below the national average.

**2.20** Wealden is located near to other employment centres who provide higher paid jobs for a significant number of commuters. This has resulted in local gross added value and employment growth being below the national average. The main commuting routes for Wealden residents are out of the district, including Eastbourne, Tunbridge Wells, Lewes and Mid Sussex. More Wealden residents commute to these locations than those commuting into Wealden from these locations, although jobs taken up by residents from Eastbourne, Rother and Lewes is notable. The provision of additional employment land in the district will assist in reducing out commuting.

**2.21** Fifty percent of employment within Wealden is in the five key towns with the highest number in Crowborough, Uckfield and Hailsham and to a lesser extent Polegate and Heathfield. There are over 20 industrial estates and 8,820 active businesses within Wealden and there is a high demand for business premises, especially for manufacturing.

**2.22** The key issue that has been highlighted within a number of reports (i.e. the Locate East Sussex, Land and Premises Supply Study – Market Assessment for East Sussex (2020) and the Employment and Economic Study for Eastbourne and Wealden (2022)) at both a local and strategic level is that employment premises/sites within Wealden, and East Sussex more generally, are constrained in terms of their availability. Moreover, in some cases, the stock is outdated for modern needs, with much of the stock built in the 1980s/1990s and in need of renovation/replacement. Locate East Sussex reviewed the local land and premises market in East Sussex and stated that existing stock within the industrial market is relatively old and in poor condition, whilst Sussex in general is not considered a typical investment destination. However, it was concluded that one of the key barriers to employment growth (amongst others) was the lack of allocated land within Wealden District, and that there was significant demand

for businesses in Uckfield, Hailsham and Polegate specifically (i.e. where demand was outstripping supply), with the latter town potentially being suitable for major distributors.

**2.23** In terms of the commercial market, over the past 19 years (i.e. between 2000/01 and 2019/20) the net growth of office floorspace has been strong across Wealden, with growth of over 22%, that compares favourably with England as a whole (at only 10%), despite a reduction in office floorspace more recently. In terms of industrial floorspace over the same period, this has also been very strong across Wealden, with growth over the period at 20%, compared to a shrinkage of 3% for England as a whole. Wealden's latest industrial vacancy rate is only 2%, which is below the regional rate of 3.7%, with rents rising by 47% over the same period. This shows strong economic performance for industrial uses over the past two decades in Wealden.

**2.24** Whilst there has been recent development and provision of high quality, new employment sites within Wealden, overall, there are limited available sites to accommodate medium and large businesses.

**2.25** Housing growth is likely to support economic growth in the district, especially in sectors such as construction, but also through remote working practices in areas of business and professional services.

**2.26** Agriculture, viticulture and tourism are also employment specialisms within the district with opportunities for economic growth. However, like elsewhere across the country, there is an issue around labour supply for these sectors given the low paid nature of work and high house prices, particularly in the local area.

**2.27** Overall, the aging population and workforce, coupled with recruitment, retention and skills shortages are pressing issues for employers.

### **Gunnebo Business Premises, Maresfield**



# THE ECONOMY

- Business numbers - The district has a high business density with 93 businesses per 1,000 working-age residents as of 2020.<sup>15</sup> This is higher than the national average (72).
- Business stock and survival rate - The business stock has grown by 9% over ten years – a lower rate of growth than England (27%) and Southeast England (19%). Business survival rates are very similar to the national average.<sup>16</sup>
- Employment rate - The 2022 employment rate in Wealden is higher than both the national average and the southeast average. This suggests that whilst more could be done to get more people into work, it is not an urgent policy issue.<sup>17</sup>
- Qualifications - In 2021, 32.6% of Wealden's residents have a level 4 qualification or above, which is slightly below the southeast and national level, but higher than the rest of East Sussex. Just 14.9% of Wealden's residents have no qualifications, which is significantly lower than at the regional and national level.<sup>18</sup>
- Levels of out-commuting - The average (mean) full-time pay of Wealden's residents sits above both the southeast and national average at £816.00. However, workplace average (mean) full-time earnings in Wealden (£693.00) are around £75 lower than resident earnings suggesting that significant levels of out-commuting occur.
- Sectors of employment - The largest employment sectors in Wealden are wholesale and retail trade followed by human health and social work activities then construction. Education, manufacturing, professional services, agriculture and tourism are also large employment sectors.
- Economy - In 2020, Wealden contributed £2,774m to the economy equating to a GVA £17,257 per head and is considered a low value economy compared to the southeast and England as a whole but is similar to East Sussex.
- Decreasing working age population - The working age population of Wealden has decreased (by 2.5%) from 2011 to 2021. This compares to a 2% decrease across the Southeast and a 1.8% decrease across England as a whole over the same period.
- Employment Opportunities - Wealden's latest job vacancy rate is 1.8%, which is far below the regional value of 6.3% and significantly below the UK value of 3.7%. It is also below the average long-term (since 2005) job vacancy rate for Wealden of 3.4%. The vacancy rate has been declining in Wealden since 2012, reflecting the positive net absorption, which has occurred over this period.
- Reliance on Tourism - Tourism within Wealden is a key part of the economy. Prior to the Covid-19 pandemic in 2019, the sector supported 8,743 jobs and around 18.2% of the district's population are employed because of tourism in Wealden.

<sup>15</sup>Employment and Economic Study Eastbourne and Wealden, (April 2022)

<sup>16</sup>ONS, 2023, Business demography, UK

<sup>17</sup>ONS, 2022. Unemployment estimates, 2004-2022

<sup>18</sup>ONS, 2022. Unemployment estimates, 2004-2022

## Town Centres

**2.28** In relation to our town centres, the district faces significant competition from other major towns in both Kent and Sussex, such as Tunbridge Wells, Eastbourne, East Grinstead, Lewes, and Brighton and Hove (amongst others) in respect of retailing and leisure, and there is a need to recognise the function and role that the district's town centres play in the wider region.

**2.29** However, our Town Centre Study (2023) has confirmed that our town centres are generally performing well. This includes in recent years where our towns have faced a transition including Brexit uncertainty, the Covid 19 pandemic and business investment and expenditure decline, which all had a knock-on effect for the retail and leisure industries. There is little vacant commercial space in our town centres and the provision of independent shops rather than national retailers has meant that our town centres have survived and thrived. However, whilst our town centres and high streets have shown resilience, there is a continuing challenge in terms of maintaining vibrancy, attracting visitors and retaining commercial floorspace.

# TOWN CENTRES

- Access to Town Centres - It is possible to reach town centres from anywhere in the district within 30 minutes by car. It is not possible however to reach town centres from anywhere in the district by walking, cycling or public transport from some rural areas.
- Overall, the district's town centres have a low vacancy rate, which is either lower than or comparable to the national average.

## Climate Change

**2.30** Climate change is a key challenge for this plan to address. It is relevant to all sections of the plan to ensure that the district is resilient to the predicted impacts of climate change, which can lead to increased incidences of rainfall, storms, flood events and extended periods of heat. Even with concerted action now, it is recognised that current levels of greenhouse gases in the atmosphere will lead to changes in the climate. Therefore, there is a responsibility on us all to minimise our carbon emissions whilst ensuring that our built and natural environments and our communities are able to adapt to the expected impacts. Mitigation of, and adaptation to, climate change must therefore be the central consideration for our local plan.

**2.31** As well as taking action to reduce emissions, it will also be important to maximise natural processes that can take carbon out of the atmosphere, known as ‘carbon sequestration’. Green infrastructure and nature recovery will have a major role to play in this, helping to mitigate the impacts of high temperatures, reduce flood risk, and maintain biodiversity.

**2.32** In July 2019, the Council declared a climate emergency and made the commitment to become carbon neutral by 2050 at the very latest to play its part in meeting the UK’s legally binding climate change targets, as specified in the United Nations Paris Agreement. Both the Council’s Climate Emergency Plan (2019)<sup>9</sup> and Wealden District Council Strategy<sup>10</sup>, highlight the key actions, priorities and intervention measures required to meet the district’s net-zero carbon emissions target by 2050, at the latest. These measures include reducing energy use in buildings, moving away from the use of fossil fuels to low or zero emission technologies and a transformation in the way the district’s population travels. The Council will shortly be updating its Climate Change Emergency Plan and will set out a new strategy for addressing the climate crisis.

### Wind Turbine near Polegate



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9 [Wealden District Council, 2019. Climate Emergency Plan](#)

10 [The Wealden District Council Strategy](#)

# CLIMATE CHANGE

- Availability of water - Wealden District is an area of 'serious water stress' as is much of the Southeast of England.
- Water environment and flooding - The Wealden coastline runs from the Seven Sisters to Pevensey Bay. There are five main rivers within Wealden including the Medway, Shortbridge Stream, the River Uck, the Cuckmere River and the Pevensey Level Drain. Fluvial flood risk is most notable on the Pevensey Levels but Uckfield, Crowborough, Forest Row, Horam, Hailsham and Polegate are also at risk from flooding alongside areas that are more rural. Pevensey Bay is also susceptible to coastal flooding.
- Air pollution - Road traffic is the dominant source of air pollution in the area, closely followed by the domestic sector. As a district, CO2 emissions continue to decrease year on year. Currently, there are no areas in Wealden where the public is exposed to concentrations of measured pollutants in excess of the UK Air Quality Strategy (AQS) objectives.
- Car ownership – In 2021, approximately 89.6% of households in Wealden have access to one or more cars, which is notably higher than the national average of 76.5%.
- Public transport – This is relatively low within the district at approximately 3% of trips. According to the 2021 Census, less than 1% of commuting trips are made by bicycle.
- Carbon emissions – In 2021, new and existing homes within Wealden produced around 38% of all carbon emissions, with commercial, industrial and the public sector accounting for 14% of emissions. Reducing the energy consumption of buildings is therefore crucial in tackling climate change. Transport was the largest emitting sector responsible for 44 % of emissions in 2021.
- Renewable energy – As of September 2023, there are eight operational renewable energy developments within Wealden, of which seven are ground mounted solar photovoltaics (solar farms) and one is an onshore wind farm comprising of three turbines. Together these developments have an installed capacity of 63.8MW. Six applications have been granted planning permission and are awaiting construction, including three solar farms with an installed capacity of 14.5MW and one battery storage (to be co-located with one of the solar farms) and three roof mounted solar photovoltaic arrays.<sup>19</sup>
- Ultra Low Emission Vehicles - There has been a significant increase in the number of Ultra Low Emission Vehicles (ULEVs) registered in Wealden between 2011 and 2019 – although this represents a very small proportion vehicles.

<sup>19</sup>Renewable Energy Planning Database: quarterly extract. October 2023. Available at: [www.gov.uk/government/publications/renewable-energy-planning-database-monthly-extract](http://www.gov.uk/government/publications/renewable-energy-planning-database-monthly-extract)

## The Natural Environment

**2.33** Wealden District is situated within a diverse and distinctive landscape, including some of the most attractive countryside in the country. Landscape character varies across the district and is defined by numerous processes and variables including geology, soils, topography, land cover, hydrology, historic and cultural development and climate. The combination of these processes and the resultant characteristics provide the district with a diverse and distinctive landscape as well as a historic, unique and distinctive settlement pattern. The quality of the landscape is also a valuable resource and asset contributing to the district's rural economy, ecosystem services as well as providing opportunities for recreation. It also contributes to making Wealden an attractive place to live.

**2.34** The district has a significant biodiversity resource, with many European, national and local designated sites. Within the hierarchy of sites, European Sites have the greatest level of protection through the Habitats Directive and the Conservation of Habitats and Species Regulations 2017. Within the district there are two sites that have this level of protection – the Pevensey Levels and Ashdown Forest. In addition to designated sites, we have one of the greatest concentrations of ancient woodland in the country, with around 3% of England's entire designated ancient woodlands located in our district. Ancient woodlands are home to many rare and threatened species, and they are often described as an irreplaceable resource or considered as 'critical natural capital'.

**2.35** As well as designated sites and habitats, we have an array of UK Biodiversity Action Plan (BAP) Priority Species. Those species are identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). UK BAP priority species are most prevalent in our designated sites, however, many live outside the boundaries of designated sites.

**2.36** There are numerous BAP habitats present within Wealden and the majority of these areas are identified as Biodiversity Opportunity Areas (BOAs). Outside of the formally designated sites, these areas are considered the most important areas for habitat enhancement, restoration and creation. These areas will provide us with an opportunity to positively contribute to increasing biodiversity within the district.

**2.37** In recent years the natural environment and biodiversity has grown in prominence within the planning context of the UK. Nationally, the Environment Act 2021 has legislated mandatory net gains for biodiversity and require development to exceed the pre-development biodiversity value of onsite habitats by at least 10%.

### Pevensey Beach



# THE NATURAL ENVIRONMENT

- Landscape - The High Weald Area of Outstanding National Beauty (AONB) covers 53% of the district and is largely located in the north and the South Downs National Park to the south covers around 7% of the district. Other national landscape character areas within the district include the Low Weald and the Pevensey Levels.
- Biodiversity sites - There are two sites designated at an international / European level. 32 Sites of Special Scientific Interest (SSSI) that cover 9.85% of the district. Two national nature reserves, Seven Local Nature Reserves and 101 Local Wildlife Sites within the district.
- Biodiversity Opportunity Areas - There are 14 Biodiversity Opportunity Areas covering a total of 12,580 hectares of Wealden. These areas present the best opportunity for enhancing biodiversity in the local area, often being buffers around existing reserves or linkages between existing designated biodiversity sites.
- Woodland is a prominent feature within Wealden covering 24% of the district.
- Ancient woodland covers around 14% of the district.

## Quality of the built environment

**2.38** The places that we live, work or spend our leisure time are really important. How they look or feel influence our experience, our enjoyment and can enhance our mood. They can make us feel at home and if designed well, they can impact our health and wellbeing through feelings of belonging, safety, security, inclusion and can provide us with a sense of community cohesion. As a district we are fortunate that we have a number of well-defined villages and towns as well as a historic environment that is rich and varied across both our urban and rural contexts. Our built heritage contributes to 'local distinctiveness' which helps to define and distinguish our built environment from other towns and villages across the country, as well as distinguishing between the many settlements that we have within our district. Each settlement in our district is unique and distinctive in its own way, with its own history and architecture. These historic and unique places and the landscape that they sit within also provides the backdrop to sustainable tourism and the local economy.



**Rotherfield Church**



## QUALITY OF THE BUILT ENVIRONMENT

- Wealden has 2,384 designated heritage assets, around 9,130 non-designated heritage assets and 41 Conservation Areas. Eight are within the South Downs National Park. Wealden also has 20 historic parks and gardens, as well as 52 Grade I listed buildings.



# 03

## Vision & Objectives





# WEALDEN DRAFT LOCAL PLAN



## Vision and Objectives

### Introduction

**3.1** This chapter sets out our local plan vision and objectives. We have provided an overarching vision on the previous page as well as mini visions alongside our Local Plan objectives. The overarching and mini visions set out what kind of place Wealden aspires to be by 2040. In drafting our vision we have considered the Council's long-term ambitions, challenges and opportunities as well as what our evidence base is telling us. We have also considered what our communities consider as important from the responses we received from our Direction of Travel consultation as well as issues, challenges and ambitions of our partner organisations.

**3.2** Setting out a vision and providing a set of objectives for delivering the vision during the plan period is a fundamental part of plan-making as it sets the framework upon which the policies and proposals detailed within the plan are established.

### Mini Vision and Objectives

**3.3** Our 'mini' visions and Local Plan objectives are set out below.

RESPONDING TO THE CLIMATE CRISIS	
VISION	OBJECTIVES
We will have made significant progress towards being a net zero carbon district and we will be more prepared and resilient to the effects of the climate crisis through climate change prevention, adaptation and mitigation.	<ol style="list-style-type: none"><li>To respond to the challenges of the climate crisis, ensuring a sustainable built and natural environment;</li><li>Support the transition to a low carbon society by minimising greenhouse gas emissions;</li><li>Reduce energy consumption and ensure resources are used effectively;</li><li>Increase the use of renewable and low carbon energy; and</li><li>Protect and ensure the sustainable use of our natural resources and minimise waste</li></ol>

## PROTECTING OUR NATURAL ENVIRONMENT AND INCREASING BIODIVERSITY

### VISION

We will have assisted in nature recovery and contributed to the halt of species decline and conserved and enhanced our water environments. Our biodiversity rich and beautiful countryside, coastal and water environments will continue to define our district.

### OBJECTIVES

- a. To protect and enhance biodiversity and geodiversity and extend areas for wildlife;
- b. Maintain and improve the quality and connectivity of our green and blue spaces and functional habitats and improve access to nature;
- c. Deliver net gains for biodiversity; and
- d. Protect and improve our water environments.

## ATTRACTIVE AND LOCALLY DISTINCTIVE PLACES

### VISION

New development will be attractive, will respect our most valued landscapes, local distinctiveness and character and will have created sustainable buildings and connected places that incorporate high quality sustainable design, provides a sense of place and facilitates community cohesion.

### OBJECTIVES

- a. Conserve and enhance our historic environment and cultural heritage assets;
- b. To protect and enhance the district's urban and rural landscape, including the High Weald National Landscape, the setting of the South Downs National Park;
- c. Maintain a heritage and culture rich district; and
- d. Ensure that developments are well-designed, are of high quality and are inclusive, safe and accessible for all.

## DELIVERING NEW HOMES FOR ALL

### VISION

We will have delivered new homes in the most accessible and sustainable locations and in a way that enhances and respects the distinctive qualities of our district.

### OBJECTIVES

- a. Deliver high quality, well-designed and energy efficient new homes to meet local need; and
- b. Boost the provision of affordable and specialist homes, to ensure that there is suitable housing for everyone.

## SUPPORTING THE DELIVERY OF INFRASTRUCTURE

### VISION

Infrastructure, services and community facilities will have been provided and key projects delivered to match the requirements and needs of new and existing communities and to contribute to healthy and sustainable living for all of our residents.

### OBJECTIVES

- a. Work with our partners to provide the right level of infrastructure and capacity, services, facilities and community assets to benefit both new and existing communities;
- b. Supporting communities by protecting existing infrastructure, services, facilities and community assets;
- c. Support opportunities that will reduce health inequalities, improve our communities health, wellbeing and quality of life;
- d. Protect and improve the provision of our sport, leisure and recreation facilities; and
- e. Maximise opportunities that will encourage social interaction, enhance mental and physical wellbeing, and reduce social exclusion.



## LIVING SAFE, INCLUSIVE AND HEALTHY LIVES

### VISION

Sustainable transport, active travel choices and accessible walkable and cyclable neighbourhoods will have contributed to positive outcomes for climate change, people and places allowing our communities to thrive, live healthy and inclusive lives, and meet their daily needs locally.

### OBJECTIVES

- a. Facilitate and promote the provision of a safe, sustainable and active transport network, supporting the take-up of low and zero emission vehicles, walking and cycling;
- b. Facilitate greater connectivity through the provision of footpaths and cycle paths as well as greater integration between different modes of transport; and
- c. Facilitate efficient patterns of movement to ensure access to employment and key local services and facilities.

## VIBRANT TOWN AND LOCAL CENTRES

### VISION

Our towns and village centres will have been supported by both new and existing communities and will be successful in contributing to the character of our district. Our centres will act as vibrant and vital community hubs for both our residents and visitors.

### OBJECTIVES

- a. Ensure that new and existing communities can easily access and support town and local centres;
- b. Maintain and strengthen the role of our town and local centres; providing a strong and diverse core of town centre uses; and
- c. Ensure that development makes a positive contribution to the distinctive qualities of our town and local centres including the public realm

## SUPPORTING A SUSTAINABLE AND PROSPEROUS ECONOMY ALLOWING PEOPLE TO LIVE WELL

### VISION

We will have supported our local economy to prosper, providing new sites to help meet the needs of both existing and future businesses and we will have delivered new well-paid jobs to meet the needs of our communities.

### OBJECTIVES

- a. Maintain high levels of employment within the district;
- b. To support sustainable and inclusive economic and job prosperity and address barriers to investment;
- c. To retain, enhance and expand existing employment areas and premises;
- d. Reduce the need for out-commuting;
- e. To maintain a fair, stable and resilient economy to ensure business and employment opportunities for all;
- f. To improve and better align the skills of the workforce with employer's needs and achieve an increase in wages.
- g. To support and encourage business start-ups and encourage rural businesses to diversify;
- h. To support local businesses to adopt sustainable practices as well as support the implementation of a circular economy; and
- i. Enhance the district's tourism, cultural and visitor accommodation offer and improve sustainable access to our attractions.

### Question 1

#### Consultation Questions

- a) Do you agree with our overall vision for the district?
- b) Do you agree with our 'mini' visions for the district?
- c) Do you agree with the objectives for the district?
- d) Should we change anything? If so, what should we change and why?
- e) Have we missed anything? If so, what have we missed and how should it be included?

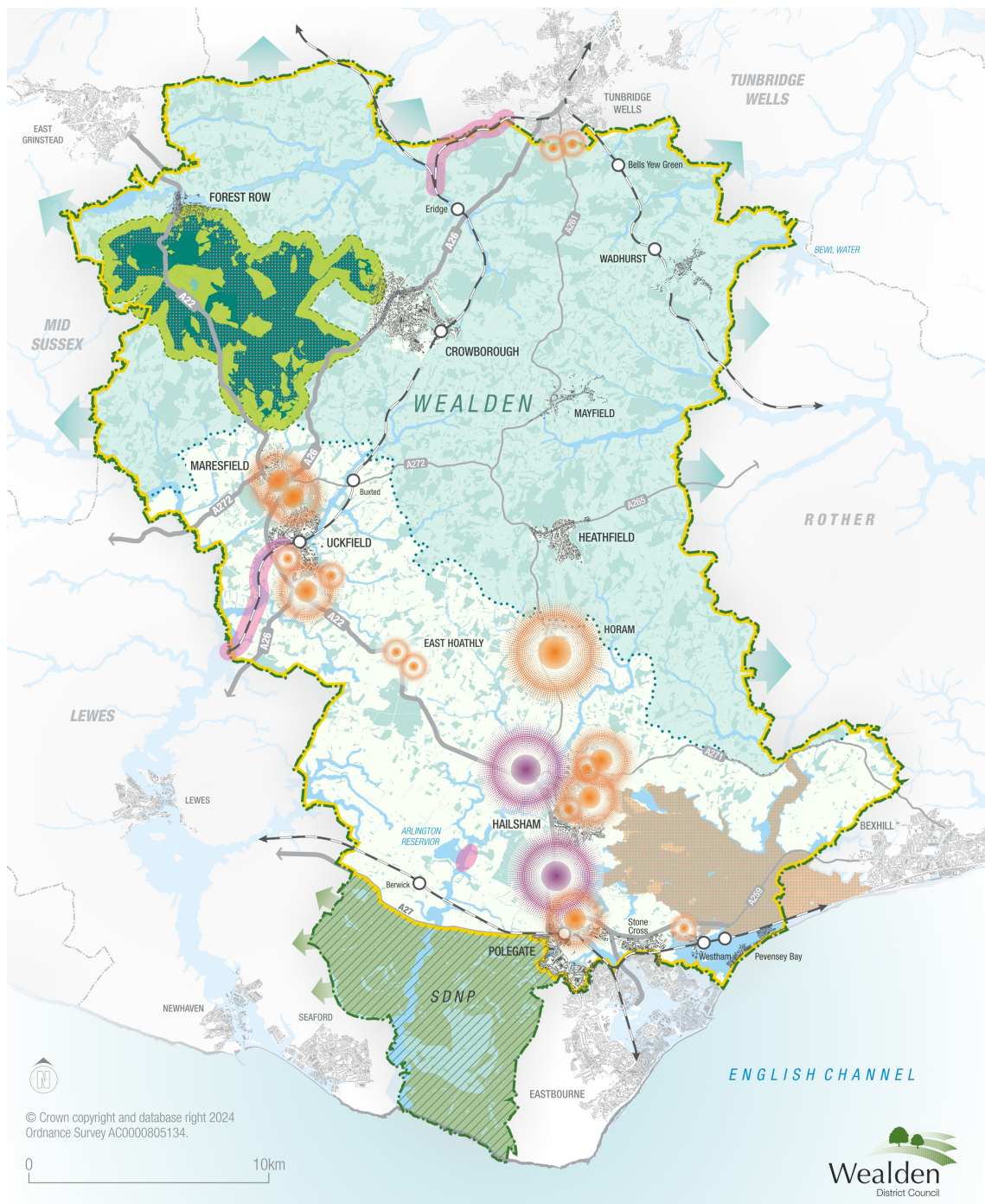
# 04

## Spatial Strategy





# Figure 4 Wealden District Key Diagram



### Existing Assets

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)
- Woodland
- Water

### Designations

- Special Protection Area (SPA)
- Special Area of Conservation
- SPA 400m Buffer Zone
- Ramsar Site
- High Weald National Landscape

### Draft Allocations

- Strategic Employment Allocations
- Strategic Housing Allocations 100 - 199
- Strategic Housing Allocations 200 - 399
- Strategic Housing Allocations 400+
- Safeguarded Infrastructure

## Spatial Strategy

### Introduction

**4.1** This chapter sets out the Council's draft spatial strategy for the district between 2023 and up to 2040. The draft spatial strategy and associated strategic policies aim to deliver the local plan's vision and objectives by guiding development to the right locations and by delivering sustainable growth that takes account of people, places and our environment.

**4.2** As part of our Direction of Travel Consultation we consulted on four high-level growth strategy options. These included focused growth, including large extensions to existing sustainable settlements, semi-dispersed growth to existing sustainable settlements and larger villages; dispersed growth across all settlements; and an option to deliver a new settlement(s). The responses we received when asking consultees what their preferred option was, were relatively evenly split between the four growth options and there was not an overall preferred approach.

**4.3** Since the Direction of Travel Consultation, we have considered the feedback received and have developed these options further as well as identifying additional options. The conclusion from the work we have undertaken so far is that no one option provides enough land for the growth we need to deliver as set out in national policy. Our draft growth strategy is therefore a hybrid option, from combining several growth strategy options.

**4.4** We are now in a position to present a draft spatial strategy for the purpose of engaging with our communities, stakeholders, partners, landowners and developers in a meaningful way through this Regulation 18 Draft Local Plan consultation. The spatial strategy includes both our growth strategy, as well as a number of strategic policies, that are key to achieving our spatial strategy.

**4.5** The spatial strategy we present is draft at this stage. We will consider feedback from this Regulation 18 consultation and we will also undertake further evidence gathering and testing to help develop the spatial strategy and its associated policies further and we will present these at the next Local Plan (Regulation 19) stage. However, based on the information collated up until this point we consider that the draft spatial strategy presented is deliverable at this stage and have sought to provide draft site allocations and strategic policies consistent with this spatial strategy, as well as the associated draft development management policies also contained within this Local Plan.

### Defining our Draft Spatial Strategy

**4.6** Throughout the plan-making process so far, we have been working with our partners and appointed consultants to test and understand our strategic priorities, opportunities and our options for delivering these spatially. We have produced numerous evidence base studies, of which we must balance the outputs of these to positively plan for the future and ensure that we meet national policy requirements. Key to our spatial strategy and local plan overall is the NPPF's 'presumption in favour of sustainable development'. In short, this requires us to meet the development needs of our area, align growth and infrastructure, improve the environment, as well as mitigate and adapt to climate change.

**4.7** Meeting the development needs of the area is a key focus of this plan. However, we are also required to consider whether we can meet development needs without adversely impacting areas or assets of importance, such as our designated biodiversity sites and irreplaceable

habitats, national landscapes such as the South Downs National Park and High Weald Area of Outstanding Natural Beauty (AONB), designated heritage assets or areas at risk from flooding. We must consider whether these factors are reasons to restrict growth in our area, or whether it can be demonstrated that adverse impacts would significantly outweigh the benefits when assessed against the NPPF as a whole. We must therefore plan positively and carefully, to deliver our future needs for the district.

**4.8** In defining a spatial strategy, we have considered the following:

- Previous engagement with the community, partners and stakeholders on our Direction of Travel consultation;
- The ambitions and priorities of the Council and partner organisations;
- The vision and objectives of our local plan;
- Our ability to contribute to net zero targets;
- National Planning Policy and guidance;
- Our local plan evidence base and an understanding of demographic projections;
- Our Duty to Cooperate position with surrounding local authorities;
- The number of homes we are expected to deliver;
- The amount of employment floorspace we are expected to deliver;
- The housing needs for different groups in our communities;
- The needs of new and existing businesses;
- Existing sites with 'live' planning permission;
- The capacity of our urban and rural areas to accommodate growth;
- The land in our District that is available and suitable to deliver growth;
- The amount of growth that can reasonably be delivered on sites;
- Infrastructure capacity and opportunities to improve infrastructure provision;
- Environmental constraints such as flood risk, landscape and biodiversity;
- The character, heritage and sustainability of our settlements; and
- The Sustainability Appraisal, Habitats Regulations Assessment and Equalities Impact Assessment.

**4.9** Further information on how we have defined our draft spatial strategy are provided in our Spatial Strategy Topic Paper (March 2024) as well as our Initial Sustainability Appraisal (March 2024). Both of these documents form part of this Regulation 18 consultation and comments are invited to be submitted on these documents. As part of the process, we have tested different ranges of growth (i.e. lower / higher growth) as well as different distributions of growth. This included testing a range of options with infrastructure providers.

### **Draft Spatial Strategy**

**4.10** From the initial spatial strategy options identified, our draft spatial strategy is based upon focusing growth in and around sustainable settlements in the district and to the edge of major towns that lie adjacent to the district (i.e. Eastbourne and Tunbridge Wells), including employment growth within the south of the district (A22/A27 corridor). The draft spatial strategy also seeks to limit growth in those sustainable settlements that are located within or washed over by the High Weald National Landscape designation.

## Housing

**4.11** The draft spatial strategy seeks to allocate the majority of growth in and around our market towns and at the edge of regional towns located outside of our District (i.e. Eastbourne and Tunbridge Wells), whilst enabling an appropriate scale of development in a number of settlements where these have a good level of key services and facilities, can access public transport and have good accessibility to larger settlements. Some growth within our most sustainable towns and villages will support our existing communities, helping to retain and improve essential key services and facilities, as well as support the rural economy through job provision in those locations and by providing local workers to support businesses. A critical mass of development in some of our sustainable villages will also bring forward improvements to infrastructure, services and facilities ensuring that our resident's needs can continue to be met as well as enabling people to continue to live in their communities.

**4.12** The draft spatial strategy takes account of environmental and planning constraints. The majority of Wealden is located within the High Weald National Landscape (53%) and we have a duty to have regard to the conservation of this nationally important historic landscape. The draft spatial strategy therefore seeks to deliver less housing in the High Weald National Landscape, compared with similar sized settlements elsewhere in the district. However, where settlements are considered sustainable, a more limited amount of growth is identified within the High Weald National Landscape to address housing need (including affordable housing need) and to continue to support key services and facilities in these areas. A limited amount of housing within the High Weald National Landscape will also provide a continued labour force to support the rural economy, including tourism. Similarly, the draft spatial strategy also seeks to protect the setting of the South Downs National Park.

**4.13** Outside of the protected High Weald National Landscape, the draft spatial strategy seeks to restrict development in the open countryside to ensure that the character and identity of our settlements are maintained and that our valued landscapes, countryside and open spaces can continue to provide essential ecosystem and agricultural services. This also reduces the carbon footprint of new development in relation to introducing any associated infrastructure and services that would be required in isolated locations, as well as ensuring that new development is located sustainably to reduce the reliance on the private motor vehicle. We provide development boundaries to ensure that development comes forward in the most sustainable locations. Outside of the defined development boundaries, this land will be considered countryside where countryside policies will apply, and development will only be permitted in a restricted set of circumstances in accordance with the policies of this plan and the wider development plan.

## The Economy

**4.14** In terms of the economy, the draft spatial strategy seeks to support the roles of our existing district, service and local centres, providing new homes and communities that will help support and retain high street businesses and services as well as support the overall viability and vitality of our district, service and local centres. As part of this draft local plan, we will provide new employment floorspace, as well as protect our existing employment land and businesses, which will support existing local employers and businesses to maintain and enhance economic prosperity, as well as deliver high quality jobs to attract, retain and grow the workforce. We will also support the tourism industry given its contribution to our economy. The draft spatial strategy seeks to deliver new employment land in sustainable locations and near existing



communities but does allow for some economic growth in rural areas. An increase in local employment opportunities in the district will also reduce the need for out commuting and will impact positively on the climate change agenda, by reducing carbon emissions through reducing the need to travel to access employment.

**4.15** Overall, the approach seeks to provide a balance between planning positively to meet development needs including new homes, employment floorspace and community facilities whilst protecting and enhancing the district's natural and historic/built environment, as well as open spaces.

## Infrastructure

**4.16** Wealden District Council relies on partners to deliver key infrastructure items such as that relating to schools, social and health facilities and water infrastructure for example. Infrastructure has been a key consideration for the draft spatial strategy as detailed in the Interim Infrastructure Delivery Plan (March 2024). The draft spatial strategy overall seeks to ensure a balanced approach to development, locating development either where there is sufficient capacity to support future growth, or where future growth can best facilitate new infrastructure or infrastructure improvements. The plan also seeks to protect and enhance existing community facilities, as well as provide new community facilities. As the plan progresses, we will continue to work in partnership with infrastructure providers to further test the emerging spatial strategy for the local plan.

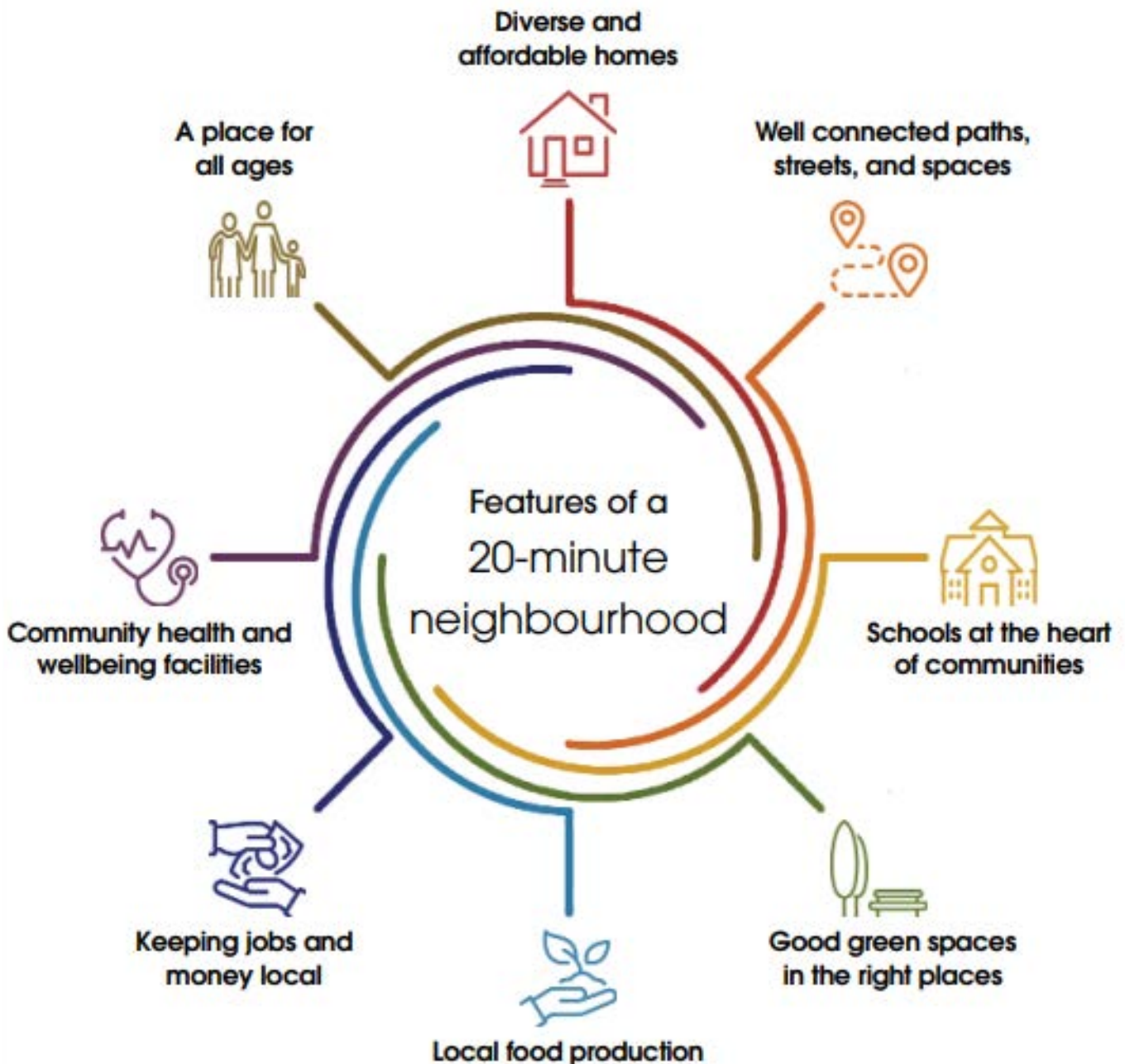
## The Concept of 20 Minute Neighbourhoods

**4.17** In the last few years, the concept of '20-minute neighbourhoods' or 'complete, compact and connected neighbourhoods' has been put forward as an approach to help local plans deliver sustainable development. The 20-minute neighbourhood is about creating attractive, interesting, safe, inclusive, walkable environments in which people of all ages and levels of fitness are happy to travel actively for short distances from home to the destinations that they visit and the services they need to use day to day. This could include accessing schools, shopping, work, healthcare, recreation, or community facilities. The concept is that these places need to be easily accessible on foot, cycling or via public transport. They also need to be accessible by everyone, whatever a person's budget or physical ability and without having to use a car.

**4.18** The benefits of a 20-minute neighbourhood concept are extensive, providing health, social, environmental and economic benefits to people and communities. Additionally, the concept would seek to tackle many of the issues that we need to address through our plan such as reducing carbon emissions, helping people to become more active, reducing mental health issues and loneliness, improving our town and village centres, making our settlements great places to live as well as improving access to affordable healthy food.

**4.19** Using the 20-minute neighbourhood concept as a tool to deliver sustainable development and support sustainable community living is therefore something we wish to promote and support through the local plan, and we will expect developments to contribute towards achieving this.

Figure 5 Features of a 20 Minute Neighbourhood



**4.20** The Town and Country Planning Association (TCPA) has produced a '20 minute-neighbourhoods' guide<sup>11</sup>. The guide sets out how to achieve 20-minute neighbourhoods in existing places as well as when planning large scale developments, providing both guidance and further useful resources. The guide notes that the challenges of implementing a 20-minute neighbourhood will be different in different places and that approaches to achieving a 20-minute neighbourhood and what this may look like once implemented will also be different.

11 The 20-Minute Neighbourhood, TCPA (March 2021)

**4.21** As applied to our District, for our market towns, such as Uckfield, Crowborough, Heathfield and Polegate, the aim will be to ensure that the ‘town’ becomes a complete and compact 20-minute neighbourhood. The Hailsham Neighbourhood Plan has set out a further aspiration for Hailsham to be a ‘10-minute’ town, where people of all ages and abilities can access services and employment as well as easily meet with their friends and family. This plan will also support this.

### **The '20-minute neighbourhoods' concept and rural areas**

**4.22** A 20-minute neighbourhood is unlikely to be achievable in all cases for our surrounding villages. However, residents from nearby villages, where this cannot be achieved, would be able to access the market towns via public transport and would be able to walk within the town to access services, facilities and shops to meet their everyday needs, rather than having to travel to a number of different settlements.

**4.23** In more rural areas, the implementation of 20-minute neighbourhoods poses a different set of challenges. For example, public transport provision and road infrastructure may be more limited and there may be less employment opportunities. Housing quality, affordability and isolation from and access to various services may also be an issue, which can affect the health and wellbeing of people living in rural communities. Where this is the case, the 20-minute neighbourhood concept can still be applied by creating a network of villages that collectively provide for the needs of people’s everyday lives, joined by active travel arrangements. This would mean less travel by car to several further afield locations.

**4.24** The TCPA Guide sets out an awareness that active travel in rural locations is often difficult and sometimes dangerous. There are either no or limited pavements and the roads can be used by large vehicles, which may deter cyclists for example. It acknowledges that substantial investment is therefore needed to deliver active travel infrastructure in rural areas and to improve public transport.

**4.25** Whilst the 20-minute neighbourhood within urban and rural areas will look different, it is nonetheless achievable if the framework is there to support it. We will therefore assist in providing a framework through this local plan, aligning with our wider vision and objectives for the District.

**4.26** East Sussex County Council’s Local Transport Plan 4 Consultation<sup>12</sup> supports the 20-minute neighbourhood or the ‘complete, compact and connected neighbourhood’ approach by providing a shift towards supporting healthy lifestyles by walking, wheeling or cycling and more active travel, as well as through the design of public places and healthy places through integrated neighbourhoods.

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<sup>12</sup> Local Transport Plan 4 consultation: <https://www.eastsussex.gov.uk/roads-transport/transport-planning/local-transport-plan/local-transport-plan-4>

## Policy SS1: Spatial Strategy for Wealden

1. During the plan period up to 2040 the Local Plan will:
  - a) Deliver sustainable and high-quality development that meets the needs of our communities for homes and jobs, whilst balancing the impact of growth on our natural environment, protected landscapes and the countryside.
  - b) Contribute to the continued sustainability of our towns and villages. This will involve supporting the improvements that are required to local services, community facilities and infrastructure. Subject to other policies in the plan, we will safeguard our existing employment and tourism sites and seek to deliver new employment and tourism sites, ensuring that people can access jobs, services and facilities locally.
  - c) Support our towns and villages to be 'complete, compact and connected neighbourhoods' to help provide health, social, environmental and economic benefits to our communities.

### Development boundaries

2. Subject to other policies in the plan, new development will be permitted within those settlements with an identified development boundary as shown on the Policies Map. This includes the following settlements:

Crowborough, Uckfield, Hailsham, Heathfield, Polegate, Willingdon, Stone Cross, Westham, Pevensey, Pevensey Bay, Forest Row, Horam, Mayfield, Wadhurst, Bells Yew Green, Berwick Station, Blackboys, Buxted, Cross in Hand, East Hoathly, Five Ash Down, Framfield, Frant, Groombridge, Hartfield, Herstmonceux, Isfield, Lower Horsebridge, Maresfield, Ninfield and Rotherfield.
3. Within these settlements, development proposals should make the best use of previously developed land, apply an appropriate density to its use, ensure the creation of strong, sustainable, cohesive and inclusive communities including required infrastructure provision. Development proposals should also consider land take and the impact this may have on the natural environment and resources, whilst also relating well to the existing and surrounding character of the area.

### Employment

4. The Council will support economic development proposals, which will deliver a growth in high-skilled jobs and an expansion of tourism that contributes towards the delivery of sustainable economic prosperity in the District.
5. New strategic employment floorspace will be allocated for development within this local plan and the district's strategic employment sites will also be protected, alongside non-strategic employment land. Improvements to existing strategic employment sites (redevelopment, conversion, upgrading, intensification or reconfiguration) will also be supported where this meets other policies in the plan in order to meet the district's employment need. These sites will contribute to meeting an increase in employment land and jobs within the plan period.

### Town centres

6. The role of our district, service and local centres will be protected and enhanced by encouraging a range of uses consistent with the scale and function of the centre having regard to its position in the hierarchy. Retail growth during the plan period will be focused within these centres in accordance with the town centre hierarchy and policies TC1 (District, Service and Local Centre Hierarchy and 'Town Centre' First Principles) and TC2 (Sequential and Local Impact Test).
7. The Council will support improvements to district, service and local centres where this will support the vitality and viability of centres including improvements to the quality of our town centres and public realm, the provision of a diverse offer, the provision of community services, improvements to active travel infrastructure and the night-time economy. Development that is associated with the 'greening' of our town centres will be particularly supported.

### Countryside

8. Land outside development boundaries will be considered as the countryside. The countryside will be protected unless development is supported by a specific policy referenced elsewhere in this plan.

## **Question 2**

### Consultation Questions

- a) Do you agree with draft policy SS1 Spatial Strategy?
- b) Is there an alternative strategy that we should be considering through this Local Plan? If so, please set out what the alternative strategy should contain and why.
- c) Policy SS1 sets out the approach for development boundaries. Do you agree or disagree with the settlements that are identified to have development boundaries? Please set out your reasoning.
- d) The policies maps set out the extent of development boundaries for each settlement identified. Do you agree with the boundaries as drawn? Should any changes be made, if so, what changes would you make to which settlement boundary and why?
- e) Is there anything else within Policy SS1 that we should change? If so, what should we change and why?
- f) Have we missed anything? If so, what have we missed and how should it be included?

## Achieving sustainable housing growth

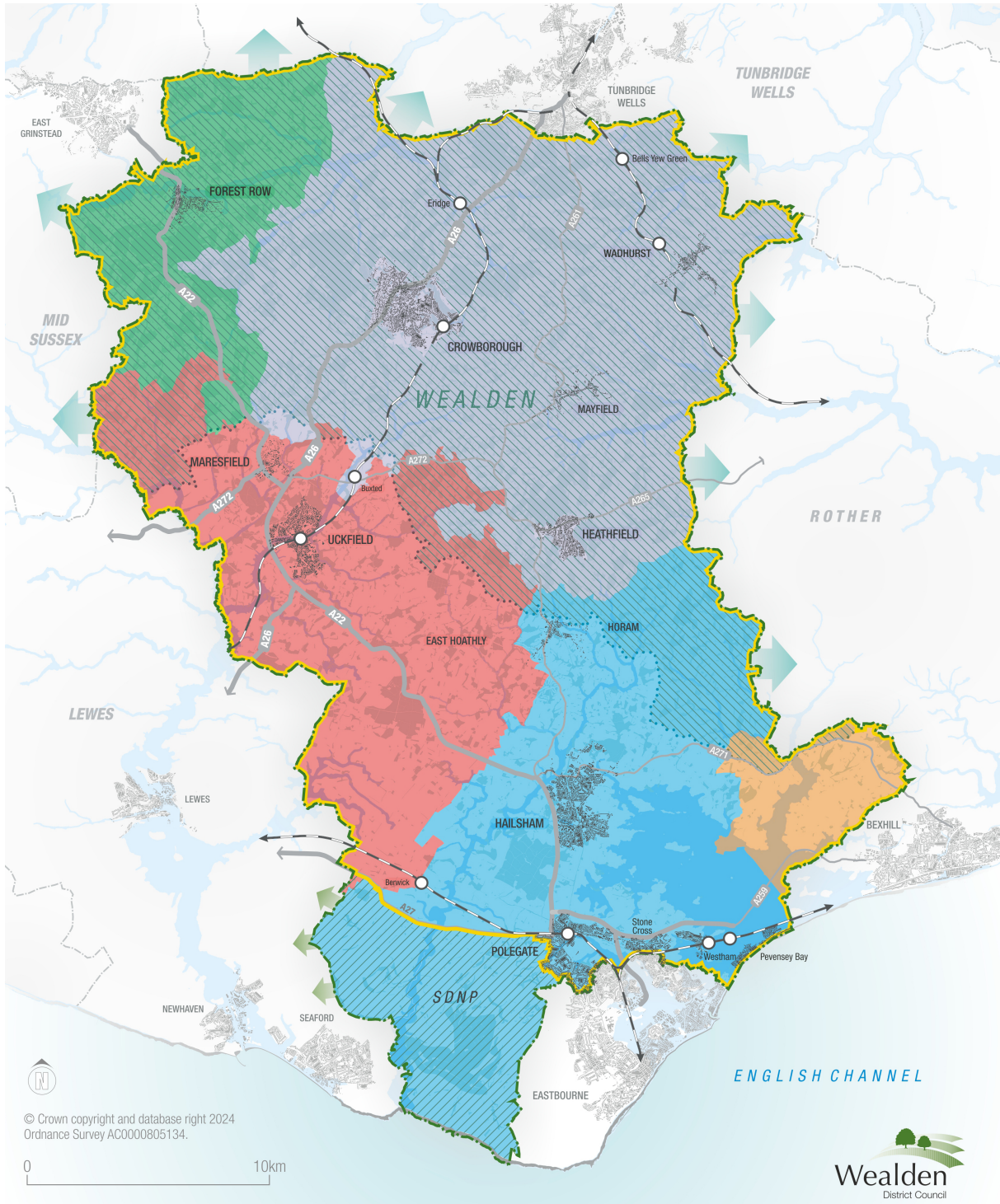
### Wealden housing need

**4.27** A key element of the draft spatial strategy is the provision of a range of new homes in the District. The NPPF requires that a local housing needs assessment, using the standard method in national planning guidance, unless exceptional circumstances justify an alternative approach, should be used to identify the minimum number of homes required. The local housing need calculation for Wealden District is a minimum of 1,200 homes per year. Over the plan period from 1 October 2023 – 31 March 2040 this equates to a district need to deliver 19,800 homes.

### Duty to cooperate and unmet housing need from neighbouring local authorities

**4.28** The NPPF requires for any housing need that cannot be met within neighbouring local authority areas to also be considered in establishing the amount of housing to be planned for. Defining Housing Market Areas (HMAs) is key to this process to understand whether neighbouring authorities have a demonstrable cross-boundary relationship and whether housing is a strategic cross-boundary issue that should be addressed between the authorities. Given the influence of neighbouring and much larger towns outside our District, our LHNA identified that Wealden does not have its own HMA. Instead, Wealden is within the influence of and overlapped by five different HMAs including the Eastbourne HMA, the Sevenoaks, Tunbridge Wells and Tonbridge HMA, the Coastal West Sussex HMA, the Northern West Sussex HMA and the Hastings and Rother HMA. The HMA boundaries that overlap into Wealden District are shown in the figure below.

**Figure 6 Wealden District Housing Market Area**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements

**Wealden HMA and FEMA**

- Eastbourne
- Coastal West Sussex
- Hastings and Rother
- Sevenoaks and Tunbridge Wells
- Crawley and Horsham
- High Weald National Landscape
- South Downs National Park (SDNP)

**4.29** In terms of size and influence of the HMAs on Wealden District, both the towns of Eastbourne and Tunbridge Wells, whose urban boundaries border Wealden’s administrative area to the south and north respectively, have the most influence on the District. The geographical area of these two HMAs cover approximately 75% of Wealden District’s population with the Eastbourne HMA covering 41% in the south of the District and the Sevenoaks, Tunbridge Wells and Tonbridge HMA covering 34% in the north of the District. The coastal West Sussex HMA covers 19% of Wealden’s population (around Uckfield), with the Northern West Sussex HMA covering 6% and the Hastings and Rother HMA covering only 2% of the District’s population.

**4.30** In November 2022, Eastbourne Borough Council published a Growth Strategy Consultation under Regulation 18<sup>13</sup>. At this stage, Eastbourne Borough Council determined that they would not be able to meet their own local housing need requirements. The Growth Strategy Consultation indicated that there would be a shortfall of 8,359 dwellings in their plan period, which is equivalent to an average of 418 dwellings per annum (dpa). There is currently uncertainty over Eastbourne’s exact shortfall at this stage as Eastbourne are progressing further work to consider the level of housing they can deliver as part of their local plan process.

**4.31** Tunbridge Wells Borough Council submitted their Local Plan for Examination on 1<sup>st</sup> November 2021<sup>14</sup>. The Local Plan, as submitted, sought to meet the borough’s local housing need requirement. However, following the Inspector’s Initial Findings<sup>15</sup> that identified some concern around strategic sites included in the Submission Local Plan, further testing is now underway as part of the Examination process to consider this issue and the impact on housing provision overall, which is not known at this stage. Other LPAs that neighbour Wealden District who are unlikely to meet their local housing need include Rother, Lewes, Tandridge and Sevenoaks. However, we do not know the extent of unmet need currently and apart from Lewes, we have not been requested to meet their unmet housing need at this stage. We are also mindful that Wealden does not have as strong a HMA relationship with these local authorities as we do with Eastbourne and Tunbridge Wells, and it is very unlikely that we would be able to deliver the unmet housing need from all our surrounding authorities.

**4.32** The South Downs National Park (SDNP) is not subject to the ‘standard method’ calculation for housing need as outlined in national planning policy guidance, which covers approximately 7% of Wealden District’s geographical area (south of the A27). It is noted that only a small proportion of Wealden District’s population lives within this area and the ‘standard method’ calculation for Wealden has taken account of housing need within the whole of Wealden District. Wealden District Council has therefore addressed housing need in the SDNP as part of this process.

## Housing evidence base

**4.33** The LHNA (2021) examines the future need for housing in the District and provides evidence on the types and mix of housing required and considers the need for affordable housing. The study supports the use of the ‘standard methodology’ for deriving the minimum local housing need figure in Wealden District. It also considers that no exceptional circumstances exist as a basis for not using the ‘standard method’ to understand our housing need.

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13 [Eastbourne Local Plan – Growth Strategy, Regulation 18 Consultation, November 2022](#)

14 [Tunbridge Wells Borough Submission Local Plan, October 2021](#)

15 [Examination of the Tunbridge Wells Borough Local Plan: Initial Findings, November 2022](#)



**4.34** As part of the local plan process so far, we have gathered information in relation to understanding how much housing we can deliver in the District within the plan period. The Council has undertaken a proactive approach to identifying opportunities to deliver housing and this is set out in the Regulation 18 Housing Supply Topic Paper (March 2024). In addition, the Council has been proactive in identifying sites for future development as part of its Strategic Housing and Economic Land Availability Assessment (SHELAA) (February 2024) including a ‘call for sites’ as well as liaising with landowners and site promoters to understand the deliverability of strategic schemes. The SHELAA provides detailed information on the suitability and deliverability of potential sites for housing and other uses taking into account our Sustainability Appraisal, our Interim Habitat Regulations Assessment and other evidence including landscape assessments, flood risk, infrastructure capacity etc.

**4.35** The work we have undertaken alongside the understanding that we have from our Brownfield Land Register (2023) shows that we have very limited previously developed land (PDL) in the District suitable for housing. This is expected given the lack of industrial legacy in the District and the acute need for employment land that has meant limited opportunities for residential uses on PDL. The Council’s Authority Monitoring Report (AMR) shows that since the 2016/17 monitoring period, the use of PDL for new housing schemes has been below 50%. These sites consist mainly of smaller sites of 4 (net) dwellings or fewer (i.e. windfall sites) and those sites that have existing Permitted Development rights to change to housing (i.e. office to residential use). This means that the majority of new houses have come forward on greenfield land in recent years and that greenfield sites will be required to deliver the quantum of housing needed in the future.

### Sustainable Settlements and the settlement hierarchy

**4.36** As part of the plan-making process we have undertaken work to understand the role and function of the District’s settlements to help us identify those which would be the most appropriate to deliver housing and employment growth through our Draft Regulation 18 Sustainable Settlements Study (March 2024). Those settlements with the most services and facilities and a good level of public transport and accessibility are considered to be the most sustainable settlements in the District. This includes Type 1 to Type 4 settlements. These settlements will have a development boundary. The table below identifies the settlement hierarchy for Wealden.

**Table 3 Draft Settlement Hierarchy**

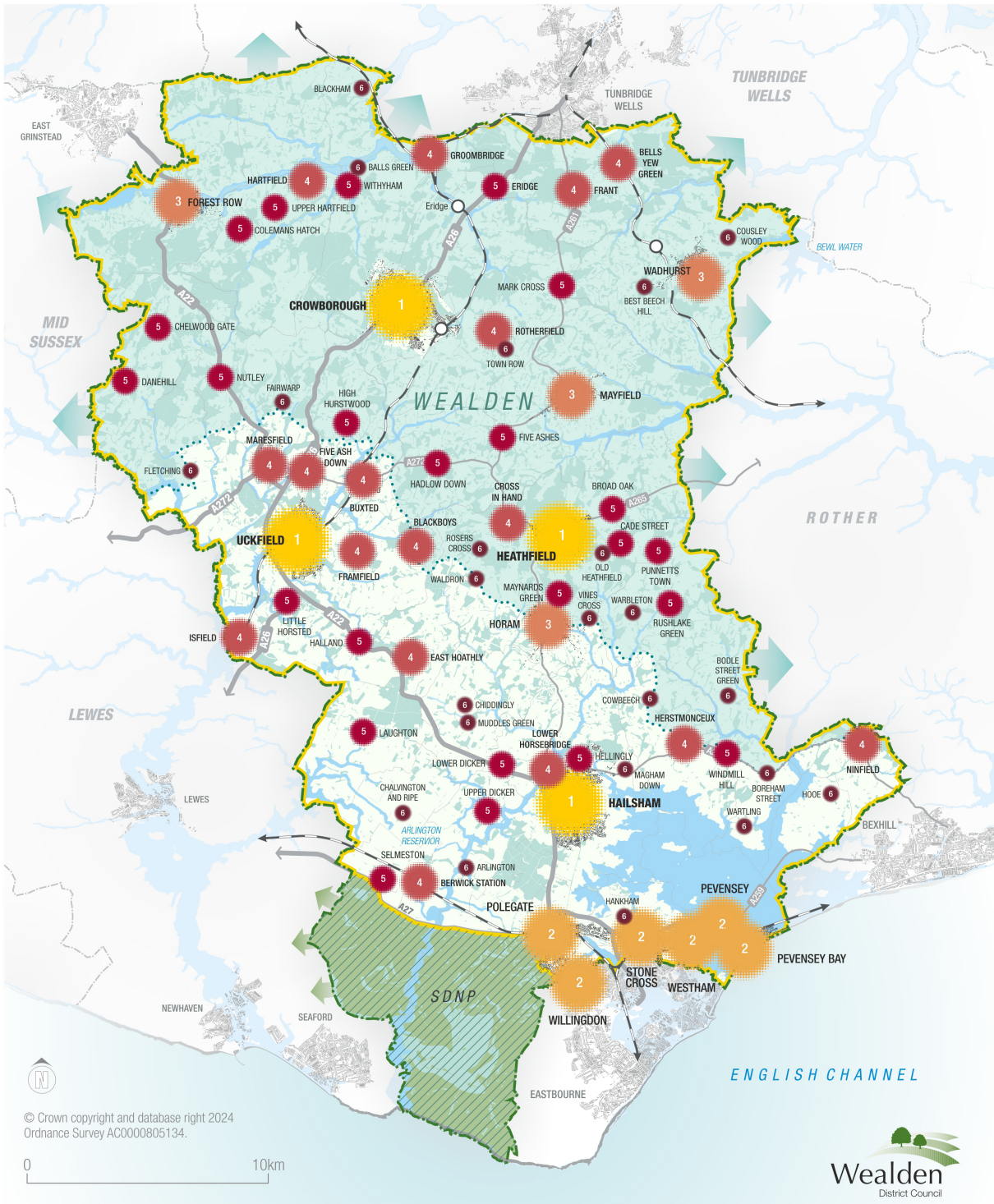
Settlement category	Settlement
Type 1 settlements (Town)	Crowborough, Uckfield, Hailsham and Heathfield
Type 2 settlements (Settlements that geographically relate to a regional centre out with Wealden District)	Polegate, Willingdon, Stone Cross, Westham, Pevensey, Pevensey Bay
Type 3 settlements (Primary village)	Forest Row, Horam, Mayfield, Wadhurst.

Settlement category	Settlement
Type 4 settlements (Secondary village)	Bells Yew Green, Berwick Station, Blackboys, Buxted, Cross in Hand, East Hoathly, Five Ash Down, Framfield, Frant, Groombridge, Hartfield, Herstmonceux, Isfield, Lower Horsebridge, Maresfield, Ninfield, Rotherfield
Type 5 settlements (Neighbourhood settlement)	Broad Oak, Cade Street, Chelwood Gate, Coleman's Hatch, Danehill, Five Ashes, Eridge, Hadlow Down, Halland, Hellingly, High Hurstwood, Laughton, Lower Dicker, Little Horsted, Mark Cross, Maynards Green, NutleyPunnetts Town, Rushlake Green, Selmeston, Upper Dicker, Upper Hartfield, Windmill Hill, Withyham
Type 6 settlements (Residential settlement)	Arlington, Balls Green, Best Beech Hill, Blackham, Bodle Street Green, Boreham Street, Chalvington & Ripe, Chiddingly, Cowbeech, Cousley Wood, Fairwarp, Fletching, Hankham, Hooe, Magham Down, Muddles Green, Old Heathfield, Rosers Cross, Town Row, Vines Cross, Waldron, Warbleton, Wartling

**4.37** The Sustainable Settlement Study and the settlement hierarchy is one of many evidence base studies that we take into account when considering the distribution of future growth and delivering sustainable development. The study in itself does not determine how much growth should be allocated within each settlement as we need to consider many sustainability and planning matters to help us to determine this. For example, the availability of land, environmental constraints such as landscape and flooding as well as physical and social constraints such as the availability of infrastructure to support new growth. All aspects are considered in preparing a local plan, in combination with the Initial Sustainability Appraisal (March 2024) and the Interim Habitats Regulations Assessment (January 2024).

**4.38** The settlement hierarchy will be kept under review to ensure that it is based on up-to-date information ahead of the Regulation 19 consultation. We are consulting on our settlement hierarchy as part of this consultation. Therefore, please submit comments if you have any on the Draft Sustainable Settlement Study.

**Figure 7 Wealden District Settlement Hierarchy**



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**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- South Downs National Park (SDNP)
- Woodland
- Water
- High Weald National Landscape
- Settlements

**Settlement Hierarchy**

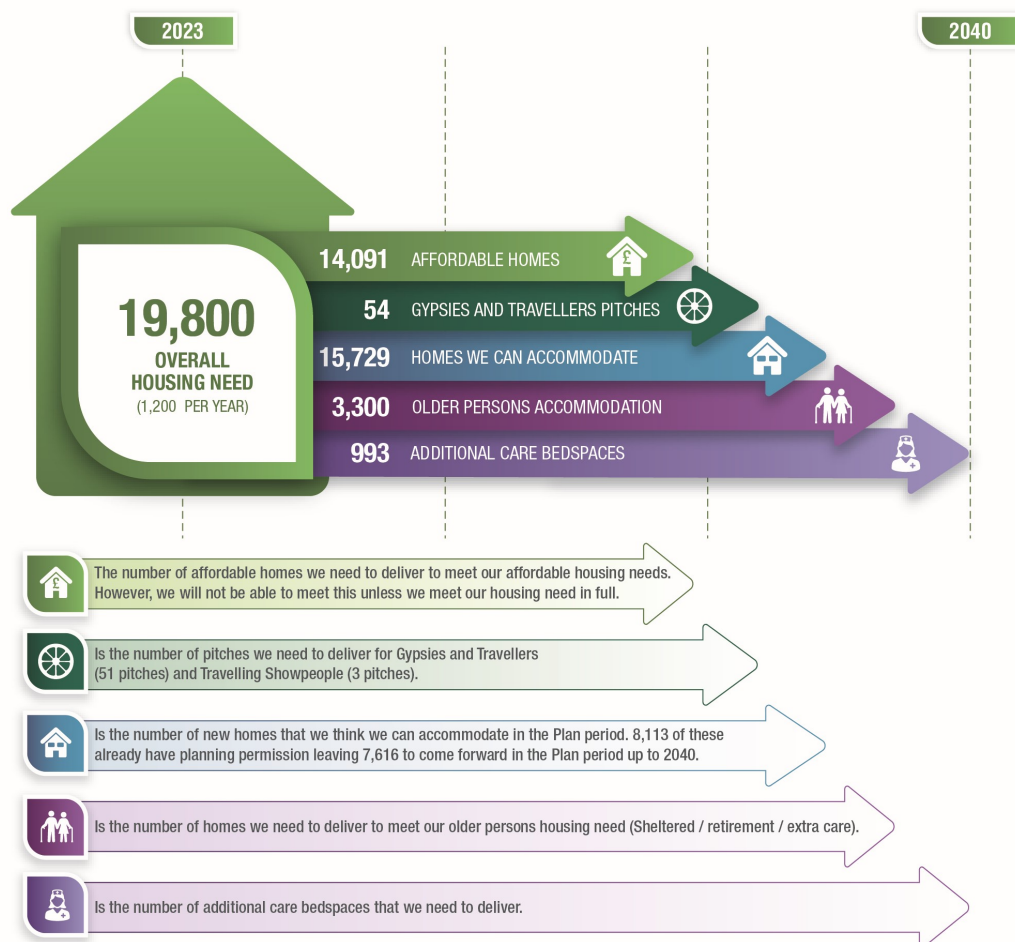
- Type 1 - Town
- Type 2 - Urban Settlement
- Type 3 - Primary Village
- Type 4 - Secondary Village
- Type 5 - Neighbourhood Settlement
- Type 6 - Residential Settlement

## Current and future housing supply

### Draft option for the purpose of Regulation 18

**4.39** The extensive work that we have undertaken to inform this Regulation 18 Local Plan consultation provides an overall housing figure for Wealden of 15,729 homes over the plan period. This would achieve an annual target of 953 homes per year. This target includes a windfall allowance of 2,000 dwellings over the plan period. Windfall sites are sites that will deliver development but have not been specifically identified. The Housing Supply Topic Paper (March 2024) sets out how the windfall allowance has been derived, which in short, is based on our understanding of the average previous housing completions in the District for small sites (sites of 4 (net) dwellings or fewer) that would not normally be identified in the SHELAA process, amongst other matters.

**Figure 8 Wealden Development Needs**



**4.40** At this stage in the plan-making process, there is a shortfall in housing delivery of 4,071 (net) dwellings, which amounts to a shortfall of 247 dpa. This means that the overall housing supply figure for our Regulation 18 consultation is currently a 'capacity' based figure, based on the level of housing that can be delivered within the plan period, having regard to the below identified constraints and potential development capacity. Constraints include:

- Potential highways impacts, particularly around the A22 and A26 corridor, which will likely constrain growth in the south and north of the District respectively, particularly around Hailsham and Uckfield and the surrounding areas, accounting for cumulative impacts;
- Flood risk, particularly to the southeast of the District and around urban areas that surround Eastbourne;
- Landscape considerations in relation to the High Weald National Landscape and the setting of the South Downs National Park;
- Biodiversity designations and habitats across the District.

**4.41** The above constraints lead to a lack of deliverable sites in sustainable locations within our District. Further details in relation to these constraints is provided within the Interim Infrastructure Delivery Plan, our Sustainable Transport Evidence Base (STEB), Strategic Flood Risk Assessments and Landscape Assessments that accompany this consultation<sup>16</sup>. Further detailed highways modelling will be undertaken between this consultation and the publication of the Regulation 19 Local Plan.

**4.42** Should our overall housing supply continue to be a ‘capacity’ based figure as we develop the plan further to Regulation 19, it will mean that we are unlikely to be in a position to meet our own housing need or indeed assist our neighbouring local authorities with their ‘unmet’ housing need. However, we will further consider this as we progress the plan accounting for any new sites submitted to us through our second ‘call for sites’ exercise that is running alongside this Regulation 18 consultation and as we test sites and our growth strategy further with infrastructure providers, for example.

**Table 4 Housing supply at the Regulation 18 Draft Local Plan consultation stage**

Source of housing supply	Number of dwellings
Commitments (net) as of 1 October 2023	8,113
Windfalls including suitable SHELAA sites located within development boundaries (not allocated)	2,000
Local Plan draft allocations	5,616
Total housing supply	15,729
Dwellings Per Annum	953

**4.43** In terms of our past housing delivery rate, the Core Strategy (2013) set a housing requirement of 450 dpa and the average delivery rate since 2013/14 has been 709 dpa. To meet our overall housing need requirements as calculated through the standard method would require a substantial uplift in housing delivery from the current position.

16 Please see our evidence base webpage: <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/wealden-local-plan/local-plan-evidence-bases/>

## Policy SS2: Provision of Homes

### New homes

1. A housing target of 15,729 (net) dwellings will be delivered in the District between 1 October 2023 and 31 March 2040. The provision of homes will be met through committed schemes (with planning permission), site allocations within this local plan and windfall development, as set out in Table 5.
2. New housing (allocations and windfall) development is supported in the district's most sustainable settlements and will be located within the defined development boundary areas within the district, as defined on the Policies Map.

## Question 3

### Consultation Questions

- a) Do you agree with draft Policy SS2 Provision of Homes?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Distribution of housing growth

**4.44** The distribution of housing growth set out in table 6 below has been defined through our evidence base. The spatial strategy for housing seeks to concentrate the majority of growth in our main towns (Type 1 settlements) and within settlements located in close proximity either to our main towns or adjacent to Eastbourne and Tunbridge Wells (Type 2 settlements). For other settlements (Type 3 and 4 settlements), a proportion of growth is encouraged taking into account environmental and infrastructure constraints and the location of deliverable sites for housing.

**4.45** Overall, certain settlements within the District have a greater ability to deliver sustainable development than others. For example, both Horam and East Hoathly have a higher potential to deliver growth than other settlements of a similar size owing to their location in the Low Weald, more limited constraints, and connections with higher order settlements. In addition, a quantum of growth in these locations has the potential to deliver wider benefits such as the provision of a new school, and the expansion of existing education provision in these locations, which will address current sustainability issues as well as address capacity issues. New, or expanded school provision in both Horam and East Hoathly will improve the sustainability of both of these villages.

**4.46** A number of Type 1 to Type 4 settlements are located within the High Weald National Landscape. Although these settlements are considered to be sustainable, the suitability /

deliverability of sites in these locations is reduced due to landscape sensitivity. Housing delivery in these locations is therefore balanced with the protection of the High Weald National Landscape. This Local Plan includes the allocation of land to the south of Tunbridge Wells, Crowborough, Heathfield, Wadhurst, Frant, Bells Yew Green, Groombridge, Hartfield and Rotherfield.

**4.47** The table below sets out the distribution of housing on a parish-by-parish basis and includes existing commitments, site allocations and the anticipated windfall allowance up to 2040. Further information on sites allocated is provided in chapter 13.

**Table 5 Draft distribution and amount of housing growth up to 2040 on a Parish basis**

Parish	Committed Dwellings (Net) as of 1 October 2023	Local Plan Allocated Dwellings (Net)	Windfall Allowance	Total
Hailsham	1,826	842	291	2,959
Uckfield	941	861	191	1,993
Westham	749	349	99	1,228
Hellingly	787	385	52	1,224
Crowborough	792	147	275	1,214
Willingdon and Jevington	977	0	96	1,073
Horam	130	847	40	1,017
Polegate	372	395	119	886
Frant	247	477	21	745
East Hoathly with Halland	267	400	19	686
Heathfield and Waldron	76	151	155	382
Framfield	141	184	26	351
Maresfield	61	235	46	342
Buxted	103	185	49	337
Herstmonceux	150	9	35	194
Chalvington with Ripe	142	0	12	154
Ninfield	90	20	20	130
Wadhurst	16	20	62	98
Withyham	13	36	35	84
Forest Row	20	0	61	81

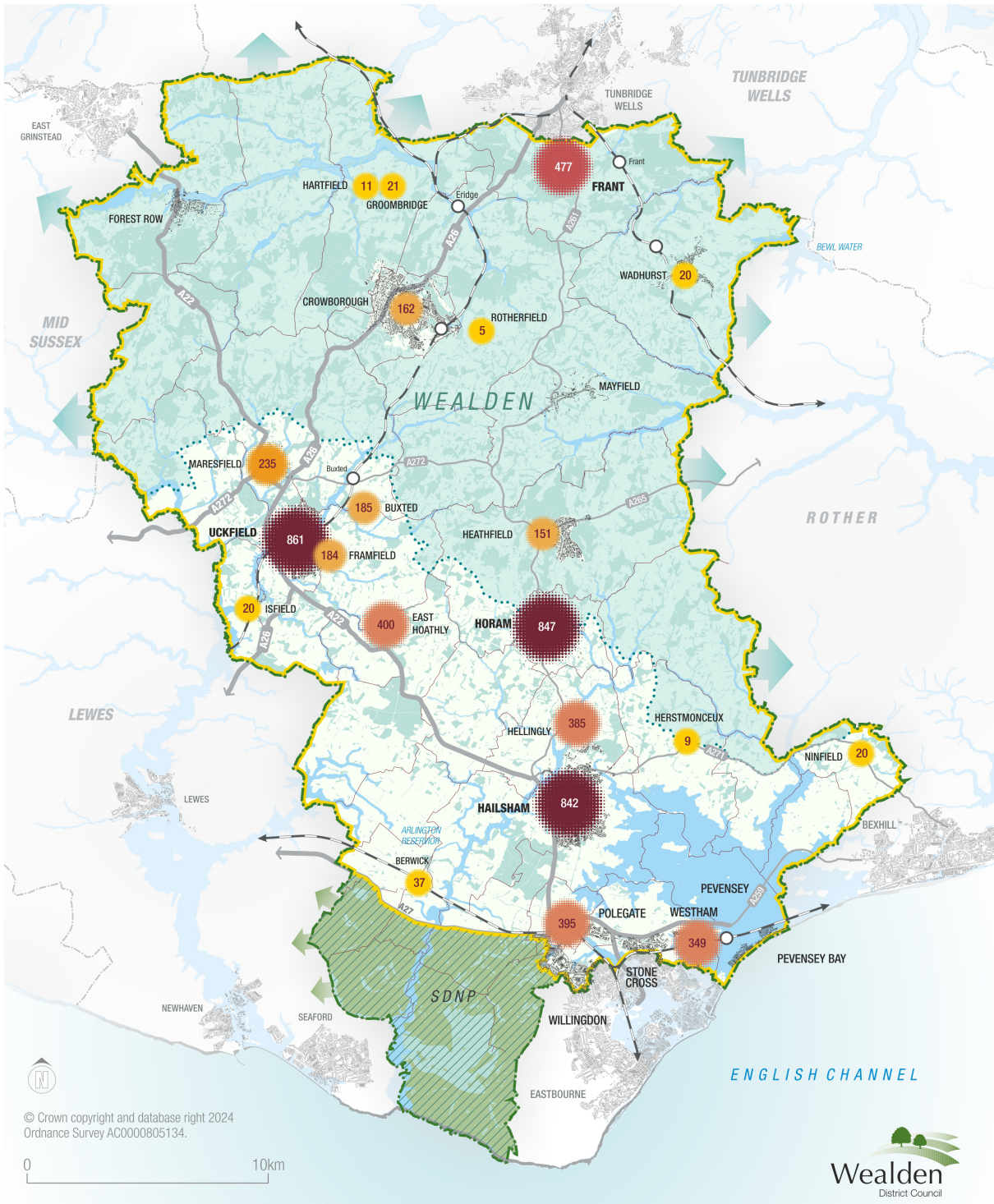
Parish	Committed Dwellings (Net) as of 1 October 2023	Local Plan Allocated Dwellings (Net)	Windfall Allowance	Total
Berwick	38	37	4	79
Rotherfield	28	5	42	75
Mayfield and Five Ashes	15	0	51	66
Arlington	34	0	12	46
Hartfield	7	11	28	46
Pevensey	4	0	42	46
Chiddingly	25	0	13	38
Danehill	13	0	23	36
Isfield	4	20	9	33
Fletching	15	0	14	29
Hadlow Down	9	0	10	19
Warbleton	2	0	17	19
Laughton	8	0	8	16
Wartling	7	0	6	13
Long Man	3	0	6	9
Hooe	1	0	6	7
Little Horsted	0	0	3	3
Selmeston	0	0	2	2
<b>Total</b>	<b>8,113</b>	<b>5,616</b>	<b>2,000</b>	<b>15,729</b>

### Further testing of the distribution of housing growth

**4.48** The NPPF requires that local planning authorities should seek to meet their full need for both market and affordable housing as far as is consistent with other policies in the Framework. To inform the Regulation 18 stage, we have tested a number of growth scenarios to understand whether we can meet our housing need requirement and whether certain development sites are likely to be deliverable and can be included in our draft spatial strategy at this stage. As part of this local plan consultation, we are undertaking a further 'call for sites' and we will consider sites submitted and will undertake further testing of those sites already submitted to our SHELAA, prior to publishing our Proposed Submission Local Plan at Regulation 19 stage.



**Figure 9 Wealden District Housing Allocations**



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0 10km



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)
- Woodland
- Water
- High Weald National Landscape
- Administrative Boundary

**Housing Allocations**

- 1 - 50 Allocations
- 51 - 200 Allocations
- 201 - 300 Allocations
- 301 - 400 Allocations
- 401 - 500 Allocations
- 501 - 900 Allocations

## Land at West of Uckfield

**4.49** A large strategic site has been submitted to the Council's SHELAA at land at West of Uckfield (SHELAA reference 1061/1410). This site has not been included within the Regulation 18 Draft Local plan as further detailed testing is required to understand whether this site is suitable for development and also whether the site would be deliverable within the plan period, particularly around highways capacity. This work has already commenced and will continue alongside the work required to progress the Local Plan. Should the site be considered deliverable, the site could deliver a range of homes as well as other associated development including new community facilities such as sports facilities, education facilities, employment provision as well as a new green space.

**4.50** Whilst the Council needs to undertake further work to fully understand the implications of this proposal, we are keen to understand the view of our community. Figure 10 below sets out a masterplan concept drawing of the site which has been provided by the site promoters. The Council will consider this site further (as set out above) drawing on the further testing that will take place in relation to progressing the Local Plan towards Regulation 19 stage.

**Figure 10 Concept Masterplan for Land West of Uckfield - Owlsbury**



## Question 4

### Consultation Questions

- a) Do you have any comments at this stage in relation to the site at Land at West of Uckfield – Owlsbury?

## Gypsy and Traveller and Travelling Showpeople

**4.51** The NPPF sets out the Council's responsibility to assess and plan for the housing needs of all residents. The provision of Gypsy, Traveller and Travelling Showpeople accommodation is a specific community need that the Council has a legal duty to provide in order to facilitate a traditional and nomadic way of life for Gypsies, Travellers and Travelling Showpeople, whilst also respecting the interests of the settled gypsy and traveller community, including promoting social inclusion and ensuring that they have fair and equal access to accommodation that meets their needs.

**4.52** In partnership with Local Planning Authorities across East Sussex (including the South Downs National Park), the Council has recently undertaken a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (May 2022). This GTAA shows the level of need for Gypsy, Traveller and Travelling Showpeople accommodation in the District and includes the need as was defined in the Planning Policy for Traveller Sites (PPTS) (August, 2015), which included the need based on a broader 'ethnic' definition and a need based on a 'work' definition. The broader 'ethnic' definition identifies households as Gypsy, Travellers and Travelling Showpeople that would not meet the 'travelling' part of the definition contained within the PPTS (i.e. they have ceased on a permanent basis to travel). This could be due to old age, or childcare responsibilities, for example.

**4.53** The PPTS has since been updated recently (December 2023), with Annex 1 of that document confirming that in determining whether persons are 'gypsies and travellers' for the purposes of planning policy, that consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life;
- b) the reasons for ceasing their nomadic habit of life;
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

**4.54** The GTAA identified that Wealden District has the highest Gypsy, Traveller and Travelling Showpeople population within East Sussex, in addition to the largest number of existing plots and pitches. This GTAA shows that for the study period between 2021 to 2040, there is an accommodation need under the 'ethnic' definition of 51 pitches in total. It was also shown that there was accommodation need for three plots for Travelling Showpeople in the District.

**4.55** The Council will seek to undertake further work between this Regulation 18 Local Plan consultation and the Local Plan pre-submission consultation (under Regulation 19) to first consider whether the GTAA evidence base will require an update to account for the recent

changes (December 2023) made to the definition of both 'gypsies and travellers' and 'travelling showpeople' in national planning policy.

**4.56** In addition, in terms of site supply, the Council will investigate whether existing Gypsy and Traveller sites could be expanded and whether other opportunities and locations exist to address the accommodation needs of the District in full. This will include consideration of existing Gypsy and Traveller sites for expansion, the delivery of 'new' sites on Council owned land, the delivery of Gypsy and Traveller pitches on strategic development sites or through the consideration of submitted sites through the Council's SHELAA process (although this has not to date yielded any sites). The Council will also consider any further sites submitted as part of the 'call for sites' that is taking place alongside this Regulation 18 consultation.

### Policy SS3: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs

To meet the identified accommodation need for Gypsies, Travellers and Travelling Showpeople within the District up to 2040, the Council will make provision for 51 pitches for Gypsies and Travellers and 3 plots for Travelling Showpeople in accordance with the needs identified in the GTAA for those who meet the PPTS definitions.

### Question 5

#### Consultation Questions

- a) Do you agree with draft Policy SS3 Gypsy, Travellers and Travelling Showpeople – Accommodation Needs?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Achieving Sustainable Economic Growth and Increasing Local Job Provision and Skills

### Town Centres and Retail

**4.57** Our District, Service and Local Centres are vital to the success of this Local Plan as well as the Council's climate change objectives, through the support that they provide to our communities and through the provision of local retail, service and leisure facilities. The Council's Economic Development Strategy (2023-2033) confirms that a key theme for the strategy is that Wealden's town centres will have to adapt to residents and visitor's needs, providing places to work, socialise and enjoy, whilst optimising dwell time and spend. The Wealden Town Centre Study (2022) has identified that there is only a very limited capacity for new retail floorspace

over the study period (2021 to 2039) for both comparison and convenience goods taking into account existing provision and future populations. The table below sets out the recommendations from the Town Centre Study for additional floorspace (for both convenience and comparison goods floorspace) over the study period.

**Table 6 Net quantitative 'capacity' for new retail floorspace in Wealden (2021 to 2039)**

Year	Minimum Floorspace Capacity (Convenience) (sq m net)	Maximum Floorspace Capacity (Convenience) (sq m net)	Minimum Floorspace Capacity (Comparison) (sq m net)	Maximum Floorspace Capacity (Comparison) (sq m net)
2026	600	900	-1,100	-1,600
2031	1,600	2,300	-500	-600
2036	2,600	3,800	600	800
2039	3,300	4,800	1,300	1,800

**4.58** Whilst some limited capacity for retail floorspace is identified, there is a level of uncertainty surrounding these projections in the longer-term and therefore our evidence suggests that we should not allocate land for retail floorspace but should instead focus any additional floorspace coming forward within our District, Service and Local centre boundaries in accordance with our town centre hierarchy (see Policy TC1 of this Local Plan). Furthermore, it was considered within the evidence base that there was sufficient floorspace at the present time to meet current levels of operator demand and that investment in existing units (including vacant units) and undeveloped sites are needed in any case to support/improve our existing centres. The Council's Town Centre evidence currently takes us to 2039. The Council will update the Town Centre evidence to align with the Local Plan period 2040 to inform the Regulation 19 Local Plan.

#### Policy SS4: Retail Provision and Town Centres

The Council will support the provision of between 3,300 sqm and 4,800 sqm of convenience retail floorspace and between 1,300 sqm and 1,800 sqm of comparison retail floorspace by 2040. This will be achieved within our District, Service and Local Centres as defined in Policy TC1.

## Question 6

### Consultation Questions

- a) Do you agree with draft Policy SS4 Retail Provision and Town Centres?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Town Centre Strategy

**4.59** All of our main centres<sup>17</sup>, as part of the Wealden Town Centre Study (2022), were provided with health check assessments, as well as Town Centre and Primary Shopping Area boundaries that were considered alongside the expected capacity for growth in the District for retail.

**4.60** In relation to a town centre strategy, we need to consider how our defined centres can evolve in the space that exists, how we can increase the market share of expenditure in our defined centres and how we can ensure that innovation can take place where it is needed to support businesses and to ensure that our centres continue to be a popular choice for our communities and visitors. An important focus for our town centres will be to deliver opportunities to improve the public realm, where we can, to create attractive spaces for our community.

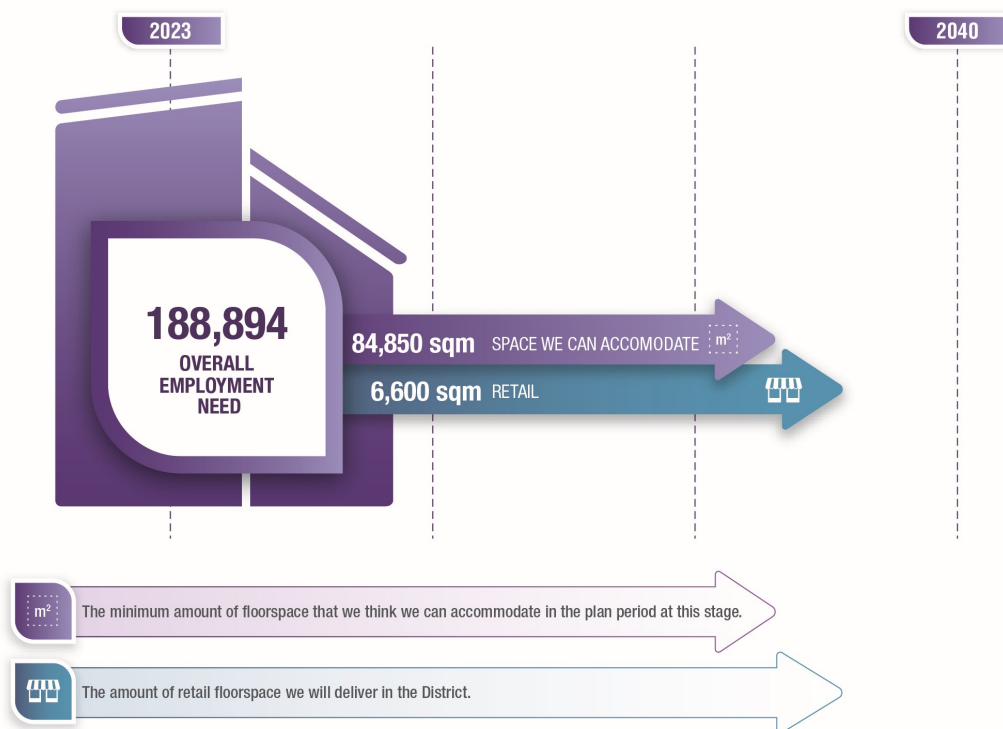
## The Economy

**4.61** In accordance with the NPPF, a key element of the spatial strategy is the delivery of employment land to meet the needs of the District. The Employment and Economic Study for Eastbourne and Wealden (2022) defines the Functional Economic Market Area (FEMA) for Wealden, identifying Wealden's key and complex interrelationships with neighbouring local authorities. The FEMA mirrors the HMA, (Figure 6), with the strongest links identified between Eastbourne and the south of Wealden District (Hailsham, Polegate, Willingdon, Westham, Stone Cross and Pevensey) followed by the north of the District (Crowborough, Wadhurst and Heathfield) being associated with Tunbridge Wells.

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<sup>17</sup> This includes Uckfield, Hailsham, Crowborough, Heathfield, Polegate, Forest Row and Wadhurst.

**Figure 11 Wealden Development Needs**



**4.62** The Employment and Economic Study for Eastbourne and Wealden (April 2022) identifies future employment land needs for both offices (use class E(g)i) and for industrial and warehouse uses (use classes B2 and B8) for the study period. For offices in Wealden, the report identified a recent period of adjustment due to the Covid-19 pandemic that influenced ways of working, but taking a view to 2039, including predicted levels of population growth, it is recommended that some growth in office floorspace was likely to come forward over the period. The study recommends that between 2019 and 2039 that a range of between 3.1 ha and 6.8 ha is needed for new offices. It was recommended within the Employment and Economic Study that there should be no strategic allocations for offices in the District, as additional floorspace can be accommodated through smaller office provisions/ additions within the existing town centres of the District.

**4.63** In relation to industrial and warehouse floorspace provision, the study has identified a clear need for new sites on the basis of previous completions over the last twenty-year period (2000/01 to 2019/20), which indicates a strong demand for industrial and warehouse units and in considering that the loss of such units has been limited. Overall, the market remains buoyant and requires further industrial developments to meet demand. The table below details the district’s overall employment floorspace needs between the 2019 and 2039 study period:

**Table 7 Recommended Employment Need in Wealden Between 2019 and 2039**

	Office Low	Office High	Industrial & Warehouse	Total Low	Total High
Hectares (ha)	3.1	6.8	48.3	51.4	55.1
Floorspace (sqm)	13,140	31,636	196,697	209,837	228,333

**4.64** It is noted that completions (net) for employment uses between 2019 and 2023 period (as of 1 April 2023) totalled 39,439 sqm. This leaves a residual employment need for industrial land needed of 152,831 sqm and a need for new office floorspace of between 17,567 and 36,063 sqm. This figure currently excludes any current commitments for employment uses and this is shown below.

**Table 8 Residual Employment Need in Wealden between 2023 and 2039**

	Office Low	Office High	Industrial & Warehouse	Total Low	Total High
Completions (net) 2019 to 2023 in sqm	-4,427		43,866	39,439	
Residual Floorspace Requirement (sqm)	17,567	36,063	152,831	170,398	188,894

**4.65** We will update our employment figures and evidence base between our Regulation 18 and Regulation 19 stages to align the need with the plan period up to 2040, account for any new information such as commitments and completions as well as 2021 census data.

**4.66** Policy SS5 below sets out the Council's position for the purposes of the Regulation 18 Draft Local Plan consultation. In addition, we will consider the suitability and deliverability of employment sites further between Regulation 18 and the Regulation 19 Local Plan in order to meet our employment need. For further detail please see the 'Further testing' section below.



## Policy SS5: Provision of Employment Floorspace

1. The Council will support the provision of at least 84,850 sqm of employment floorspace in use Classes E(g), B2 and B8 by 2040. This will be achieved through the following measures:
  - a) The allocation of land as employment sites as listed within Policy SS 6 Strategic Employment Sites;
  - b) The delivery of existing commitments for employment uses, with the largest commitments (above 5,000 sqm) already identified in Policy SS 6 Strategic Employment Sites;
  - c) The retention of existing employment premises across the district and particularly strategic employment sites identified in Policy EC2: Existing Strategic Employment Sites;
  - d) Supporting existing businesses through the provision of new employment premises/floorspace or the redevelopment, conversion, upgrading, intensification or reconfiguration of employment premises or floorspace on existing employment sites;
  - e) The delivery of new economic development in rural areas in line with Policy EC4 Rural Economy; and
  - f) The provision of new office floorspace (Use Class E(g)(i) within Wealden's designated district, service and local centres.

## Question 7

### Consultation Questions

- a) Do you agree with draft Policy SS5 Provision of Employment Space?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Employment provision and the Duty to Cooperate

**4.67** Similar to housing provision, the provision of employment land to meet need is a strategic matter, and we are required to consider whether we can deliver any shortfall from surrounding local authorities who we share a FEMA with. The Eastbourne Local Plan Growth Strategy consultation identified that Eastbourne may have a shortfall in employment provision during their plan period of some 23,184 sqm. At this stage, given that the Council cannot meet its own employment needs, we have not sought to address this unmet need at this stage. However,

if this position changes, we will consider whether we can meet any of Eastbourne’s unmet employment land need once Eastbourne Borough Council’s evidence on employment supply is progressed further. It is noted that Tunbridge Wells Borough Council submitted a Local Plan (October 2021) that looked to meet their full employment needs of 14 hectares. If this level of employment need is taken forward, it will mean that there is no unmet need from the borough.

### Distribution of employment land

**4.68** The South East Local Enterprise Partnership (SELEP) has identified growth corridors/ areas in the South East LEP area. This includes the A22/A27 Eastbourne – South Wealden Corridor, which encompasses both the A27 and A22 within Wealden, including the towns of Polegate, Hailsham and Uckfield (that sit alongside those major road routes), as well as Lewes and Eastbourne outside of Wealden District. The East Sussex Growth Strategy 2013 - 2020, also emphasised support for employment growth along the A22/A26/A27 Eastbourne-Polegate-Uckfield-Crowborough corridor and the Council has seen a number of large employment sites come forward in this strategic employment corridor over recent years (the Ashdown Business Park, Michael Way and the Diamond Drive, Lower Dicker industrial estate). Given the above and the significant need for B2 and B8 employment uses specifically in the District, as demonstrated in the Employment and Economic Study for Eastbourne and Wealden (April 2022), it is clearly imperative that this Local Plan seeks to deliver its larger employment developments within this growth corridor to make best use of those transport connections, which accords with paragraph 87 of the NPPF.

**4.69** Policy SS6 below identifies Wealden’s strategic employment allocations, where new employment uses will be supported and safeguarded. In addition, three additional employment sites that are committed sites (i.e. sites with planning permission for employment uses) have been referenced in this policy due to their scale (over 5,000 sqm (net) employment floorspace). All the site’s listed within Policy SS6, once constructed for employment uses, will be considered as strategic employment sites (see Policy EC2 – Existing Strategic Employment Sites). Further information in relation to the sites can be found in the site allocations chapter.

#### Policy SS6: Strategic Employment Allocations

1. To meet the employment and growth aspirations of the District, the following sites are allocated for business and employment purposes:

Allocations	Employment floorspace (net)
Knights Farm West, Hailsham	40,000 sqm
Woodside Park, Land East of A22, Hailsham	16,750 sqm

Large Employment Commitments <sup>18</sup>	Employment floorspace (net)
Land at Natewood Farm, Polegate Road, Hailsham	5,999 sqm
Land West of Uckfield, Uckfield	13,495 sqm
Mornings Mill Farm, Eastbourne Road, Lower Willingdon	8,600 sqm

2. The sites are allocated to provide employment uses E(g), B2 and B8. Retail uses and other Town Centre uses (excluding offices) will not be permitted at these sites. Once delivered these sites will be considered as strategic employment sites and will form part of the sites listed in Policy EC2 – Existing Strategic Employment Sites. Development must be in accordance with the site-specific requirements set out in the policies of this draft Local Plan.

## Question 8

### Consultation Questions

- Do you agree with draft Policy SS6 Strategic Employment Allocations?
- Should we change anything? If so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

## Further testing of employment land

**4.70** In a similar vein to housing, the Council has tested employment options with its infrastructure providers and will continue to do so as the plan progresses. A further ‘call for sites’ in order to identify additional employment land (amongst other land uses) is being carried out alongside this Regulation 18 consultation to ensure that sufficient land is available within the plan period to meet our economic needs. In addition, if Eastbourne Borough Council is found to have unmet employment need in the lead up to the Council’s Regulation 19 Local Plan, should we have sufficient suitable and deliverable sites we will consider meeting some or all of Eastbourne’s unmet employment need.

## Ashdown Business Park, Maresfield

**4.71** A large strategic employment site has been submitted to the Council’s SHELAA to the south and east of the existing Ashdown Business Park, Michael Way, Maresfield. It is noted also that part of the site submitted to the SHELAA is subject to a planning application currently

<sup>18</sup> Over 5,000 sqm of employment floorspace (net) in use classes E(g), B2 and B8 with planning permission.

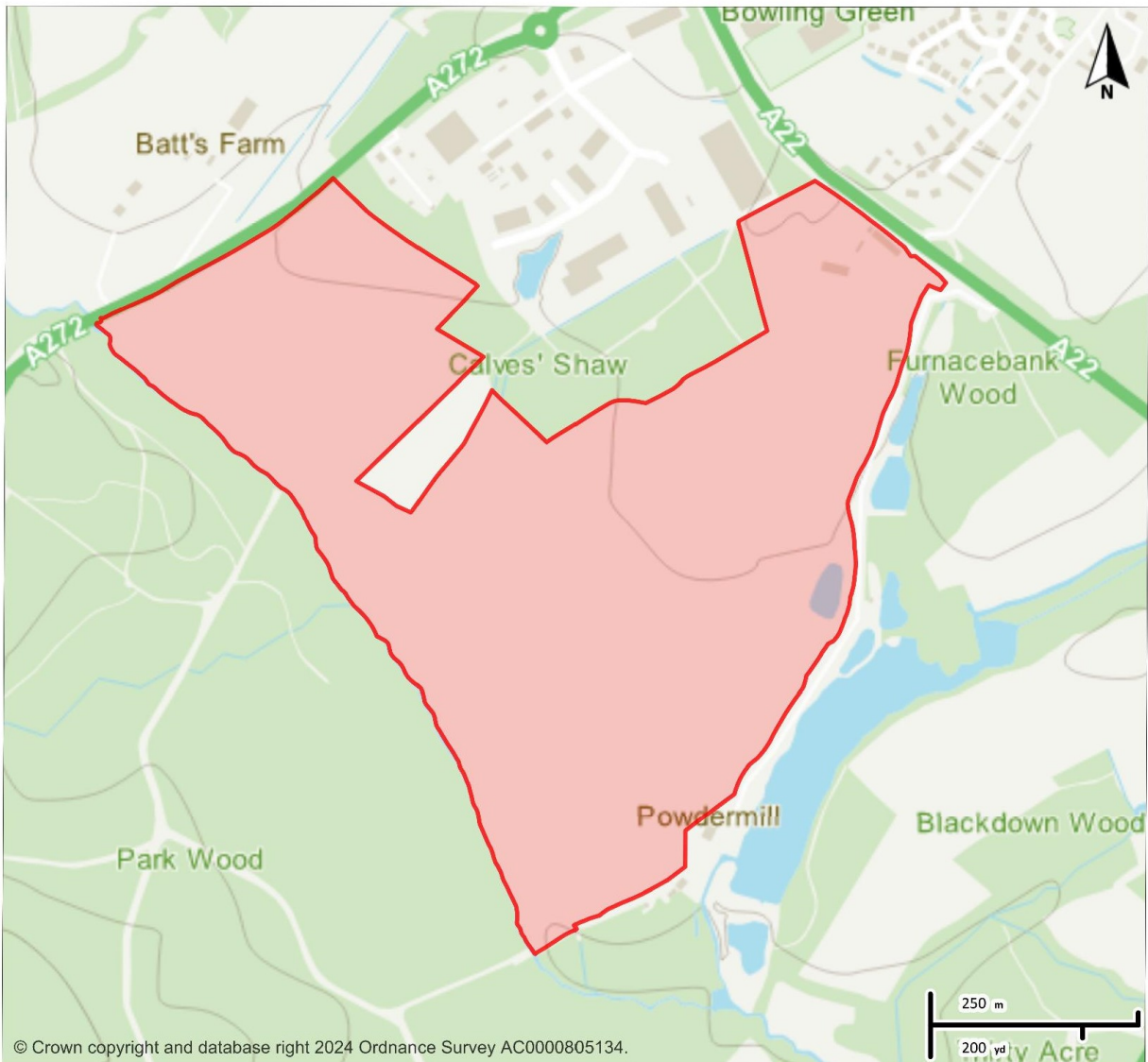
(see planning reference WD/2022/3319/MAO) for approximately 60,000 sqm of employment floorspace. The site has not been included within the Regulation 18 Draft Local Plan as further detailed testing is required to understand whether this site is suitable for development.

**4.72** Further consideration of the site is required for matters relating to highways, including sustainable transport options, as well as flood risk given that the site is located adjacent to the western boundary of the Batts Bridge Stream, with parts of the site being within Flood Risk Zone 3 (high risk) for fluvial flooding. It is also understood that PFAS contamination may be present on the site. Further work will need to be undertaken to assess any pollution risk and to identify whether potential mitigation is possible.

**4.73** Whilst the Council needs to undertake further work to fully understand the implications of this proposal, we are keen to understand the view of our community. The Council will consider this site further, including further testing that will take place in relation to progressing the Local Plan towards Regulation 19 stage.

**4.74** As discussed above, the Council is holding a further 'call for sites' in order to identify additional employment land to be carried out alongside this Regulation 18 consultation.

**Figure 12 Indicative outline of SHELAA site/s submitted to the Council under the 'call for sites' for Ashdown Business Park, Maresfield (SHELAA references: 980/3120, 720/3120 and 918/3120)**



## Question 9

### Consultation Questions

- a) Do you have any comments at this stage in relation to the site at Ashdown Business Park, Maresfield?

## Ensuring Comprehensive Development and Housing Delivery

**4.75** The NPPF confirms that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. For some types of larger mixed use, employment or housing development, this may involve bringing together pieces of land in different ownerships to ensure that the range of needs are met effectively within an overall area. Where a site comprises separate land ownerships, the expectation is that developers and landowners should work positively together to achieve the wider goals of sustainable development. The need to demonstrate that proposals will secure the provision of infrastructure, vehicular access, open space, affordable housing for the whole site (or at least not prevent this from happening in the future) is crucial and is highlighted in Policy SS7 below.

**4.76** The Council also supports the provision of masterplans and design codes in line with Policy DE2: Masterplans and Design Codes. These will help bring forward and co-ordinate the delivery of new sites (allocated or windfall sites).

**4.77** The approach to the mix of land uses on a site should ensure the overall viability of the proposals, but also consider the social, economic and environmental important elements of the scheme. Some elements of the overall scheme (particularly environmental parts) will typically be less commercially attractive but are normally required to ensure the deliverability of the development overall that is sustainable and acceptable in planning terms. In such cases, there may be requirements for those elements of the scheme that are less commercially attractive to be effectively cross funded, normally by the residential or other commercial elements of the scheme.

### Housing Delivery

**4.78** The NPPF supports proposals for housing development which are implemented in a timely manner, and states that local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period (normally three years), where this would expedite the development without threatening its deliverability or viability. The Council will work closely with key partners, developers and landowners to expedite the delivery of housing and to maintain at least a five-year supply of deliverable sites for housing and to meet the overall housing requirement for the District (including its Housing Delivery Test (HDT) measurement). It is noted that both the HDT and five-year housing land supply requirement are under review currently, and if changes are made to either mechanism, then this will be considered at the Regulation 19 stage.

**4.79** The sub-division of larger sites to support the delivery of new homes will only be supported where this expedites the delivery of new homes, and where the delivery requirements of the larger site, for example affordable housing, infrastructure delivery and open space, sports and recreation requirements or the wider objectives of the site are not compromised.

## Policy SS7: Ensuring Comprehensive Development and Housing Delivery

1. A comprehensive approach to site development will be expected for all new development, even where sites are in multiple ownership and provide a mix of uses, to ensure the good planning of an area. These principles will be achieved through the following policy measures:
  - a) Support for the provision of masterplans and design codes in line with Policy DE2: Masterplans and Design Codes to help bring forward and co-ordinate the delivery of sites at scale within the District;
  - b) Ensuring that the applicant has applied proper consideration to how the policy requirements in this local plan (such as the provision of appropriate land uses, affordable housing, open space/green space, access, sustainable transport, sustainable drainage and other infrastructure etc.) relating to the whole site, with a phasing plan where appropriate, will be achieved;
  - c) Support for the sub-division of large sites, where this is proven to expedite the delivery of new homes or employment development and where this does not conflict with the comprehensive planning and delivery of the whole site when considered against other policies in this Local Plan; and
  - d) To assist in making sure that proposals for development are implemented in a timely manner (particularly housing sites), the Council will consider imposing planning condition(s) that require development to begin within a timescale shorter than the relevant three-year period, where this would expedite the development and would not threaten its viability or deliverability

## Question 10

### Consultation Questions

- a) Do you agree with draft Policy SS7 Ensuring Comprehensive Development and Housing Delivery?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Supporting Text

**4.80** The sub-division of larger sites to support the delivery of new homes will be supported where all infrastructure requirements of the larger site have been considered and secured, either through a planning condition or a planning obligation. This would include phased developments where there are multiple reserved matters applications. In such cases, it would be expected that the applicant enters into pre-application discussions with the local planning authority to determine the main requirements of the larger site and what is required to be

delivered as part of the smaller scheme. The application of this policy will include regard to the provision of appropriate land uses, affordable housing (where applicable), access, sustainable transport, green space/open space, sustainable drainage, and other infrastructure (secured directly or through funding contributions), taking account of the site as a whole. This includes the provision of Suitable Alternative Natural Green Spaces (SANGS) and Strategic Access Management and Monitoring Strategy (SAMMS) where applicable.

**4.81** The Council, in the consideration of imposing planning conditions that require a development to begin with a timescale shorter than the relevant period, will consider whether this can happen without threatening its deliverability and viability and will work proactively with the developer on this point to ensure agreement between the parties, where possible. The Council will also consider, if a previous planning permission has been granted on the site, the reasons for why that planning permission did not start.

## Climate change

**4.82** Our role in shaping new and existing developments in ways that reduce carbon emissions as well as help our communities to become more resilient to climate change is an important one and addressing climate change is relevant to all sections of the plan. Even with concerted action now, it is recognised that current levels of greenhouse gases in the atmosphere will lead to changes in the climate, therefore there is a responsibility on us all to minimise our carbon emissions whilst ensuring that our built and natural environments and our communities are able to adapt to the expected impacts. Mitigation of, and adaptation to, climate change must therefore be the central consideration for our local plan.

**4.83** As well as taking action to reduce emissions, it will also be important to maximise natural processes that can take carbon out of the atmosphere, known as ‘carbon sequestration’. Green infrastructure and nature recovery will have a major role to play in this, helping to mitigate the impacts of high temperatures, reduce flood risk, as well as address the ecological emergency that has seen a rapid decline in biodiversity. This will also assist to address growing issues with population health and reduced social equality.

**4.84** Some of the necessary actions for tackling climate change, such as improving energy efficiency, ensuring that development is ‘zero carbon ready’, reducing the need to travel, design improvements and increasing the provision of green infrastructure, will have direct benefits for residents by reducing energy bills and providing a better-quality environment in which to live and work. They may also open up business opportunities to help Wealden develop a low carbon economy.

**4.85** The Council is committed to tackling the causes and impacts of climate change, as well as delivering a reduction in the district’s carbon footprint and seeking to become a net zero carbon district. Policy SS8 sets out how development proposals are expected to contribute to climate change mitigation and adaptation. This policy is supported by a number of more detailed policy requirements presented later in the plan. All developments will be expected to contribute to the mitigation of and adaptation to climate change.

**4.86** We will work with developers, stakeholders and partners to address climate change and to ensure that new developments create places that consider local issues that will contribute to achieving both the Government’s and Council’s net zero targets as well as helping our communities to live healthy and green lifestyles.



## Policy SS8: Responding to the Climate Crisis

### Climate change mitigation

1. Development proposals will be expected to deliver best practice and, where possible, innovative and creative solutions to mitigate climate change, contributing to meeting nationally binding targets to reduce greenhouse gas emissions and Wealden becoming a net zero district, as soon as possible.
2. Support will be given to development proposals that help mitigate climate change and consideration will be given to how development proposals:
  - a) Reduce heat and power demands of the development;
  - b) Improve energy consumption through energy efficiency measures;
  - c) Incorporate decentralised, renewable and low carbon energy solutions;
  - d) Re-use buildings, materials and minimise the impact of waste and the use of natural resources;
  - e) Improve the energy performance of any existing buildings;
  - f) Incorporate sustainable design and construction techniques including those relevant to whole life net zero carbon in the construction and operation of buildings and ensuring that development is zero carbon ready;
  - g) Sequester carbon through land management opportunities, woodland creation, tree planting and / or any other innovative ways to capture carbon in the environment;
  - h) Support landscape scale approaches to nature protection and recovery e.g. supporting the Weald to Waves Nature Recovery Corridor<sup>19</sup>;
  - i) Support regenerative farming and the protection of soil health;
  - j) Support well-connected communities in relation to their location to services, facilities, education, public transport and jobs, supporting a reduction in vehicle use (number and length of journeys) and avoiding car dependent behaviours;
  - k) Support and deliver the improvement of walking, wheeling and cycling routes, and access to public transport and transport sharing schemes;
  - l) Support behavioural change to enable people to play their part in addressing climate change;
  - m) Enable home working through improved digitalisation and broadband;
  - n) Incorporate electric charging facilities and support the take up of electric vehicles;
  - o) Achieve improvements in local air quality;
  - p) Support low carbon farming (agricultural and horticultural) practices to increase productivity and carbon off-setting opportunities; and
  - q) Incorporate well-designed green infrastructure to mitigate climate change and to deliver multiple-benefits.

19 Weald to Waves: Connecting nature across Sussex. Available at: [www.wealdtowaves.co.uk](http://www.wealdtowaves.co.uk)

### Climate Change Adaptation

3. Development proposals will be expected to protect people and nature through climate change adaptation and measures to improve climate change resilience. Support will be given to development proposals that promote and assist climate change adaptation and reduce the negative impacts of climate change. Consideration will be given to how development proposals:
  - a) Incorporate design features and use construction materials to ensure that a building provides resilience and resistance to climate change;
  - b) Are designed appropriately in relation to layout and construction materials, prioritising passive cooling and reducing the potential for overheating;
  - c) Minimise water and resource consumption;
  - d) Take account of flood risk and coastal change through their location and design;
  - e) Integrate sustainable drainage systems, to minimise and control surface water run-off, provide flood storage capacity and improve habitats and species migration;
  - f) Incorporate green infrastructure to help species adapt to climate change through preventing fragmentation or isolation of habitats and reducing risks such as flooding and the overheating of urban environments;
  - g) Improve habitats for nature and wider environmental benefits generally, but especially within local nature recovery networks (once these are confirmed).

### **Question 11**

#### Consultation Questions

- a) Do you agree with draft Policy SS8 Responding to Climate Change?
- b) Do you feel the strategic policy covers the key issues we need to address in our approach to climate change adaptation and mitigation?
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## **Health and Wellbeing**

**4.87** Many of the circumstances that affect our mental and physical health, wellbeing and quality of life are found outside the medical system. The physical environment we live in, and our socio-economic status make up over 60% of the factors that impact upon our health

outcomes<sup>20</sup>. These physical factors include the design and quality of an area which can be influenced by strategic and development management policies.

**4.88** The built and natural environment is a key environmental determinant of health and wellbeing. The 'built and natural environment' refers to the characteristics (objective and subjective) of a physical environment in which people live, work and play, including schools, workplaces, homes, communities, parks, and recreation areas including green and blue space. Therefore, creating places that are better for people and nature is key to ensuring physical and mental health and wellbeing for those who live and work in the District.

**4.89** The inclusive design and quality of a development will shape how people live their lives. Therefore, by prioritising the principles of the 20-minute neighbourhood concept to create "local living", we can ensure a positive impact on the health and wellbeing of our residents, enabling them to live healthier lifestyles.

**4.90** The Public Health England (PHE) paper Spatial Planning for Health: An evidence resource for planning and designing healthier places (2017)<sup>21</sup>, identifies the following key principles for building healthy neighbourhoods:

- a) 'Enhance neighbourhood walkability' - by improving street connectivity, mixed land use and a compact residential design.
- b) 'Build complete and compact neighbourhoods' - which consider proximity to services, topography, and distance to recreation facilities.
- c) 'Enhance connectivity with safe and efficient infrastructure' - with the provision of cycling and walking infrastructure alongside public realm improvements such as street lighting.

**4.91** The design of a neighbourhood can produce a sense of belonging whilst contributing to the health and wellbeing of the people that live within it. Certain aspects with neighbourhood design can maximise opportunities for social interaction and active travel, thereby impacting on our day-to-day activities and subsequently our health behaviours.

**4.92** The East Sussex County Council Joint Strategic Needs Assessment (JSNA)<sup>22</sup> in conjunction with work undertaken with the County Council and neighbouring authorities has identified our health and wellbeing challenges. The specific health and wellbeing needs of the District vary from location to location however the areas of key concern are:

- the high levels of adult obesity;
- the increasing levels of older residents and those living with long term illness and disability;
- the high percentage of car users over other healthier forms of travel;
- access to primary healthcare including GP's and NHS Dentists; and
- our identified deprived communities within eastern Hailsham and the north west of Uckfield.

**4.93** To ensure we maximise the impact spatial planning can have on our day to day living circumstances our policy for Health and Wellbeing and Quality of Life seeks to ensure that our approach within the local plan is a holistic one.

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20 Department of Health and Social Care, (2019), Advancing our health: prevention in the 2020s

21 The Public Health England (2017) Spatial Planning for Health: An evidence resource for planning and designing healthier places. Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/729727/spatial\\_planning\\_for\\_health.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729727/spatial_planning_for_health.pdf)

22 ESCC Joint Strategic Needs Assessment – Wealden District Profile. Available at <https://www.eastsussexjsna.org.uk/area-profiles/wealden-district-area-profile/>

**4.94** Excellent health, wellbeing and quality of life must be considered from the outset of the planning process (pre-application stage) and we will engage with developers, stakeholders, and partners to facilitate change across the District to achieve both the Government's and Council's visions.

**4.95** This strategic policy and subsequent planning policies will enable the creation of a living and working environment within Wealden that sets the health and wellbeing of our residents at the heart of all our planning decisions.

### Health Impact Assessments (HIA)

**4.96** Health Impact Assessments (HIA) enable local action on the wider determinants of health by putting people and communities at the heart of the process. They help maximise the health benefits of development and minimise the potential harms, while maintaining a focus on reducing inequalities in compliance with the Health and Social Care Act 2012.

**4.97** The aim of the HIA is to identify the health and wellbeing impact or cumulative impacts from a specific development or developments and provide recommendations to mitigate for any negative or unintended outcome.

### When to use an HIA

**4.98** Health Impact Assessments (HIA) of a proportionate level will be required for all major applications and development that is likely to give rise to significant health impacts. These will include:

- Major developments of 30 dwellings or more and / or 1000sqm of employment floorspace and major infrastructure;
- Development which includes uses for education, health and social care, leisure or community, hot food takeaways and other food retail and betting shops;
- Development within areas of high deprivation, fuel poverty, poor health, elderly or vulnerable groups and high levels of childhood and /or adult obesity using the Public Health England Wider Determinants tool.

**4.99** The three levels of HIA are broken down as follows:

- **Comprehensive** HIAs are more in-depth and so are the most resource intensive, requiring extensive literature searches and data collection, and stakeholder and public engagement - this type of HIA is most suited to more complex proposals;
- **Rapid** HIAs involve a brief assessment of health impacts, including a literature review of quantitative and qualitative evidence, and the gathering of knowledge and further evidence from local stakeholders - rapid HIAs usually include the establishment of a small steering group and carrying out a stakeholder workshop;
- **Desktop** HIAs can encompass engaging a small number of participants using existing knowledge and evidence to undertake the assessment of health impacts.

**4.100** The level of HIA required will be determined from a screening stage which will offer a systematic way of deciding whether a full HIA is required. The screening process should be prepared in advance of the pre-application stage by the applicant to facilitate initial discussions. In practice adopting the appropriate level of HIA will depend on the focus, scale and scope of the development, its location and the surrounding areas level of deprivation, as well as its potential impact in combination and / or cumulatively on the existing community.

**4.101** It is essential that discussions of the level of HIA are undertaken during earlier stages of the application process to ensure that the HIA provided is appropriate for the type of scheme proposed.

### Policy SS9: Health, Wellbeing and Quality of Life

1. The Council will expect new development to be designed to achieve healthy, inclusive and safe places that promote, support and enhance physical and mental health and wellbeing and therefore contribute to reducing health inequalities within the District. Development must support and address the health and wellbeing needs in Wealden as identified in the Joint Strategic Needs Assessment.
2. To maximise opportunities for health and wellbeing benefits and to enable healthy lifestyles, development (as proportionate to the type and scale of development proposed) must demonstrate how it will:
  - a) Provide high quality, well designed, safe and accessible developments for all age groups and abilities, creating a beautiful and healthy living environment and a distinctive place to live and / or work;
  - b) Create integrated neighbourhoods that improve connectivity with the wider natural and built environment and to key services;
  - c) Deliver good accessibility routes for all users through the provision, improvement or enhancement of well-connected streets and path networks, to enable active and sustainable travel, increasing physical activity and contributing to the creation of sustainable neighbourhoods;
  - d) Provide opportunities to facilitate community cohesion and social inclusion, locating community facilities or spaces for people to meet and socialise in the best location for those walking, cycling, wheeling or using public transport;
  - e) Provide a network of different types of spaces, incorporating multifunctional green infrastructure and access to nature, as well as enabling climate change resilience;
  - f) Provide high quality private space as well as high quality inclusive public spaces;
  - g) Support and facilitate healthy eating and food security through the provision of food growing opportunities such as allotments, orchards or community growing spaces as well as supporting local food production and markets;
  - h) Take opportunities to improve the factors that can contribute to poor health and social inequalities such as noise, vibration, air quality, crime, local amenity, water pollution, deficiencies in open space, recreation and sports facilities and access to the countryside; and
  - i) Contribute towards local labour training, placements / apprenticeships to improve skills to help tackle worklessness, especially for young people.

#### Health Impact Assessment

3. To support this policy requirement, all major development proposals between 30-149 residential units and / or commercial development of 1000 – 9,999sqm will be expected to submit an HIA screening assessment. This should be submitted at the

pre-application stage to determine the level of HIA required proportionate to the proposed development.

4. The requirement for screening will also apply to smaller-scale developments where there are reasons to indicate that a proposal may give rise to a significant impact on health, especially where the development is located within one of the 20% most deprived wards or where there are high levels of childhood and / or adult obesity.
5. All major development proposals of or over 150 residential units and/or 10,000sqm floorspace will automatically require an HIA to be undertaken to demonstrate both the individual and cumulative impacts of the proposal on the health and well-being of the community.
6. Where a HIA is required the process must commence at the initial stages of the development so that it can inform the proposal, this will allow maximum scope for the health issues to be identified and addressed as the proposed scheme is progressed. The Council will agree timescales and stages with the applicant. An HIA should be undertaken in accordance with the East Sussex HIA Guidance (once published and any subsequent updates to it) which will set out details on required processes.
7. The HIA recommendations should be incorporated into the proposal and submission documentation, these must demonstrate how any harmful impacts on health and wellbeing have been mitigated and how positive impacts have been maximised. An HIA report appropriate to the stage of the proposal will be required for full, outline and reserved matters applications as agreed with the Council.

## Question 12

### Consultation Questions

- a) Do you agree with draft Policy SS9 Health, Wellbeing and Quality of Life?
- b) Do you agree with the threshold levels set out within the policy for undertaking a Health Impact Assessment (HIA) in the Wealden context?
- c) If you disagree with the threshold levels set out in the policy, at what level do you think an alternative threshold should be set and why?
- d) Have we missed anything that may impact on the health and wellbeing of our residents? If so, what have we missed?
- e) Should we make changes to this policy, and if so, what changes should we make?

## Increasing the provision of sport and leisure facilities

**4.102** Development of a sports hub facility to deliver new sport and leisure provision on the edge of Hailsham to the west of Lower Horsebridge within the Parish of Hellingly (known as

Knights Farm West) was granted planning permission on 25<sup>th</sup> January 2024<sup>23</sup>. The proposal will deliver a range of sport and leisure facilities including:

- 2 x Full size 3G floodlit pitches
- Dedicated toilets and 4 x changing rooms
- 4 x dual floodlit tennis / netball courts
- 2 padel tennis courts
- Community café with multi-purpose room
- Skate park
- Childrens play area
- Table tennis tables
- Walking, running and cycling route
- Picnic areas
- Associated parking

**4.103** The delivery of new sports and leisure facilities will bring many benefits for the District and its residents and will help to address sports and leisure provision deficits as identified by the Council's open space<sup>24</sup> and playing pitch<sup>25</sup> evidence base. The facilities will contribute to opportunities for increased healthy living, improving the lives of our residents and increased opportunities to take part in sport and leisure locally. Development Management policies for the provision of open space, sports and recreation provision are provided in Chapter 9.

## Green Infrastructure

**4.104** Green infrastructure (GI), as defined in the NPPF is 'a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. Green infrastructure and the benefits it can deliver falls within many of the Local Plan's strategic objectives and is a fundamental part of sustainable development.

**4.105** The district has a significant amount of green and blue (water) spaces. These include open spaces such as parks and gardens, allotments, woodlands, fields and hedges, farmland, rivers, lakes and ponds, sports and playing fields, cemeteries and churchyards, footpaths and cycleways and biodiversity designated sites and priority habitats<sup>26</sup>, to name a few.

**4.106** GI can help to maintain critical ecological links between town and country connecting important areas of wildlife habitat and enabling species to move between them. GI provides us with essential ecosystem services such as flood protection, clean air and water, carbon storage, food, materials and can assist with climate change adaptation. It also provides us with access to the wider countryside, providing health and wellbeing benefits through opportunities for walking, cycling and other activities, as well as contributing to the economy through the creation of attractive environments which can attract business.

23 Planning Committee South Agenda Papers: <https://council.wealden.gov.uk/ieListDocuments.aspx?CId=660&MId=5535&Ver=4>

24 WDC (2022) Open Space Report. Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

25 WDC (2022) Playing Pitch and Outdoor Sports Strategy – Assessment Report. Available at <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/open-space/>

26 Priority habitats are Habitats of Principal Importance (HPI) under Section 40 of the Natural Environment and Rural Communities Act 2006, as amended. HPIs were first identified as priority habitats in the UK Biodiversity Action Plan.

**4.107** Given its multi-functional benefits, delivering GI is an important focus of this local plan and is central to achieving many of the plan's objectives. Natural England published a Green Infrastructure Framework, January 2023.<sup>27</sup> Publication of the framework is a commitment within the Government's 25 Year Environment Plan and if implemented will support the greening of our towns and the connections with our surrounding landscape. The Framework acknowledges that there are opportunities to improve our green and blue assets, ensuring that they are managed in a way that supports the local environment and deliver a wider range of benefits for nature and people. The Framework comprises a set of principles and standards, mapped datasets to support the standards, and practical advice and guides on how to design good GI and apply the Framework.

**4.108** In 2017 we developed a GI study. The study identifies the district's GI assets and identifies gaps in the network and the components and opportunities for improvement, having regard to factors such as accessibility, existing open spaces, natural and semi-natural habitats, protection of the water environment, landscape and geodiversity, and contribution to ecological networks. The study also provides GI design guidelines.

**4.109** In general terms, there are many opportunities to improve, enhance and create key strategic GI assets and components across the district as well as making a difference at a site scale. In the coming months we will be progressing work on a GI Strategy, aligning this with legislative changes that have taken place more recently such as the Environment Act 2021, national policy and guidance and Natural England's Green Infrastructure Framework. The GI Strategy will support the next stage (Regulation 19) of the Local Plan process and will provide a local framework for GI delivery across the district during the plan period. This will provide a clear strategy for green infrastructure provision and enhancements. GI will be considered at the beginning of and throughout the development process.

### Policy SS10: Green Infrastructure

1. Where relevant, all development should protect, improve and enhance existing green infrastructure and, where opportunities exist, create additional green infrastructure that will play a meaningful role in the creation of a multi-functional and accessible network of GI across the district. New and the improvement of existing GI should be designed to provide benefits for the environment and people, supporting health and wellbeing and contributing to the response to climate change.
2. When determining planning applications, consideration will be given to how development proposals:
  - a) Embed green infrastructure into the design and layout of the proposal taking into account locally distinctive character and creating a sense of place;
  - b) Protect, retain, enhance, create and regenerate green corridors and links that contribute to the network, in particular, supporting ecological connectivity for wildlife between the development, town and village centres and the wider countryside;
  - c) Maximise opportunities to enhance ecosystem services;
  - d) Address any green infrastructure deficiencies in the area;

27 <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>



- e) Support the delivery of the Council's GI Strategy<sup>28</sup>;
  - f) Maximise opportunities to provide multi-functional benefits including providing opportunities for people to interact with nature and encourage recreation, sports and healthier lifestyles, ensuring that opportunities will not cause harm to wildlife and habitats;
  - g) Secure improved access to green infrastructure for residents of all ages and abilities. This may include improving rights of way, walking and cycle routes and networks and providing informal access, where this will not cause harm to biodiversity, landscape or heritage assets;
  - h) Incorporate measures for adapting to and mitigating against the effects of climate change through innovative green infrastructure design solutions that will complement the provision of sustainable drainage, the management of flood risk and urban cooling;
  - i) Where appropriate, provide opportunities for growing healthy food, including through allotments and other community schemes;
  - j) Incorporate green infrastructure to support economic growth and sustainable tourism;
  - k) Propose to manage and maintain the provision of green infrastructure; and
  - l) Comply with any national green infrastructure standards.
3. Relevant development proposals must secure positive green infrastructure outcomes and will be supported where they contribute to all of the below (as relevant):
    - a) Development is designed to respond to the location of existing green infrastructure and support and improve its functions and benefits;
    - b) A proposal protects and improves the green infrastructure network through enhancement and/or regeneration; and
    - c) Proposals provide new green infrastructure and / or introduce multifunctional uses, green links and corridors.
  4. Where the scale of development is too small to accommodate on-site provision of green infrastructure or where the development is for the re-use of existing buildings, opportunities should still be sought to maximise opportunities for GI. This could include (but is not limited to the following measures), green roofs, walls and nesting and roosting spaces for wildlife.

## Supporting text

**4.110** There are clear connections / overlaps between GI and BNG within the planning environment. GI can contribute to BNG under certain circumstances, and this is accounted for within the Defra Metric for BNG provision. For example, a green space managed for its recreational or amenity value is unlikely to add value or uplift to BNG, scoring low within the metric, but would contribute towards a multifunctional GI network. However, if the BNG proposed

28 This will be progressed for the Local Plan Submission.

is the creation of a native, species rich hedgerow, which is managed to achieve good condition (as set out in the metric), within a site, then this would contribute to the GI network as well as providing BNG value.

### **Question 13**

#### **Consultation Questions**

- a) Do you agree with the Council's draft Policy SS10 for Green Infrastructure?
- b) Do you feel the strategic policy covers the key issues we need to address in our approach to the retention, protection, enhancement and creation of green infrastructure?
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

# 05

## Climate Change



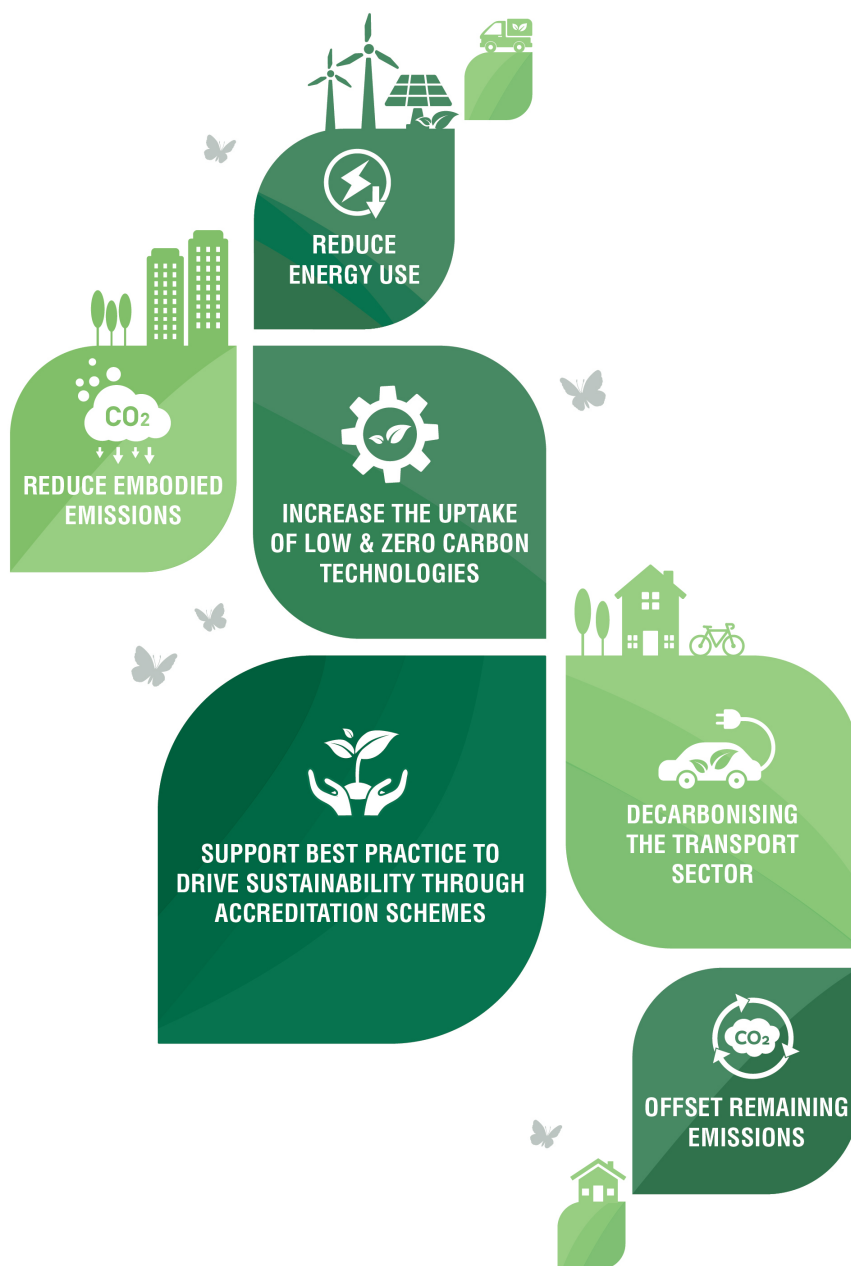


# Climate Change

## Introduction

5.1 This chapter sets out our draft policies for mitigating and adapting to climate change and achieving net zero carbon. The policies seek to support and facilitate the Council's decarbonisation plans, address climate change impacts as well as support the Council's Climate Emergency actions.

Figure 13 Wealden's Climate Emergency Actions



**5.2** Climate Emergency priority actions include the Council's operations as well as addressing emissions across the district and addressing these as soon as possible. The operations of Wealden District Council are directly responsible for around 2% of emissions within the district. Therefore, addressing the majority of emissions in the district will rely on people and businesses to take up low carbon solutions.

**5.3** The Council is in the process of developing a new Climate Change Strategy and Action Plan and it is important for our Local Plan to align with its goals and objectives. We are therefore working with consultants to progress our climate change evidence base which will inform both the new Climate Change Strategy and Action Plan and the Local Plan policies as these progress. In progressing our climate change evidence base, we will further test our policy approaches and options to understand how we can best address climate change in the Local Plan. The evidence will be used to develop the Regulation 19 Local Plan including testing the overall viability of the plan and its policies.

### **What you have previously told us**

**5.4** As part of the Direction of Travel consultation you told us that it was important for the Council to be ambitious in its approach to tackling climate change but at the same time for any policies and measures put forward in the Local Plan to be balanced in terms of financial viability, design impacts and intention.

**5.5** Ensuring developments are as energy efficient as possible, and therefore contributing to reductions in greenhouse gas emissions, was supported as was the need to include sustainable design features such as grey water recycling, rain-water harvesting, permeable surfaces and tree retention/planting. You also told us that there should be a greater emphasis on alternative energy sources such as wind and solar and that the district needs far more local wind, solar and energy generation and storage solutions. Carbon sequestration was also an important factor, but it was clear that this should not be explored at the expense of pursuing net zero emissions for the district.

**5.6** You also told us that we should go further in our approach to delivering an ultra-low emissions vehicle network and electric vehicle charging infrastructure, taking more proactive steps to reduce vehicle usage other than relying on the conversion of more vehicles to electric and that encouraging active and sustainable transport within major new developments is important. It was clear from responses that growth should be focused in sustainable locations with good transport networks (rail and road) to ensure that the use of sustainable modes of travel can be achieved.

**5.7** Natural solutions to tackling climate change also came to the fore in relation to managing flood risk through SuDS, including strategic SuDS, and the expected higher temperatures through design solutions to achieve non-mechanical ventilation and heating i.e. through the orientation of buildings, the design of the public realm and green infrastructure provision. We have addressed all of these issues in our draft policies as set out below.

### **Local Plan climate change approach**

**5.8** Policy SS8 sets the overarching policy direction for development within Wealden in relation to climate change. The policies provided below build on this by setting out the requirements that applicants are asked to meet to help respond to the climate emergency. The policies will ensure that new development contributes to climate change mitigation by reducing emissions through energy efficiency and the way that fossil fuels are used, as well as addressing

the ways in which developments are designed, constructed and operate over their lifetime. They will also ensure that development contributes to climate change adaptation to enable our communities to continue to live and work within their environment in a way that is safe and comfortable in the face of climate change impacts.

**5.9** All developments will be expected to contribute to the mitigation of and adaptation to climate change, as relevant.

### Net zero development

**5.10** The Climate Change Act commits the UK to reducing greenhouse gas (GHG) emissions by 100% of 1990 levels (effectively net zero) by 2050. Homes contribute significantly to overall emissions, representing 38.5% of all emissions within Wealden in 2021. Non-domestic sources (industrial and commercial) represented 10.6% of all emissions within the district<sup>29</sup>. If the built environment is to reach net zero by 2050, supporting the Government's target, the built environment will drastically need to reduce its carbon emissions.

**5.11** In general terms, there are two types of carbon emissions that relate to the built environment, operational emissions and embodied emissions. Operational emissions are associated with the energy required to run a building, such as the energy used to provide lighting, power, heating, cooling, ventilation, and water services. Embodied emissions are associated with all the non-operational aspects of a building, such as those from the extraction, manufacture and assembly of a building's materials and components, its repair, maintenance and refurbishment, and end of life activities. When considered together, operational and embodied emissions are referred to as 'whole life' carbon emissions.

**5.12** The introduction of the Future Homes and Building Standard (FHBS) by government in 2025 will contribute to the net zero goal by ensuring buildings produce 75-80% less carbon emissions than buildings built under the current Building Regulations. The standards will achieve this by focusing on improving heating, hot water systems and reducing heat waste and by replacing current technologies with low-carbon alternatives. Once this comes into place it is unlikely that fossil fuel boilers will meet the standards required for carbon emissions if the proposals set out in the latest Future Homes Standard consultation of 13<sup>th</sup> December 2023<sup>30</sup> are taken forward.

**5.13** To help facilitate the transition to the FHBS, an interim uplift to Building Regulations came into effect in June 2022. The uplifts are designed to increase energy efficiency (Part L of the Regulations), with new homes now required to produce 31% less CO<sub>2</sub> emissions and non-domestic buildings to produce 27% less. Part L also sets out minimum energy efficiency performance targets for buildings, airtightness requirements and improved minimum insulation standards. Part F of the Regulations introduces new standards for ventilation and Part O relates to overheating in residential buildings.

**5.14** However, there has been much concern and debate as to whether the current 2022 uplift in Building Regulations is enough to meet the Government's net zero ambitions by 2050. In addition, there is still some uncertainty on how carbon reduction will be enacted via the FHBS.

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29 [1] Data from Table 1.1 Local Authority territorial greenhouse gas emissions estimates 2005-2021 (ktCO<sub>2</sub>e) – Full dataset. Available at: [www.gov.uk/government/statistics/uk-local-authority-and-regional-greenhouse-gas-emissions-national-statistics-2005-2021](https://www.gov.uk/government/statistics/uk-local-authority-and-regional-greenhouse-gas-emissions-national-statistics-2005-2021) Published June 2023,. Last update July 2023.

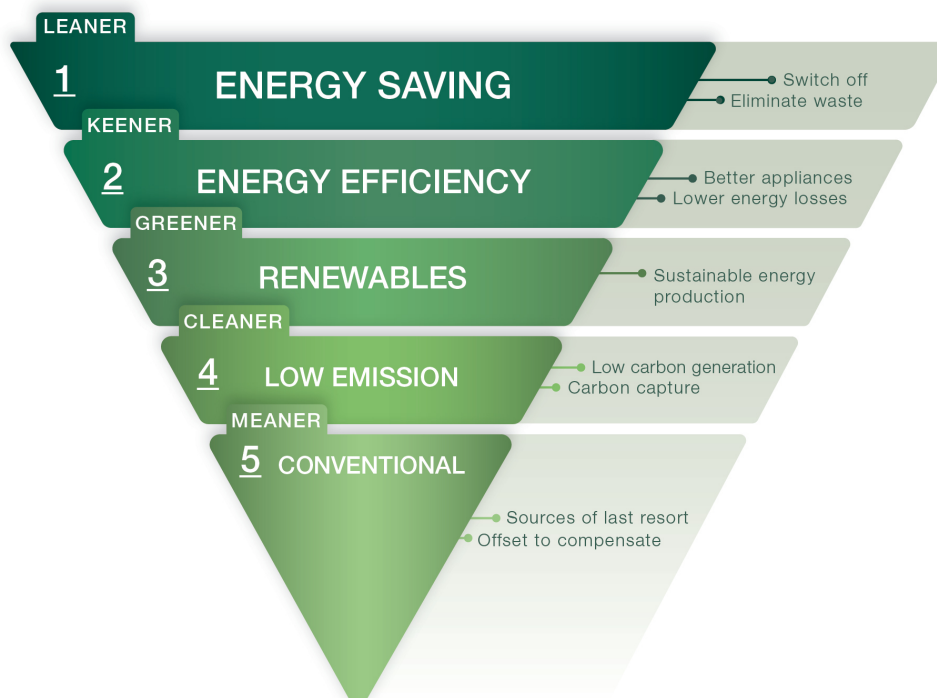
30 The Future Homes and Buildings Standards: 2023 consultation. Available at: <https://www.gov.uk/government/consultations/the-future-homes-and-buildings-standards-2023-consultation/the-future-homes-and-buildings-standards-2023-consultation>

**5.15** Connected to improving the energy efficiency of buildings, the ‘performance gap’ is a well-known issue within the built environment industry but one that will continue to hinder efforts to reach net zero if not addressed. Studies<sup>31</sup> have highlighted the true extent of the performance gap, showing that the energy consumption of a building once in use can be 5 to 10 times higher than calculations made at the design stage. To meet Building Regulations, there has long been a ‘design for compliance’ culture in the UK rather than a ‘design for performance’ approach, however this is changing.

**5.16** Given the Council’s ambitions to be a net zero carbon district as soon as possible, alongside the current uncertainty around the FHBS carbon reduction target approach, the Local Plan seeks to set ambitious net-zero carbon standards for new development. This approach is in line with the Planning and Energy Act 2008 which allows local authorities to set local energy efficiency standards that go beyond the minimum standards provided by the Building Regulations, and was confirmed by the government in its consultation response to the FHBS in 2021.

**5.17** The standards set out in the policy will manage operational energy performance through the energy hierarchy, prioritising carbon savings from optimal fabric efficiency standards, followed by renewable heat supply and on-site renewable energy. The energy hierarchy is more technically robust and designed to lead to better building outcomes through an improved focus on building fabric and the ability to monitor performance, to address the performance gap issue.

**Figure 14 The Energy Hierarchy**



31 Performance gap between building design and operation - Designing Buildings. Available at: [www.designingbuildings.co.uk/wiki/Performance\\_gap\\_between\\_building\\_design\\_and\\_operation](http://www.designingbuildings.co.uk/wiki/Performance_gap_between_building_design_and_operation)



**5.18** The focus of the policy is to ensure that new developments are first and foremost as energy efficient as possible through reducing energy demand and then providing energy through renewable generation. Carbon offsetting will be considered, but as a last resort.

**5.19** It is a false economy to provide substandard development now which will only require expensive and destructive retrofitting measures later. As the Government itself stated in January 2021<sup>32</sup> *“it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards”*.

**5.20** It is recognised that embodied carbon (the carbon associated with both building materials and the construction and maintenance of a building throughout its whole lifecycle) is a significant contributor to carbon emissions. As operational emissions reduce, embodied carbon will become more significant in relation to a building’s total emissions. National policy currently does not make reference to embodied carbon and there are general low levels of understanding about embodied carbon impacts from new buildings. There is unlikely to be a consistent level of understanding on how to measure whole-life carbon until 2025<sup>33</sup>.

**5.21** However, in association with the Royal Town Planning Institute’s (RTPI) and the Town and Country Planning Association’s (TCPA) Climate Crisis Guide<sup>34</sup>, there are a number of industry-led frameworks and guidance documents recommending that developments demonstrate actions taken to reduce embodied carbon, through whole life carbon assessment, and setting recommended targets for embodied emissions such as the UK Green Building Council’s Net Zero Carbon Buildings Framework<sup>35</sup> and the LETI Climate Emergency Design Guide<sup>36</sup>.

**5.22** The London Energy Transformation Initiative (LETI) puts forward recommended targets for Energy Use Intensity (EUI), space heating standards and embodied carbon to reduce a building / development’s energy usage and hence improve its energy efficiency to reduce carbon emissions. The UK Green Building Council (UKGBC) also put forward recommended targets. Both LETI and the UKGBC show clear consensus between the various bodies as to the need to dramatically improve the energy efficiency of buildings, as well as the targets that should be set.

**5.23** Policy CC1 sets out how new build residential and non-residential development within Wealden will meet the challenge of achieving net zero.

**5.24** It should be noted that similar to other recently adopted Local Plans elsewhere in the country, Policy CC1 proposes EUI and space heating targets in accordance with industry best-practice from UKGBC, RIBA, LETI, etc. However, a Ministerial statement<sup>37</sup> was published on 13<sup>th</sup> December 2023 which sets out that energy efficiency standards in new buildings that go beyond building regulations should be evidenced and expressed as a percentage uplift on the Target Emissions Rate. This appears to disallow separate energy-related targets. The

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32 Future Homes Standard: Government Response, January 2021. Available at: [www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956094/Government\\_response\\_to\\_Future\\_Homes\\_Standard\\_consultation.pdf](http://www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf)

33 RTPI/TCPA The Climate Crisis: A Guide for Local Authorities on Planning for Climate Change, January 2023. Box 5, page 23. Available at: [www.rtpi.org.uk/media/14719/tcpa-rtpi-climate-guide-4th-edition.pdf](http://www.rtpi.org.uk/media/14719/tcpa-rtpi-climate-guide-4th-edition.pdf)

34 UK Green Building Council. Net Zero Carbon Buildings Framework (various documents) 2023. Available at: [www.ukgbc.org/resources/net-zero-carbon-buildings-framework/](http://www.ukgbc.org/resources/net-zero-carbon-buildings-framework/)

35 London Energy Transformation Initiative (LETI) Climate Emergency Design Guide, January 2020. Available at: [www.letiuk/cedg](http://www.letiuk/cedg)

36 UK Green Building Council, February 2021. The New Homes Policy Playbook. Available at: [www.ukgbc.org/resources/new-homes-policy-playbook/](http://www.ukgbc.org/resources/new-homes-policy-playbook/)

37 [www.questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123](http://www.questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123)

Policy presented below is still our preferred policy approach. However, we will consider our policy approach further to inform our Regulation 19 Draft Submission Local plan taking into account our emerging climate change evidence base as well as the implications from the recent Ministerial Statement. We will consider whether we need to reframe the targets provided in Policy CC1 as supported by our climate change evidence base and other relevant studies, alongside any further information from Central Government, should this become available.

**5.25** Notwithstanding the recent Ministerial Statement publication, it is our intention to retain the level of ambition set out in Policy CC1 to ensure that the Council can meet its climate change objectives. This is also noting that there has been and is likely to continue to be a delay to the introduction of the Future Homes Standard by 2025.

### Policy CC1: Net zero Development Standards

1. All development proposals should embed the Energy Hierarchy within their design from the outset and consider opportunities to provide solar PV and battery storage.
2. Development must utilise the landform, layout, building orientation, massing and landscaping to minimise energy consumption and maximise energy efficiency measures.

#### Residential development

3. All residential development will achieve the following building performance standards for operational energy use and carbon emissions:
  - a) A Total Energy Use Intensity (TEUI) of less than, or equal to, 35kWh/m<sup>2</sup>/year;
  - b) A maximum space heating demand of 15kWh/m<sup>2</sup>per year; and
  - c) All residential development is required to achieve the LETI best practice 2020 target for embodied emissions, equating to 500 kgCO<sub>2</sub>/m<sup>2</sup> upfront embodied carbon. This requirement will increase from 2030 to the LETI best practice 2030 target for embodied emissions, equating to 300 kgCO<sub>2</sub>/m<sup>2</sup> upfront embodied carbon.
4. For all planning applications for residential development, applicants are required to:
  - a) Demonstrate how the building performance standards will be met using the energy hierarchy in the design, construction, and operational phases. This includes connecting with district heat networks, where possible/available, the installation of renewable energy technologies and the installation of low carbon technologies such as air and ground source heat pumps.
  - b) Clearly demonstrate that where financial viability, technical constraints (e.g. overshadowing) or other policy reasons (e.g. heritage) mean the building performance targets cannot be met, set out why they cannot be met and the degree to which they are proposed to be met.
  - c) Detail how any requirements for carbon offsetting are to be delivered, where this is demonstrated to be necessary.

#### Non-residential development

5. All non-residential development (including building conversions but excluding industrial units) will achieve the following building performance standards for operational emissions:

- a) A Total Energy Use Intensity (TEUI) of less than, or equal to, 55kWh/m<sup>2</sup>/year. To achieve this target, it may be necessary to install rooftop and/or on-site ground solar PV systems; and
  - b) A maximum space heating demand of 15kWh/m<sup>2</sup> per year.
6. For industrial units (including warehouses), applicants should clearly demonstrate the TEUI that is practicably achievable for Operational Energy through a feasibility statement. This should demonstrate that the best energy efficiency outcomes have been achieved to serve the proposal, by maximising opportunities for on-site solar PV systems and optimising building fabric performance, heating and ventilation (see also Policy CC3 Sustainable Design and Construction).
  7. All non-residential development should achieve the LETI best practice 2020 target for embodied emissions, equating to 600 kgCO<sub>2</sub>/m<sup>2</sup> upfront embodied carbon. This requirement will increase from 2030 to the LETI best practice 2030 target for embodied emissions, equating to 350 kgCO<sub>2</sub>/m<sup>2</sup> upfront embodied carbon.
  8. For all planning applications for non-residential development, applicants are required to:
    - a) Demonstrate how the building performance standards will be met using the energy hierarchy in the design, construction, and operational phases. This includes using excess heat productively on-site or as part of a district heat network, the installation of renewable energy technologies and the installation of low carbon technologies.
    - b) Clearly demonstrate that where financial viability, technical constraints (e.g. overshadowing) or other policy reasons (e.g. heritage) mean the building performance targets cannot be met, why they cannot be met and the degree to which they are proposed to be met.
    - c) Detail how any requirements for carbon offsetting are to be delivered, where this is demonstrated to be necessary.

#### All development

9. For developments of more than 10 dwellings or more than 1,000 sqm of non-residential floorspace, developers are required to demonstrate using a recognised methodology<sup>38</sup>, the actions taken to reduce operational and embodied carbon from the land use change, construction, use of the development over its lifetime and potential decommissioning.
10. Where it can be clearly demonstrated that the building performance targets within this policy cannot be met, developments must, as a minimum, be designed and constructed to be 'carbon ready by design'.

#### The performance gap

11. Proposals for new buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted.

38 Currently the RICS Whole Life Carbon Assessment for the Built Environment Professional Statement 2017 but other methodologies will emerge and develop over time

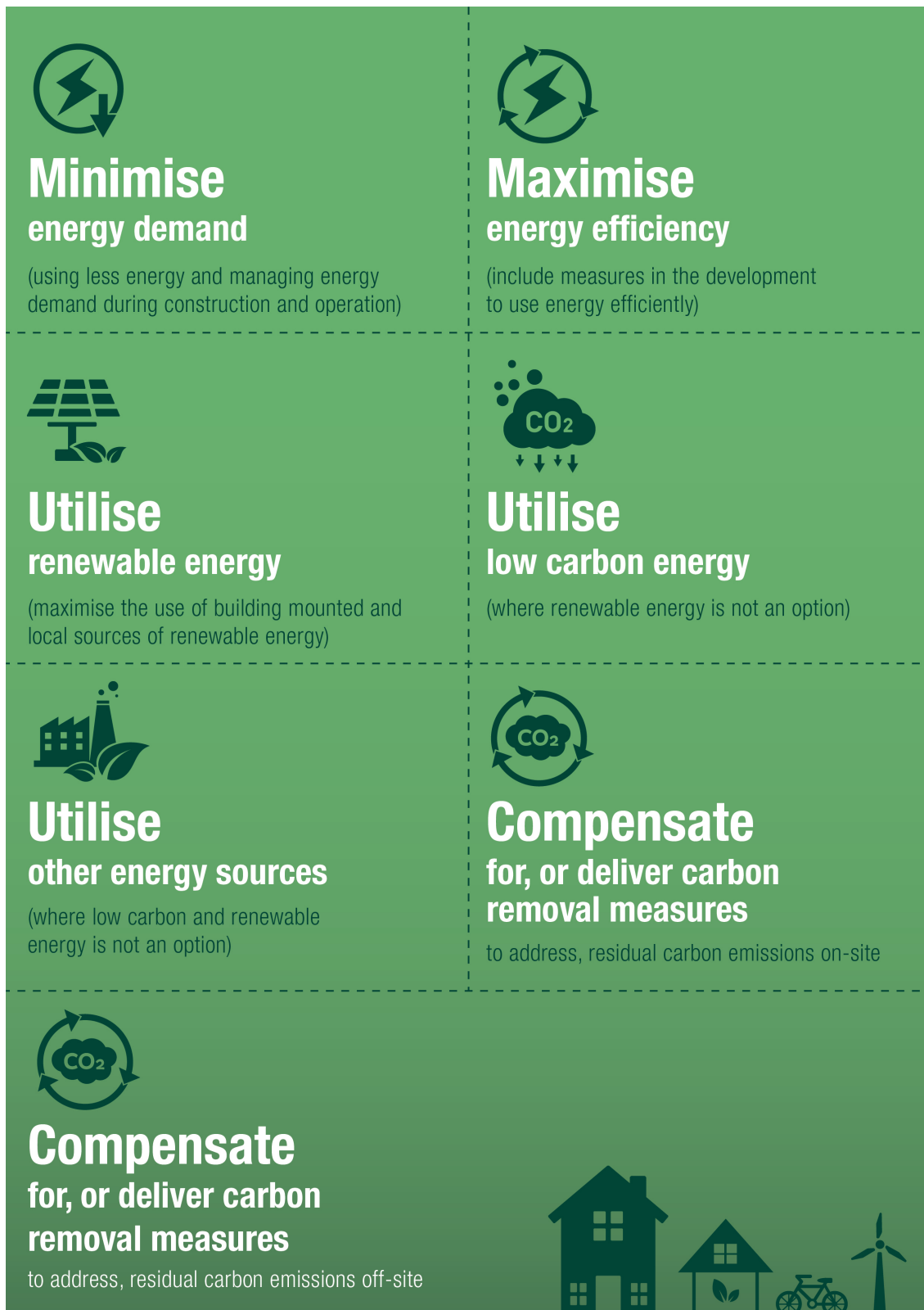
## Supporting text

**5.26** The Council expects all proposals to strive to achieve the space heating demand and Total Energy Use Intensity (TEUI) targets set out in Policy CC1. However, the policy provides some flexibility for instances where technical, viability or other policy reasons would hinder the ability to deliver the full requirement. Under these circumstances, applicants will need to ensure that developments are as energy efficient as possible, following the energy hierarchy, and be 'net zero carbon ready'.

**5.27** Being 'net zero carbon ready' can include, for example, ensuring a buildings heating network will be able to accommodate lower flow temperatures associated with air/ground source heat pumps and ensuring that a building is highly insulated. It is only then that any carbon offsetting measures will be considered. In all such cases, applications must clearly explain and justify the degree to which the energy standards will be met and, if necessary, the reason the full requirement cannot be achieved.

**5.28** The figure below sets out the energy hierarchy that developments should meet in order of importance.

**Figure 15 How developments should meet the energy hierarchy**



**5.29** The Council recognises that whilst the design and building of ultra-low energy development is happening in the UK the local supply chains and expertise may take time to mature before the industry is capable of delivering all development at net zero using design

for performance approaches. Therefore, the expectation is that developers strive to meet the requirements that the Energy Use Intensities requested by Policy CC1 seek and any compensation occurs through the delivery of renewable energy provision.

**5.30** The types of renewable/low carbon energy generation technologies will be dependent on the development proposal. However, any proposed technologies must be robustly justified.

**5.31** Development proposals must, as appropriate, demonstrate that all measures to retain and re-use existing buildings have been taken and justify any loss of existing buildings.

**5.32** The Council will encourage and support proposals for developments that seek to retain and re-purpose existing buildings within the development site, subject to meeting other relevant policies within the Local Plan where this will reduce a developments carbon embodied emissions content.

## Question 14

### Consultation Questions

- a) Do you agree with draft Policy CC1 Net Zero Development Standards – New Build?
- b) Given the recent Ministerial Statement, how should we address net zero development standards through planning policy?
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Reducing Energy Consumption in Existing Buildings

**5.33** Whilst there is significant new development planned for Wealden, the majority of buildings that will be occupied over the coming decades are those that have already been built, when energy and performance standards were much lower than they are now. It is widely accepted that retrofitting existing buildings to reduce energy consumption is critical if we are to achieve net zero, however, the planning system has little influence over existing, energy-inefficient buildings or development that does not require planning permission (i.e. permitted development). However, there may be opportunities to influence the energy efficiency of existing buildings where applications are made for change of use, conversions, and extensions.

**5.34** LETI's Climate Emergency Retrofit Guide shows how homes can be retrofitted to make them fit for the future and support national and local net zero targets. The guide defines energy use targets for existing homes and provides practical guidance on how to achieve them.

**5.35** Also of value is PAS 2035:2019 Retrofitting Dwellings for Improved Energy Efficiency: Specifications and Guidance. This guidance covers how to assess dwellings for retrofit, identify improvement options, design and specify Energy Efficiency Measures (EEM) and monitor retrofit projects. Further details are available on the Trustmark website<sup>39</sup>.

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39 [www.trustmark.org.uk/ourservices/pas-2035/](http://www.trustmark.org.uk/ourservices/pas-2035/)

**5.36** Other measures that seek to try and improve the energy efficiency of existing residential properties include the Energy Performance Certificate (EPC), which is required for properties when constructed, sold or let. In addition, the Minimum Energy Efficiency Standards (MEES) Regulations require all private rented properties to achieve an EPC of E or better. Separately, the Clean Growth Strategy (2017)<sup>40</sup> has set a target for as many residential buildings as possible to achieve an EPC rating of C by 2030/35 and commits to keep energy efficiency standards under review.

**5.37** In the context of the above, Policy CC2 will assist in improving the energy efficiency of existing buildings, complementing the wider policies of this Plan which are primarily aimed at new buildings.

### Policy CC2: Reducing Energy Consumption in Existing Buildings

1. For development proposals on land where there are existing buildings and/or structures present, applicants must demonstrate that all possible measures have been taken to retain and reuse the existing buildings before considering demolition. This should be demonstrated through the Sustainability Statement. Where demolition is demonstrated to be necessary, developments must seek to reuse materials on site wherever possible, contributing towards the circular economy.
2. For all development proposals which involve the change of use, retrofit, or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).
3. Proposals which do consider and take forward viable opportunities to utilise existing built structures as part of a scheme will, in principle and subject to other material considerations and policies in the Development Plan, be supported. In particular, residential properties which, following an extension or conversion, will achieve an improved EPC rating overall will, in principle, be supported. To gain this in principle support, a pre-development EPC should be provided as part of the application, together with evidence as to how a completed development EPC is likely to be rated.
4. For any work on a residential property, the use of the PAS 2035:2019 Specifications and Guidance (or any superseding guidance) is encouraged. In addition, applicants are encouraged to use the six principles of best practice within LETI's Climate Emergency Retrofit guidance<sup>41</sup>.

#### Major development

5. Major development will be expected to achieve Excellent BREEAM Standard. Proposals for the refurbishment of 10 dwellings or more are expected to meet BREEAM Domestic Refurbishment Excellent. Where the above cannot be achieved due to economic viability the highest alternative BREEAM standard will be required to be achieved. It will be the responsibility of the applicant to demonstrate why Excellent cannot be achieved.

40 UK Government. The Clean Growth Strategy (2017) Improving people's homes and reducing bills. Paragraph 1, Page 77. Available at: [www.gov.uk/government/publications/clean-growth-strategy](http://www.gov.uk/government/publications/clean-growth-strategy)

41 LETI Climate Emergency Retrofit Guide. October 2021. Available at: [www.leti.uk-retrofit](http://www.leti.uk-retrofit)

## Supporting text

**5.38** For the purposes of Policy CC2, the term ‘retrofit’ refers to the upgrading of a building to enable it to respond to the imperative of climate change as per the definition within LETI’s guidance. Retrofit may involve repair, renovation, refurbishment and/or restoration of a building(s). The aim is to both mitigate against climate change and ensure the building(s) is well adapted for our changing climate.

**5.39** Particular support will be given to applications where the proposal is for refurbishment.

**5.40** Applicants should apply the following six principles set out in the LETI’ Retrofit guidance to their development scheme:

1. Reduce energy consumption;
2. Prioritise occupant and building health;
3. Have a whole building Retrofit Plan;
4. Measure the performance;
5. Think big! ; and
6. Consider impact on embodied carbon.

**5.41** In terms of Principle 5, Think big, LETI states that “We are facing a climate emergency and must be zero carbon by 2050. We cannot afford to do the bare minimum. This would only result in needing to re-retrofit buildings only a few years later. We therefore need to ‘think big’ and be ambitious now to ensure that refurbishing buildings will avoid the need to undertake further retrofitting at a later date.

**5.42** Further advice on energy efficiency measures that may be appropriate in historic buildings and regarding the avoidance of maladaptation (i.e employing an adaptation measure that may cause harm elsewhere) can be found in Historic England’s guidance document ‘Energy Efficiency and Historic Buildings: How to improve energy efficiency’<sup>42</sup>.

**5.43** The Government has also published its review<sup>43</sup> into the challenges households face when retrofitting in conservation areas and listed buildings. The review has set out a series of commitments to drive energy efficiency and low carbon heating improvements to listed buildings and buildings in Conservation Areas across England, as part of the Government’s commitment to reach Net Zero by 2050. Among the commitments set out is a consultation on new national development management policy specially for historic buildings and a consultation on the greater use of Listed Building Consent Orders to support building improvements.

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42 Historic England, June 2018. Energy Efficiency and Historic Buildings: How to improve energy efficiency. Available at: [www.historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/](http://www.historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/)

43 Adapting historic homes for energy efficiency: a review of barriers. 3<sup>rd</sup> January 2024. Available at: [www.gov.uk/government/publications/adapting-historic-homes-for-energy-efficiency-a-review-of-the-barriers](http://www.gov.uk/government/publications/adapting-historic-homes-for-energy-efficiency-a-review-of-the-barriers)



## Question 15

### Consultation Questions

- a) Do you agree with draft Policy CC2 Reducing Energy Consumption in Existing Buildings ?
- b) Do you consider there to be any other reasonable and viable measures for improving the energy efficiency of existing buildings?
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Sustainable Design and Construction

**5.44** In addition to energy efficiency considerations, we want to encourage the highest standards of sustainable design and construction in Wealden, improving the overall environmental performance of new developments; minimising their contribution to climate change; and adapting to the effects of climate change over their lifetime. Sustainable construction is about taking a 'life cycle' approach to development. This encompasses location, design, materials, construction management and the life and long-term stewardship of developments. It also includes the demolition of existing buildings as part of a development.

**5.45** The way buildings are designed and constructed will have direct and indirect impacts on the quality of our lives, our health, the amount of energy and water we use, the use of natural resources, as well as an impact on our immediate and wider natural and built environment. There are a number of measures that can be used to address sustainable design and construction including:

- Maximising opportunities presented by natural resources, such as the sun, wind, the ground and natural vegetation to address overheating and cooling. This can include the location, layout and orientation of buildings and the fabric of buildings;
- Conserving natural resources including land, water, energy and materials;
- Creating compact, mixed use and walkable neighbourhoods to minimise car use;
- Providing infrastructure to encourage the take up of electric vehicles and encourage cycling, such as cycling storage;
- Providing storage to encourage recycling;
- The provision of buildings that have a longer life and are adaptable over time to reduce the need to redevelop to suit changing lifestyles or residents requirements;
- Minimising construction and demolition waste and maximising reuse and recycling, including the reuse / repurposing of buildings;
- The selection of materials and the type of construction to minimise environmental impacts and reduce energy use;

- Maximising energy efficiency and the use of renewable energy technologies; and
- The use of landscaping, natural habitats and blue and green infrastructure to help absorb carbon dioxide.

**5.46** Some of the above measures are incorporated into other relevant policies in the Plan.

**5.47** There are various accreditation schemes for sustainable design and construction. Active House and Passivhaus<sup>44</sup> accreditation schemes can be utilised to achieve and demonstrate a developments or building's sustainable design and construction credentials.

**5.48** The Building Research Establishment's (BRE) national Home Quality Mark (HQM) for new housing, allows house builders to highlight the innovative features of their homes and differentiate themselves in the marketplace, giving consumers confidence they are choosing a well built and cost-effective home whilst the Building and Research Establishment Environmental Assessment Method (BREEAM) provides market recognition for low environmental impact non-residential buildings. BREEAM addresses a wide range of environmental issues and enables developers and designers to prove the environmental credentials of their buildings.

**5.49** Sustainable design and construction is inextricably linked to reducing emissions in both new and existing developments (see Policies CC1 and CC2) because a net zero carbon building is first and foremost an energy efficient building. In an energy efficient building, the amount of energy used for heating and cooling is minimised, as is the demand on energy supply. This can be heavily influenced by the design and construction of developments. Therefore, Policy CC3 works with, and should be implemented alongside, Policies CC1 and CC2.

**5.50** A sustainably designed and constructed development and/or building that is also resilient to flooding should also ensure that flood risk is not exacerbated elsewhere. Therefore Policy CC3 works with, and should be implemented alongside, Policy CC7.

**5.51** In relation to waste, the emerging ESCC Waste and Minerals Local Plan, requires proposals to minimise the quantities of aggregates used in construction and prioritise the use of recycled and secondary aggregate over virgin aggregate<sup>45</sup>. It supports the promotion of sustainable aggregate use policies within Local Plans.

**5.52** Policy CC3 provides a holistic route to achieving net zero development and is in line with the approach taken within national planning policy<sup>46</sup> and planning practice guidance in the National Design Guide<sup>47</sup>. The policy also asks developers to capitalise on passive design, using the location, orientation, design and fabric of a building to maximise the passive energy that can be gained from the sun. Natural approaches such as the incorporation of green infrastructure within developments are also included as these are often cost-effective measures that can provide additional benefits alongside climate adaptation and mitigation i.e., provision of outside space, improvements to people's health and wellbeing and homes for nature.

44 Active House focuses on providing a beneficial indoor environment for the occupant through increased daylight and climate control whereas Passivhaus focuses on achieving thermal comfort indoors by post heating or cooling of fresh air mass

45 Policy RMO Sustainable Use of aggregates. Available as part of the Schedule of Main Modifications [www.eastsussex-consult.objective.co.uk/kse/folder/95335](http://www.eastsussex-consult.objective.co.uk/kse/folder/95335)

46 NPPF paragraph 154 b

47 National Design Guide Resources characteristics

## Policy CC3: Sustainable Design and Construction

1. Development proposals will need to demonstrate how they have implemented the principles and requirements set out below;
  - a) Reuse land and buildings, wherever feasible, prioritising use of brownfield land and existing buildings.
  - b) Use building materials with high environmental performance ratings including high thermal performance materials for walls, floors, roofs and glazing, to minimise environmental impacts and reduce energy use.
  - c) Proposals should prioritise the use of locally sourced materials to minimise miles travelled and/or sustainable materials and construction techniques to minimise ecological and carbon footprints. The use of energy intensive building materials with high embodied carbon, such as concrete, should be reduced where possible.
  - d) Conserve natural resources including land, soil, water, energy and materials.
  - e) Implement measures to reduce water consumption and increase water recycling e.g. provision of water butts, greywater recycling etc.
  - f) Contribute to the greening of developments by incorporating green and blue infrastructure into site and building design such as green roofs and walls and using existing or creating new natural habitats where possible.
  - g) Use natural and permeable surfaces within developments instead of impermeable surfacing. The Council strongly encourages developments to avoid the use of artificial grass within developments.
  - h) Reuse and recycle materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavated soil and hardcore within the site, to minimise construction waste.
  - i) Consider the lifecycle of the building and public spaces, including how they can be easily adapted and modified to meet changing social and economic needs and how materials can be recycled at the end of their lifetime.
2. Where possible, developments should provide any heating systems through low carbon heating technologies. Where this is not feasible, heating systems should be designed to accommodate lower flow temperatures to enable the future use of air and ground source heat pumps. Applicants will need to demonstrate their rationale for the chosen heating/cooling system.

### Overheating and ventilation

3. Development proposals must reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy:
  - a) Minimise internal heat generation through energy efficient design;
  - b) Reduce the amount of heat entering the building in summer through orientation, shading, albedo, fenestration, insulation, green roofs and walls and waterbodies;
  - c) Manage the heat within the building through exposed internal thermal mass and high ceilings;

- d) Passive ventilation;
- e) Mechanical ventilation; and
- f) Active cooling systems.

4. Developers are encouraged to use the standards from the Chartered Institute of Building Service Engineers (CIBSE) to evaluate the potential for overheating within the scheme design and demonstrate meeting these requirements.

#### Accreditation schemes

5. Proposals for non-residential development should seek to achieve a BREEAM minimum 'Excellent' rating, and where possible to achieve an 'Outstanding' rating.
6. Proposals for residential development, should seek to achieve a 4 Star rating under the Home Quality Mark scheme.
7. When seeking accreditation, development proposals should focus on maximising the achievable credits under the energy use category.

#### Sustainability Statement

8. For development proposals of 5 (net) dwellings or more (including flats) and all non-residential development over 500sqm gross internal floorspace, developers are required to submit a sustainability statement as part of the planning application to demonstrate compliance with this policy.

## Supporting text

**5.53** The Council will support development proposals that demonstrate their sustainability credentials through a recognised accreditation scheme such as BREEAM or Home Quality Mark.

**5.54** Unless agreed otherwise, compliance with this policy should be demonstrated via the following certificates (or future equivalent):

1. 'Pre-assessment estimator' at application stage;
2. 'Interim design' (HQM) or 'design stage' certificates prior to construction; and
3. Final certificates for all schemes six months post-completion.

**5.55** Developers implementing alternative standards should submit equivalent certificates for each of these stages.

**5.56** Policy CC3 seeks to ensure no retrofit is required later down the line to meet net zero carbon, but that where this will be needed, for the measures to be minimal in terms of scope and cost.

**5.57** The Council recommends all development proposals undertake, and submit as part of the planning application, a Chartered Institute of Building Service Engineers (CIBSE) overheating assessment to evaluate how overheating can be mitigated. In undertaking such assessments, proposals must ensure projected increases in future temperatures are taken into account to ensure that all developments provide for a suitable standard of amenity and quality of life for future occupiers.

**5.58** Developers are encouraged to use the following standards from the (CIBSE) to evaluate the potential for overheating within the scheme design:

- TM59 & TM52: Hours of Exceedance<sup>48</sup>.
- TM52: Daily Weighted Exceedance<sup>49</sup>.
- TM52: Upper Limit Temperature<sup>50</sup>.

**5.59** Where development involves work to heritage assets, or where development may have an impact on a heritage asset, applicants should refer to Historic England's guidance document 'Energy Efficiency and Historic Buildings: How to improve Energy Efficiency'<sup>51</sup> and Policy HE2 within the Historic Environment chapter of the Local Plan.

**5.60** The Council acknowledges that in seeking to achieve sustainable design and construction in developments to address climate change adaptation and mitigation, this may involve the use of innovative designs and materials which could impact on the local vernacular. This will likely evolve over time and applicants should read Policy CC3 in conjunction with the Council's design policies.

## Question 16

### Consultation Questions

- a) Do you with agree draft Policy CC3: Sustainable Design and Construction?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Carbon sequestration.

**5.61** Carbon sequestration is the long-term removal, capture, or storage of carbon dioxide from the earth's atmosphere. It is one of many approaches that can be used to help address the climate crisis where it can prevent further emissions from contributing to the heating of the planet.

**5.62** Carbon dioxide is naturally captured from the atmosphere through biological, chemical, and physical processes. These changes can be accelerated or decelerated through changes in land use. For example, where natural habitats are lost to other uses (such as development or intensive agriculture) or degraded this can result in the direct loss of carbon stored within them. Likewise, restoring natural systems and carbon sequestration can help to reverse any

48 A measure of how often the temperature exceeds a threshold comfort temperature during a typical warm season and sets a limit of 3% of occupied hours.

49 The severity of overheating within any one day. The limit is no more than 6 hours a day above the thermal comfort threshold

50 Sets an absolute maximum temperature for a room beyond which the level of overheating is unacceptable.

51 Historic England. 2018. Energy Efficiency and historic buildings: How to improve Energy Efficiency. Available at: [www.historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/#:~:text=This%20%27whole%20building%20approach%27%20ensures,parties%20involved%20in%20the%20process](http://www.historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/#:~:text=This%20%27whole%20building%20approach%27%20ensures,parties%20involved%20in%20the%20process)

damage whilst at the same time supporting and enhancing biodiversity and delivering co-benefits for climate change adaptation and soil health.

**5.63** National policy states that planning policies and local plan decisions should recognise that some undeveloped land can act as a carbon store. Other Local Plan policies provide for the retention, protection, enhancement and creation of biodiversity within the district, including habitats, trees, woodlands and hedgerows. Therefore, carbon sequestration is considered inherent within those policies.

**5.64** The Council is progressing a Climate Change Mitigation and Adaptation Study as part of its local plan climate change evidence base. The study will provide information to help determine the most suitable and appropriate methods of carbon sequestration within the district to assist the Council's climate change adaptation and mitigation efforts. It is envisaged that the Study will assess and make policy recommendations for nature-based solutions that can assist adaptation and mitigation through carbon offsetting, carbon storage/sequestration and adaptation to climate change risks.

**5.65** Following this work, we will consider our policy approach further to inform the next stage in the plan-making process.

**5.66** Policy CC4 sets out the Council's preferred policy approach to carbon sequestration, acknowledging the fact that other Plan policies will contribute positively to the process.

#### Policy CC4: Carbon Sequestration

1. Development will be expected to protect existing carbon stores and take opportunities to provide nature-based solutions for carbon sequestration where relevant.
2. Development proposals will be supported in the context of carbon sequestration where:
  - a) Opportunities are taken to improve soil health and minimise disturbance to soils in order to protect soil biodiversity and carbon storage; and
  - b) There will be a significant net gain in nature-based carbon sequestration through habitat retention, protection, enhancement and/or creation.
3. Where development is proposed on land containing identified carbon stores, the applicant must consider the potential impacts of the development on the carbon store and seek to maximise opportunities to enhance its sequestration function. Applicants should submit a proportionate evaluation of the impacts and opportunities of the proposal on the identified carbon store as relevant, and in all cases an appropriate management plan must be submitted.

#### Supporting text

**5.67** Policy CC4 applies to all development and should be considered and implemented alongside policies NE1; NE2; NE3; NE6; NE7 and NE9 of the Natural Environment Chapter.

**5.68** Applicants are encouraged to refer to Natural England’s ‘Carbon Storage and Sequestration by Habitat 2021 (NERR094)<sup>52</sup> at the earliest stages in the planning process to ensure their scheme maximises opportunities to support existing carbon stores as well as provide additional carbon sequestration through nature-based solutions where possible. The Natural England Report identifies long-term and important ecosystems (woodlands, trees and scrub, open habitats and farmland such as heathlands and semi-natural grassland, rivers, lakes and wetland habitats and marine and coastal habitats) that are important for carbon storage.

## Question 17

### Consultation Questions

- a) Do you agree with draft Policy CC4 Carbon Sequestration?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Renewable and low-carbon energy

**5.69** Planning policy has a fundamental role to play in the implementation of successful and long-term sustainable energy solutions, particularly at the local level. There are many options for developing and delivering renewable energy schemes, including district heat networks, biomass fuel, on-shore and off-shore wind farms and solar photovoltaics (solar farms and building level).

**5.70** The NPPF states that the planning system should support the transition to a low-carbon future in a changing climate and that local planning authorities are expected to adopt proactive strategies to mitigate and adapt to climate change, in line with the Climate Change Act 2008.

**5.71** In planning for renewable energy, paragraphs 155 and 156 of the NPPF encourage local authorities to take a positive approach by identifying suitable areas for renewable energy generation and its supporting infrastructure, and by maximising the opportunities for community-led and decentralised energy production.

**5.72** In regard to onshore wind, paragraph 158(b), footnote 54 of the NPPF says:

*“Except for applications for the repowering and life-extension of existing wind turbines, a planning application for wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan or a supplementary planning document; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support”.*

52 Natural England. April 2021. Carbon Storage and sequestration by habitat: a review of the evidence (second edition). Available at: [www.publications.naturalengland.org.uk/publication/5419124441481216](https://publications.naturalengland.org.uk/publication/5419124441481216)

**5.73** Whether a proposal has the backing of the affected local community is a planning judgement for the local planning authority, and the courts have ruled that ‘addressed’ does not mean ‘resolved’ or ‘eliminated’<sup>53</sup>. It is also important to note that plans can allocate areas as suitable for wind turbines and do not have to follow the more onerous route of allocating actual sites, as is sometimes mistakenly assumed.

**5.74** National Policy Statement for Renewable Energy Infrastructure EN-3<sup>54</sup> notes the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the national targets for renewable energy supply and emissions reductions. Increasing the proportion of renewable and low carbon energy generated is one of the ways we can contribute to the UK governments target of net zero emissions by 2050, as well as meeting our own net zero target. The Policy Statement was updated in November 2023 and will come into effect in early 2024.

**5.75** In regard to renewable and low carbon energy, the PPG makes it clear that whilst all communities have a responsibility to help increase the use and supply of green energy, this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. The PPG is clear that in considering locations for renewable and low carbon energy, local planning authorities need to ensure they take into account the requirements of the technology and, critically, the potential impacts on the local environment, including from cumulative impacts.

**5.76** The Council is progressing a Clean Energy Opportunities and Implications Study as part of its local plan climate change evidence base. The study will provide information to help determine the most suitable approach to, and most appropriate methods of, renewable and low carbon energy generation for the district. The study will identify areas of opportunity for the implementation of renewable and low-carbon energy schemes within the district and where opportunities may exist. The study will also assess local opportunities for renewable and decentralised energy generation, distribution and storage within the district and advise on whether local heat networks are appropriate and feasible. Following this work, we will consider our policy approach further including whether it may be appropriate to identify areas for renewable energy schemes. This further work will inform the next stage in the plan-making process.

**5.77** The Wealden Landscape Sensitivity Assessment: Renewable Energy provides an assessment of the sensitivity of the district’s landscape to certain sizes of solar farms and wind turbines. This has informed our approach in Policy CC4 and will continue to inform our approach in line with the emerging climate change evidence base.

**5.78** Policy CC5 sets out our draft policy for renewable and low-carbon energy schemes. At this stage in the plan-making process we have provided a criteria-based policy to support

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53 The Court of Appeal considered Written Ministerial Statement HCSW42 on local planning (made by the Secretary of State for Communities and Local Government on 18 Jun 2015 – <https://www.parliament.uk/globalassets/documents/commons-vote-office/June-2015/18-June/1-DCLG-Planning.pdf>) and not the policy in the NPPF. The latter omits ‘therefore’, which was important to the court (‘According to the Statement, a planning authority can find a proposal acceptable if they are satisfied that it has addressed the planning impacts identified by the affected local community and therefore has their backing.’). Whether the proposal has the backing of the local community now reads as a separate test and not a consequence of the assessment of impacts. See Holder, R (on the application of) v Gedling Borough Council & Ors [2018] EWCA Civ 214. <http://laweuro.com/?p=13384>

54 National Policy Statement for Renewable Energy Infrastructure EN-3, July 2011 (updated 22<sup>nd</sup> November 2023). Available at: [www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3](http://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3)



renewable and low-carbon energy schemes. Policy CC5 will be considered further alongside our emerging evidence base.

**5.79** Policy CC5 offers flexibility to accommodate new future technologies and advancements in the design and operation of renewable schemes. This will ensure opportunities for greater carbon savings are maximised where they exist, without placing undue pressure on areas where savings may not be technically or financially feasible. Proposals can be judged on a case-by-case basis taking into account the characteristics of the district, landscape, heritage assets and any other relevant considerations.

### Policy CC5: Renewable and Low Carbon Energy

1. Proposals for renewable and low carbon energy-generating and distribution networks, including heat networks, will be supported in the context of sustainable development and climate change, where:
  - a) They will not result in significant adverse impacts on the local environment, including landscape character; the AONB; the setting of the South Downs National Park; species and habitats; amenity; agricultural land use and local heritage, that cannot be satisfactorily mitigated. This includes impacts such as noise, shadow flicker, vibration, visual impacts such as glint or glare.
  - b) They are supportive of land diversification and allow for the continuation of the site for some form of agricultural activity proportionate to the scale of the proposal, where the current use of the land is agricultural.
  - c) There are appropriate plans and a mechanism in place for the removal of the technology on cessation of generation, and restoration of the site to its original use or an acceptable alternative use.
  - d) They maximise the use of the available resource by deploying installations with the greatest energy output practicable, taking account of other relevant policies within the Development Plan.
  - e) They make use, or offer genuine potential for use, of any waste heat produced and where possible, create opportunities for co-location of energy producers with energy users, in particular heating.
2. Support will be given to community led energy schemes where evidence of community support can be demonstrated, with administrative and financial structures in place to deliver/manage the project and any income from it.
3. The Council will support district heat networks where feasible and where one exists, new development will be expected to connect to it.
4. The assessment of the impacts of proposals for renewable and low carbon energy schemes will need to be based on the best available evidence, including landscape capacity and sensitivity studies.

#### Energy Storage

5. There is a presumption in favour of energy storage where it meets one or more of the following:

- a) It is co-located with an existing or proposed renewable energy development.
- b) It can be shown that it alleviates grid constraints or contributes to meeting Wealden's renewable energy supply; and
- c) It allows further renewable developments to be deployed.

## Supporting text

**5.80** Policy CC5 applies to all schemes under 50MW. Proposals over 50MW, other than for battery storage, are considered Nationally Significant Infrastructure projects (NSIPs). These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant i.e., NPPF. However, the PPG states that it is the Government's intention to amend legislation so that all onshore wind energy development is dealt with by local authorities<sup>55</sup>.

**5.81** The Policy sets no floor or cap on the scale of renewable energy targeted to be generated, preferring, instead, an approach which supports all appropriate proposals that meet the policy requirements set out as well as other relevant policies within the local plan such as those relating to landscape, heritage, the environment, biodiversity (including biodiversity net gain) and green infrastructure.

## Question 18

### Consultation Questions

- a) Do you agree with draft Policy CC5: Renewable and Low Carbon Energy?
- b) Subject to the Council's renewable energy study, would you support the identification of areas within the district for locating solar farms? Please explain your answer.
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Water Efficiency

**5.82** Through the Building Regulations all developments are required to achieve a mandatory water efficiency / use standard of 125 litres per person per day. The optional technical standard for housing allows local authorities to apply a more stringent standard of 110 litres per person per day as described in Part G of Schedule 1 to the Building Regulations where there is a clear

<sup>55</sup> PPG Renewable and Low Carbon Energy. August 2023. Available at: [www.gov.uk/guidance/renewable-and-low-carbon-energy#particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines](https://www.gov.uk/guidance/renewable-and-low-carbon-energy#particular-planning-considerations-for-hydropower-active-solar-technology-solar-farms-and-wind-turbines)

local need. Wealden is identified as being within an area of serious water stress<sup>56</sup>. A higher standard is therefore justified.

**5.83** South East Water, who supply the district's drinking water, have confirmed in their Water Resources Management Plan 2020 to 2080 that climate change will increase the demand for water in the future and note the importance of resilience planning moving forward. There is also the challenge to meet the water demands of both population increases and economic growth in the southeast area.

**5.84** Whilst it is the responsibility of water companies to plan for increases in water demand, the NPPF requires local plans to take into account the long-term implications of climate change on water supply. On this basis there is a role for us to play our part in tackling water stress and sustainability and ensuring that water is used efficiently.

**5.85** Policy CC6 seeks to ensure developments are as efficient in their water usage as possible to minimise impacts on the districts water resources.

### Policy CC6: Water Efficiency

1. Applicants will be required to demonstrate, through the Sustainability Statement or the Design and Access Statement, that the development has been planned positively to minimise its impact on, and make efficient use of, water resources, taking into account the impacts of climate change.
2. Development proposals, including the retrofit / refurbishment of existing buildings, should demonstrate that water reuse and recycling and rainwater-harvesting measures have been incorporated wherever possible in order to reduce demand on mains water supply as part of an integrated approach to water management.
3. All new residential development must be designed and built to achieve the Building Regulation mains water consumption standard of 110 litres per person per day or the highest water efficiency standard that applies at the time of the planning application.
4. All proposals for non-residential development should maximise water efficiencies under the mandatory water credits category in the BREEAM Water Consumption assessment methodology.

### Supporting text

**5.86** The 110-litre standard can be achieved fully through low flow fixtures and fittings; however, all developments should seek to reduce water consumption as far as possible through additional water efficiency measures wherever possible. This can include rainwater harvesting and water reuse/recycling.

**5.87** The aim of the BREEAM Water Consumption assessment methodology (WAT 1) is to reduce potable water demand in non-residential development through the installation of energy

56 Water stressed areas – final classification 2021. July 2021. Available at: [www.gov.uk/government/publications/water-stressed-areas-2021-classification](http://www.gov.uk/government/publications/water-stressed-areas-2021-classification)

efficient sanitary fittings, rainwater collection and water recycling systems. Up to 5 credits are available plus an additional credit for exemplary performance.

**5.88** The standard approach is the default method for calculation. It uses the buildings actual component specification and default usage patterns for the building type and its activity areas. The output is compared with the same output for a baseline component specification and the percentage improvement used to determine the number of BREEAM credits achieved. The standard building types are office, retail, industrial and education.

## Question 19

### Consultation Questions

- a) Do you agree with draft Policy CC6: Water Efficiency?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Reducing flood risk

**5.89** New development should be sustainable and in flood risk terms this means that development should be directed to areas at the lowest risk of flooding, should not make existing flood risk worse and should reduce existing overall flood risk where possible. Climate change and extremes of weather have made what were once irregular flooding events more regular and more unpredictable.

**5.90** The Wealden Strategic Flood Risk Assessments identify that the district is susceptible to all sources of flooding including fluvial, sea level rise, surface water and groundwater. Fluvial flood risk is most notable in the Pevensey Levels, posing a risk to Hailsham, Westham and Pevensey but there are also threats from rivers in Uckfield, Crowborough, Forest Row and Horam as well as in rural parts of the district. Large areas of Wealden are also identified as areas of groundwater concern, particularly in the south of the district.

**5.91** Development patterns without the right mitigation can have distorting effects on the water cycle and drainage systems, for example, from artificial features and hard surfaces, which can create channels for surface water run-off. The risk of flooding from surface water is more difficult to predict and is heavily dependent upon local conditions during the passing of a storm. The likelihood of surface water flooding is dependent not only on the permeability of the surface, but also saturation of the receiving soils, the groundwater levels and the condition of the surface water drainage system (i.e. surface water sewers, highway's authority drains and gullies, open channels, ordinary watercourses and SuDS).

**5.92** Rainfall events are likely to increase in intensity and potentially duration, which may result in surface water flooding becoming more frequent, as well as increasing the potential for groundwater flooding through emergence at the surface. It is therefore important for us to

address this as part of our development and growth strategy and this will require close partnership working with the Environment Agency, East Sussex County Council (as Lead Local Flood Authority) and Southern Water and South East Water.

**5.93** National policy is clear that development should be avoided and directed away from those areas at the highest risk from all sources of flooding, including both existing and any future risk. Where development is necessary in areas at higher risk of flooding, then development should be made safe for its lifetime without increasing flood risk elsewhere.

**5.94** In accordance with the NPPF, PPG and our Strategic Flood Risk Assessments (SFRAs), Policy CC6 seeks to ensure that development does not place itself, or others, at increased risk of flooding and actively seeks to improve flood risk where possible.

### Policy CC7: Managing Flood Risk

1. Development proposals will follow a sequential approach to flood risk management and will be guided to areas with the lowest risk of flooding from all sources, considering both existing and future flood risk.
2. Flood Zone 3b will be protected as the functional floodplain and its capacity to attenuate periodic flood events must not be compromised. Essential infrastructure that has passed the Exception test and water compatible uses will be permitted within Flood Zone 3b provided the development is designed and constructed to:
  - a) Remain operational and safe for users in times of flooding;
  - b) Result in no net loss of floodplain storage;
  - c) Not impede water flows; and
  - d) Not increase flood risk elsewhere.
3. Flood risk must be considered at an early stage in the design and layout of development to ensure that opportunities are maximised to reduce flood risk within the development.
4. All relevant development must demonstrate that it complies with the tests, recommendations and guidance specified by the Council's Strategic Flood Risk Assessment (SFRA), the NPPF and PPG. Proposals will need to:
  - a) Demonstrate that the development has been designed to be flood resilient and resistant and safe for its users for the lifetime of the development.
  - b) Use the latest climate change allowances for peak river flows, peak rainfall intensity and sea levels applicable to the catchment within which the development is located and the relevant epoch for the climate change allowance; and
  - c) Ensure that any proposals involving modifications of ground levels are fully assessed and the findings clearly set out.
5. Where required, flood mitigation must be implemented in accordance with the Council's SFRA, the NPPF and PPG. Developers must ensure that mitigation does not increase flood risk elsewhere and that floodplain compensation is provided where necessary.

6. All new development close to rivers should consider, working the river with partners, the opportunity to improve, enhance and restore floodplain and river environment, including opportunities to create, enhance and improve the linking of green/blue infrastructure.
7. Where possible, developments should seek to open up existing culverts to create a green/blue corridor. New culverts will not be permitted, unless it is demonstrated that the culvert is essential infrastructure and there is no viable alternative.
8. The Council will support natural flood management measures and schemes that help to reduce flood risk in the wider catchment.

#### Sequential and Exceptions Test

9. The development of sites at a greater risk of flooding (from any source) will only be considered where they comply with the requirements of the NPPF and associated PPG, specifically in regard to the application of the Sequential, and where required, Exceptions Tests.
10. Where schemes are located in flood risk areas, the Sequential approach must be used to ensure that the most vulnerable parts of the development site are in the areas of lowest flood risk. Developers will be expected to undertake early discussions with the Council, Environment Agency, Lead Local Flood Authority and Southern Water.
11. Where schemes are located within the Pevensey Levels catchment, developers will also be expected to undertake early discussions with the Pevensey and Cuckmere Water Level Management Board.

### Supporting text

**5.95** All relevant development proposals, where appropriate, should be discussed with the Council in liaison with the Environment Agency, Water Services Provider, Pevensey and Cuckmere Water Level Management Board (where appropriate) and the Lead Local Flood Authority at the earliest opportunity, preferably at pre-application stage. This should ensure flood risk and drainage solutions, particularly where required on site, can be factored into the development process as early as possible.

**5.96** All development will be required to demonstrate that regard has been given to existing and future flood patterns from all flooding sources, including the latest climate change allowances, and that the need for effective protection and flood risk management measures, where appropriate, have been considered as early on in the development process as possible.

**5.97** Proposals must apply a sequential risk-based approach to the location of development, including within the site and taking account of the flood risk vulnerability classifications within the PPG, to steer new development to areas with the lowest probability of flooding. If, following the application of the sequential test, it is not possible, consistent with wider sustainability objectives, for development to be located in areas with a lower probability of flooding, the exception test may be applied.

**5.98** Proposals for development in locations identified as being at risk of flooding, now and in the future, should demonstrate how flood risk will be managed, taking into account climate change and having regard to the vulnerability of different land uses to flood risk.

**5.99** Where land raise is proposed as part of flood risk mitigation, applicants must consult with the Lead Local Flood Authority at the outset of the design of development. Where deemed to be appropriate, any scheme for land raising must be appropriately designed, supported by sufficient and robust evidence and must demonstrate that flood risk will not be increased elsewhere. If land raising is proposed within the functional floodplain, applicants must provide robust evidence that level-for-level compensatory flood storage is provided, and that there are no detrimental impacts on or off site. Where development is proposing land raise within the Pevensey Levels catchment, applicants are expected to consult with the Cuckmere and Pevensey Levels Water Level Management Board.

**5.100** In addition, for sites located in catchments identified in the SFRA as highly sensitive to the cumulative impact of development, schemes should also consider the cumulative effects of the proposed development and should demonstrate that flood risk downstream will not be made worse as a result of cumulative development.

**5.101** Where developments are located in areas benefitting from defences, an assessment should consider the residual risk considering the impact of breach, including the effect on safe access and egress, as well as potential for flood risk to increase in the future due to overtopping.

**5.102** Developers should refer to the relevant SFRA covering their site as they provide guidance for the application of the Sequential and Exception Tests at a site level within Wealden and for detailed site-specific Flood Risk Assessments.

**5.103** For sites that are not strategic allocations, developers will need to use the SFRA to help apply the Sequential Test as well as provide evidence to show that other reasonably available sites have been adequately considered.

## Question 20

### Consultation Questions

- a) Do you agree with draft Policy CC7: Managing Flood Risk ?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Sustainable drainage

**5.104** Sustainable Drainage Systems (SuDS) are designed to maximise the opportunities and benefits that can be secured from surface water management practices and provide a means of dealing with the quantity and quality of surface water and can also provide other benefits:

- Reduce the risk of flooding from surface-water run-off;
- Reduce the risk of sewer flooding during heavy rainfall;
- Recharge groundwater to help prevent drought;
- Prevent water pollution by filtering runoff;
- Provide valuable habitats for wildlife; and
- Create and provide green and blue spaces for people.

**5.105** Given the flexible nature of SuDS they can be used in most situations within new developments as well as being retrofitted into existing developments. SuDS can also be designed to fit into most spaces. For example, permeable paving could be used in parking spaces or rainwater gardens as part of traffic calming measures.

**5.106** Current national planning policy states that major developments should incorporate SuDS unless there is clear evidence that this would be inappropriate. There is also a requirement for development in flood risk areas to also incorporate SuDS unless inappropriate.

**5.107** In January 2023, the government stated that SuDS will become mandatory for all new development from 2024<sup>57</sup>. In advance of this, they will consult on the scope, threshold and process. Depending on the outcome of that consultation, changes may affect the Council's proposed approach to SuDS and subsequently the SuDS policy. The Council will continue working with our neighbouring authorities on cross boundary issues, including SuDS, as well as the Lead Local Flood Authority (LLFA) to ensure a consistent approach to SuDS requirements.

**5.108** Policy CC8 seeks to ensure that developments manage their drainage requirements, including through a surface water drainage strategy, so as to reduce the risk of flooding from surface water as well as protect the water quality of the districts waterbodies and provide wider benefits to the natural environment and people.

### Policy CC8: Sustainable Drainage

1. All development proposals should include adequate drainage provision and seek to reduce flood risk and contribute to flood alleviation.
2. Applicants must demonstrate that sustainable drainage systems (SuDS) are an integral part of the proposed development and its design unless they are demonstrated to be inappropriate.
3. Development proposals should:
  - a) Be designed and implemented having regard to the latest local, regional and national guidance on sustainable drainage and SuDS systems.
  - b) Ensure that sufficient space is provided within a site so that the SuDS can be accommodated within the layout. SuDS should be discussed with the Lead Local Flood Authority early in the design process to ensure they can be fully integrated into the overall design and layout of the scheme.
  - c) Demonstrate that arrangements are in place for the ongoing maintenance of SuDS schemes over the lifetime of the development.

<sup>57</sup> The review for implementation of Schedule 3 to the Flood and Water Management Act 2010. January 2023. Available at: [www.gov.uk/government/publications/sustainable-drainage-systems-review](https://www.gov.uk/government/publications/sustainable-drainage-systems-review)



- d) Be designed and implemented to be ‘multi-functional’ and contribute to wider Council objectives including enhancing biodiversity and biodiversity net gain (where appropriate), recreational opportunities, landscape character and improving the green/blue infrastructure network.
  - e) Deliver the lesser of either the greenfield rate in terms of volume and flow; or the existing rate/volume of discharge.
  - f) Ensure that surface water is managed as close to its source as possible, using the following discharge hierarchy:
    - i. Discharge into the ground; then
    - ii. Discharge to a surface water body; and then
    - iii. Discharge to a surface water sewer, highway drain, or other drainage system.
  - g) Be designed and implemented to prevent surface water runoff entering the foul water drainage system.
  - h) Ensure adequate drainage connectivity.
  - i) Provide for emergency ingress and egress.
4. For phased development, it should be demonstrated that a strategic approach to drainage provision across the entire site and incorporates adequate provision for SuDS within each phase of development will be followed.
  5. All developments should demonstrate that surface water will pass through at least two treatment stages. For development in the Pevensy Levels hydrological catchment, a minimum of three stages of treatment will be required.
  6. Approval from the Lead Local Flood Authority of the design and long-term maintenance of any SuDS / drainage scheme will be required prior to development commencing.
  7. Any planning application, including in outline, that triggers a Habitats Regulations Assessment (HRA) will need to provide sufficient details of an appropriate surface water drainage scheme to satisfy the HRA.

## Supporting text

**5.109** Drainage should be considered as an integral part of the development design process. Applicants should submit sufficient information to enable proper consideration of drainage proposals. Any SuDS proposals should have due regard to East Sussex County Council’s guidance and must clearly set out the management and maintenance regimes for the scheme.

**5.110** For major schemes, seeking pre-application advice from the LLFA is strongly recommended. For minor development, the LLFA’s ‘SuDS Decision Support Tool for Small Scale Development’ should be used.

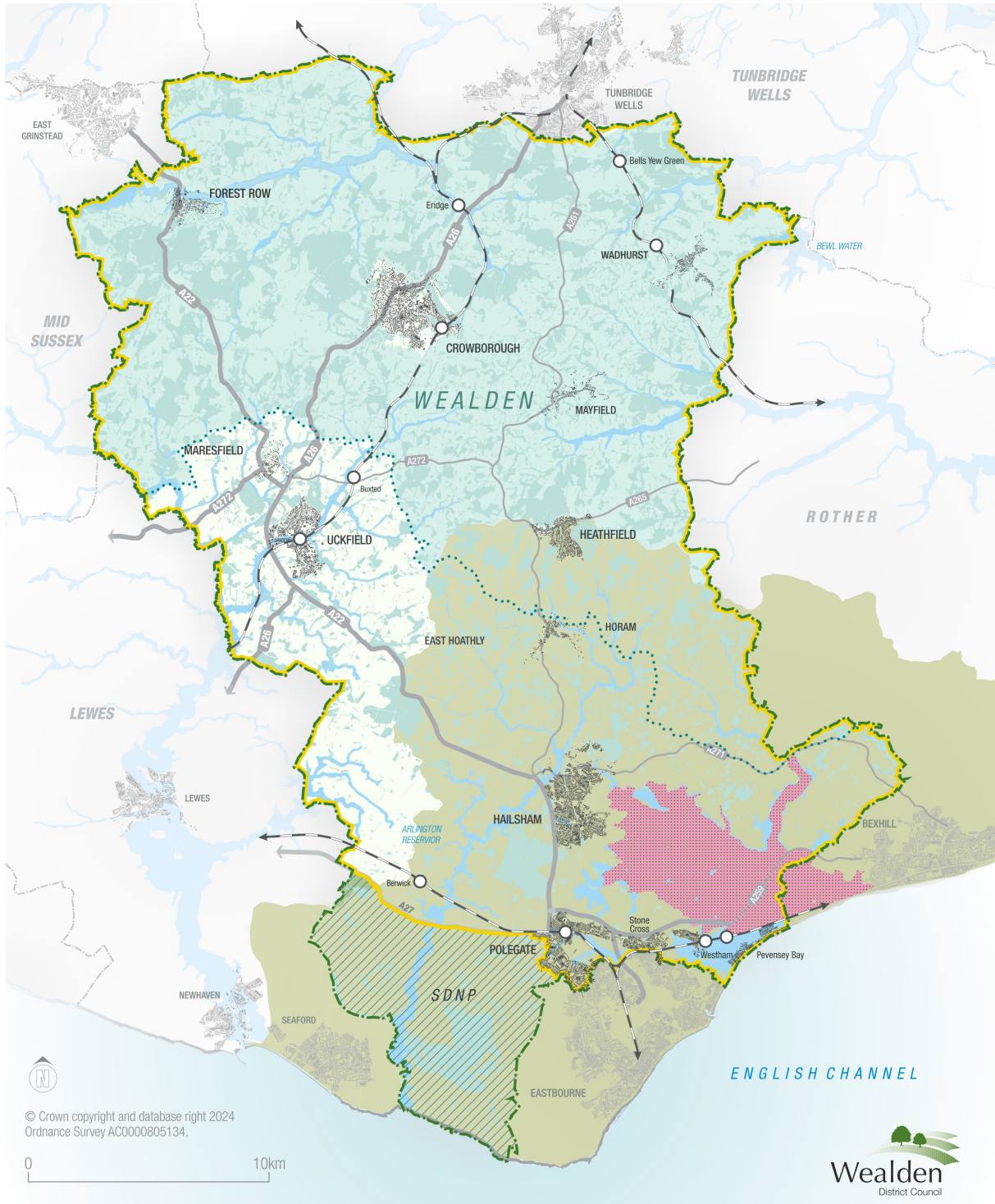
**5.111** Applicants must demonstrate that the proposed surface water drainage strategy for their site is consistent, and integrated with, other relevant planning policies, including Policy CC6 Managing Flood Risk.

**5.112** Sustainable Drainage Systems (SuDS) should be integrated into the design of all development sites and the techniques used should be appropriate to local conditions. The SuDS scheme should be proportionate to the development proposed.

**5.113** SuDS have various stages of treatment. Guidance from the LLFA states that rainfall should pass through at least two stages of treatment to ensure water quality is improved before being infiltrated or otherwise discharged off site. Applicants are advised to follow the LLFAs guidance to provide the maximum improvement to water quality through the use of the SuDS Treatment Train.

**5.114** There is a particular need to ensure that development within or near the Pevensey Levels SAC and Ramsar site is appropriate in terms of drainage. This is because poor quality water draining into the Pevensey Levels could have an adverse impact on the environment and ecology. This means that within the hydrological catchment area of the Pevensey Levels, more stages of SuDS treatment are required, three at a minimum. A Habitats Regulations Assessment will be required for development within this catchment, and it could be that more stages of treatment are required to avoid harm.

**Figure 16 Pevensey Levels Hydrological Catchment Area**



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Ordnance Survey AC0000805134.



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- Woodland

**Designations**

- Pevensey Levels Special Area of Conservation
- Pevensey Levels Ramsar Site
- High Weald National Landscape

**Catchment Area**

- Pevensey Levels Hydrological Catchment Area

**5.115** When considering planning applications, the Council will take into account the LLFAs technical standards for SuDS and seek advice from the relevant flood risk management bodies on the management of surface water and the suitability of the proposed SuDS scheme.

**5.116** Developers are encouraged to also refer to 'non-statutory technical standards for sustainable drainage systems' published by Defra, which provides guidance on minimum standards for design, maintenance, and operation of SuDS systems, and sits alongside the Planning Practice Guidance. The Construction Industry Research and Information Association's (Ciria's) SuDS Manual 2015<sup>58</sup> also includes advice on suitable development design.

## Question 21

### Consultation Questions

- a) Do you agree with draft Policy CC8: Sustainable Drainage?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

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58 [www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS](http://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS)

# 06

## Natural Environment





# Natural Environment

## Introduction

**6.1** Wealden District is predominantly rural and one of its greatest resources is its distinctive and valued natural environment. Its qualities consist of unspoilt villages and coast, set within attractive countryside and a range of flora and fauna helping to give Wealden its strong sense of place and identity. Wealden's natural environment provides a diverse range of benefits to people, nature and the economy, supporting the health and wellbeing of residents and visitors, biodiversity, food and energy production, flood control, climate change mitigation and adaptation, pollution and much more.

**6.2** The district's natural environment is considerably diverse. It ranges from the highly wooded High Weald Area of Outstanding Natural Beauty (AONB), (which as of 22nd November 2023 should now be referred to as a National Landscape) to the rolling chalk hills of the South Downs National Park, which is also a nationally designated landscape. In between this, we have the low weald landscape and also the internationally important Pevensy Levels. Our towns and villages that sit within our landscape and traditional land use patterns and forms of built development also provide a strong and distinctive sense of place.

**6.3** The presence and distribution of different landscape types, natural habitats and land-use are influenced by underlying geology, soils, landform and drainage. Land-use across the district is predominantly pasture, with areas of arable cropping. Between the land that is farmed there is a visible distribution of semi-natural land cover. These include woodlands, heathland, freshwater habitats, wetlands and marshes and grassland habitats. The district is heavily wooded, particularly in the north, within the High Weald. Natural England's woodland inventory shows that 61% of all woodlands in the district are Ancient Woodland<sup>59</sup>.

**6.4** The importance of this range of habitats for biodiversity is recognised through international, national and local designations covering around 24% of the district.

**6.5** Both Ashdown Forest and the Pevensy Levels are internationally designated. Ashdown Forest is a Special Area of Conservation, designated as one of the largest continuous blocks of lowland heath in the southeast of England, and is also a Special Protection Area, due to its breeding populations of Dartford warbler and nightjar. Pevensy Levels is a Ramsar site and also a Special Area of Conservation due to it being one of the largest and least fragmented low-lying wet grassland systems in the southeast as well as it supporting the largest UK population of lesser whirlpool ramshorn snail.

## Planning for the Natural Environment

**6.6** The planning system is a key tool in addressing the need to conserve and enhance the natural environment and to protect it from harm. The conservation and enhancement of Wealden's natural environment requires an ecosystems approach. This makes explicit the link between the status of natural resource systems and the ecosystem services that support the wellbeing of people. An ecosystems approach provides the opportunity to provide a fundamental consideration and strategy for the integrated management of land, water and living resources that promotes conservation and sustainable resource use in an equitable way. This approach looks beyond designated sites and protected species to consider natural systems as a whole.

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<sup>59</sup> Ancient Woodland is defined as any area that has been continuously wooded since at least 1600 AD, it is defined in the NPPF as an irreplaceable habitat and is a material planning consideration.

It recognises the value of natural capital, which includes geology, soil, air, water and all living things around us in relation to the ecosystem services that it provides.

**6.7** Ecosystem services provided by our natural environment can include the food we eat, the water we drink, plant materials used for fuel, building materials and medicines. It can also include services such as climate regulation, natural flood defences, carbon storage, the pollination of crops by insects and even the inspiration we take from the natural environment and wildlife.

**6.8** Taking an ecosystems service approach is important to achieve sustainable development in both urban and rural environments and has the potential to strengthen nature as well as provide many planning and placemaking benefits. This includes enhancing quality of life and the resilience of our settlements to current and future pressures, as well as a range of socio-cultural and economic benefits. Overall, an ecosystems approach will lead to better outcomes for people and our natural environment and also for climate change. It will also support our vision for protecting our natural environment and increasing biodiversity.

**6.9** On the basis that an ecosystem approach and green infrastructure is multi-faceted and given the many benefits it provides, we have provided an overarching strategic policy for green infrastructure, see Policy SS9. The policies in this chapter therefore provide further detail on how we will achieve the protection, conservation and enhancement of our natural environment.

### **National Policy and Local Nature Recovery Strategies**

**6.10** At the time of this consultation, we are currently in a space where national policy and approaches to the natural environment are being further defined. Both the Government's 25 Year Environment Plan and The Environment Act 2021 have set goals and has established new mechanisms for supporting nature recovery such as a national Nature Recovery Network (NRN). NRN's will assist to focus efforts on restoring and enhancing wildlife-rich places and to deliver these through spatial strategies for nature called Local Nature Recovery Strategies (LNRS). LNRS are designed as tools to identify local priorities for nature and to target resources in a more coordinated, practical and focussed way.

**6.11** The LNRS for East Sussex is in the early stages of development. However, designated sites will be included in these documents as areas of existing importance for nature. Biodiversity Opportunity Areas, potentially with some boundary reviews, will further this and help to identify where actions for nature recovery should be targeted to help deliver local priorities. Under the Regulations relating to the preparation of LNRS, Wealden District Council is named as a 'Supporting Authority'. As such, the Council is working actively with East Sussex and West Sussex County Council's (as the Responsible Authority with responsibility for LNRS preparation), Sussex Nature Partnership (SxNP) and other partners and stakeholders in developing the strategy. The Council is very keen to ensure that there is a coordinated approach and we will support nature recovery through our policies, LNRS development and any associated SxNP projects. We will also consider the district's environmental assets and Council landholdings to understand whether there is potential to deliver specific local nature-based projects where this would be appropriate.

**6.12** Overall, the Council is committed to working with Sussex Nature Partnership, adjoining local authorities, partners and stakeholders, developers and landowners, to identify opportunities for nature and to deliver multiple benefits.



## What you have previously told us

**6.13** As part of the Direction of Travel consultation, the natural environment was split across biodiversity, green infrastructure and landscape, although all are intrinsically linked. You told us that it was important for the Council to be ambitious in our approach to protecting and enhancing the natural environment and that policies should be supported by a strong evidence base to understand opportunities to support delivery of policies.

### Biodiversity

**6.14** Ensuring that biodiversity net gain was provided onsite, wherever possible, was supported, as were financial contributions towards net gains, where appropriate, and offsite provisions where onsite was not feasible. However, it was clear that offsite provision and financial contributions should not be seen as a substitute for maintaining on-site and existing biodiversity, and that development should not be allowed to degrade biodiversity on a site on the basis that it is providing net gains elsewhere or a financial contribution.

**6.15** You also told us that the amount of biodiversity net gain was key and there was a clear difference of opinion between adopting the mandatory 10% target set out in the Environment Act and seeking to achieve a higher percentage target. In looking to set a target it was clear that careful consideration was needed in terms of fulfilling other objectives of the local plan and biodiversity net gain, for example in relation to housing delivery due to more land being needed to deliver biodiversity net gain.

**6.16** You also told us that protecting individual biodiversity features (such as trees and hedgerows) was important as was providing buffer zones around nature conservation sites. Furthermore, you told us that secondary impacts of development, such as increased visitors to protected sites, green spaces and Ancient Woodland and the impact this has on biodiversity needs to be fully considered.

**6.17** It was also seen as important that ecological corridors and links between biodiversity sites and habitats are protected and enhanced so as to avoid the fragmentation of habitats, which is important not only for biodiversity but also for climate change.

**6.18** Creating a strategic network of areas / sites that could be identified and allocated for off-site biodiversity net gains was also seen as key to the Council's ambitions for the natural environment, however you told us that there could be difficulties in creating a network, as such sites can take years to establish themselves and recreating and delivering valued habitat can be difficult. This is something the Council will look at given the focus on Local Nature Recovery Networks within the Environment Act 2021.

### Blue/Green infrastructure

**6.19** You told us that continuing to resist the inappropriate loss of green infrastructure was important as was setting out a strategic green infrastructure network in the district, identifying what development will need to achieve in relation to it through a clear set of standards and principles. Making green connections between development and existing and new green/blue spaces was also brought to the fore, with support for the provision / creation of green links for pedestrians and cyclists within settlements and between settlements.

**6.20** You also told us that creating new green spaces within the district, especially in areas where there is a deficit, is important for people's health and wellbeing as well as wildlife but that policies should be clear about the maintenance arrangements for such spaces.

**6.21** You also highlighted to us that creating small greenspaces is not a replacement for losing the natural environment and biodiversity and that careful consideration for any policies relating to creating new green spaces takes this into account.

## Landscape

**6.22** You told us that although a large part of Wealden is covered by the High Weald AONB designation, with a smaller proportion covered by the South Downs National Park, this should not result in other landscape areas, such as the Low Weald, being put under pressure for development. You also told us that development in the AONB should demonstrate how it has had regard to and met the objectives of the AONB management plan and design guide, accepting that some degree of development will be required within the designated landscape, subject to local policies and the tests within the NPPF.

**6.23** The protection of the district's dark night skies was supported, with particular emphasis on the rural areas where dark skies are being eroded by housing designs featuring, amongst other design elements, double storey glazed areas which cannot be curtained and whose lights shine out like beacons in rural dark sky areas.

**6.24** You also told us that any approach to landscape protection needs to consider opportunities for mitigation as well as opportunities to provide additional housing rather than a blanket restriction of development in relation to landscape because appropriate development can take place in the countryside.

**6.25** We have addressed these issues in our draft policies as set out in this chapter, however some will be addressed in specific strategies that will accompany and work with the Local Plan policies i.e. a Green Infrastructure Strategy and Biodiversity Strategy. These strategies will be prepared to support the next stage of the Local Plan and Local plan delivery.

## Biodiversity, geodiversity and nature recovery

**6.26** Nature recovery is important for delivering improvements to biodiversity, geodiversity, nature, ecological networks and green infrastructure. The NPPF has, as one of its three objectives for achieving sustainable development, the need for planning policies and decisions to protect and enhance the natural environment. This includes improving biodiversity, using natural resources prudently and minimising waste and pollution. This is key as a healthy and functioning natural environment is critical to achieving sustainable development and to mitigating and adapting to climate change.

**6.27** The Natural Environment and Rural Communities Act (2006) reinforces the role local planning authorities have in regard to the natural environment, placing a legal duty on them to have regard to, so far as is consistent with the exercise of their functions, the purpose of conserving biodiversity, and this duty has been strengthened through the Environment Act 2021 to include a requirement for the enhancement of biodiversity. Section 41 of the Act refers to a published list of habitats and species which are of principal importance for the conservation of biodiversity in England and the Council will seek to protect and enhance these priority habitats and species across the district<sup>60</sup>.

**6.28** The Environment Act further strengthens the need to protect, conserve and enhance biodiversity by setting new binding targets relating to the environment and a mandatory

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60 [www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england](http://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england)

requirement for development to achieve a minimum of 10% net gain in biodiversity. Biodiversity Net Gain is now mandatory, as of January 2024.

### **Protect sites, habitats and species**

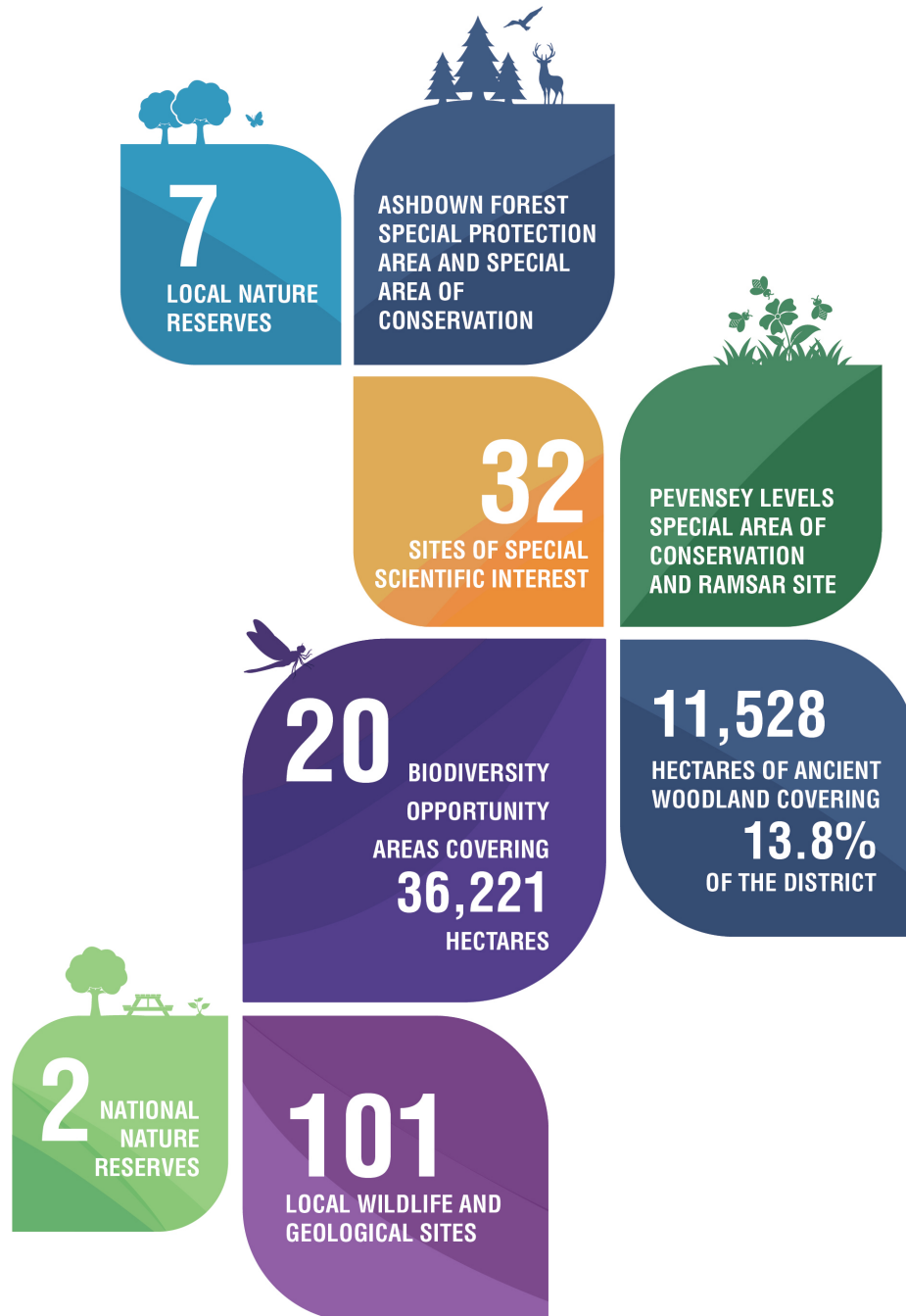
**6.29** The district has a number of protected and valued habitats and species that should be protected and enhanced.

**6.30** Both Ashdown Forest and the Pevensey Levels are internationally designated. Ashdown Forest is a Special Area of Conservation, designated as one of the largest continuous blocks of lowland heath in the southeast of England, and is also a Special Protection Area, due to its breeding populations of Dartford warbler and nightjar. Pevensey Levels is a Ramsar site and also a Special Area of Conservation due to it being one of the largest and least fragmented low-lying wet grassland systems in the southeast as well as it supporting the largest UK population of lesser whirlpool Ramshorn snail. The district also supports Sites of Special Scientific Interest (SSSI), National Nature Reserves, Local Nature Reserves and Local Wildlife Sites.

**6.31** In addition, the district also supports:

- Priority habitats including ancient woodland; coastal and floodplain grazing marsh; coastal saltmarsh; coastal vegetated shingle; deciduous woodland; ghyll woodland; intertidal chalk; intertidal mudflat; lowland calcareous grassland; lowland fen; lowland heathland; lowland meadow, traditional orchard; wood-pasture and parkland; reed bed and saline lagoon; ponds and hedgerows; and
- Protected, priority and notable species including European protected species (bats, hazel dormouse, and great crested newt – with Wealden being within a known stronghold for the latter); species protected under the Wildlife and Countryside Act; Section 41 species; notable birds and other rare species.

**Figure 17 Wealden's Protected Habitats and Biodiversity Opportunity Areas**



**6.32** The NPPF is very clear that development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are wholly exceptional reasons<sup>61</sup> and a suitable compensation strategy exists. Irreplaceable habitats are those which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. The government is preparing regulations to establish a clear legal definition of irreplaceable habitat, which is currently being taken through Parliament, although this will not change the list of irreplaceable habitats as defined by Defra. Some irreplaceable habitats are defined within the NPPF. Of these, Wealden has a number including ancient woodland, ancient and veteran trees as well as coastal salt marsh and lowland fen.

**6.33** Whilst designated nature conservation sites and priority habitats / species are of significant value, the overall ecological network of habitats and species is important for biodiversity and nature recovery. The fragmentation of habitats and deterioration of the wider ecological network is a threat to biodiversity and nature recovery, particularly in the context of climate change.

**6.34** Soil is also a valuable natural resource and is under threat from loss and degradation. The structure and health of soil is important for food production, biodiversity and carbon storage and development should protect and enhance soils from design through to construction. Ancient woodland has undisturbed soils that are a particularly valuable natural asset. Their soil contains much of their ecological value and has many complex ecological interactions. They are susceptible to direct and indirect impacts with potentially long-lasting effects, having taken hundreds of years to develop.

### Mitigation hierarchy

**6.35** Creating, enhancing and protecting wildlife corridors and stepping stones can assist in ensuring the connectivity of the overall ecological network and facilitate species movement, which could help in light of the impacts on species from climate change. Stepping stones are pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

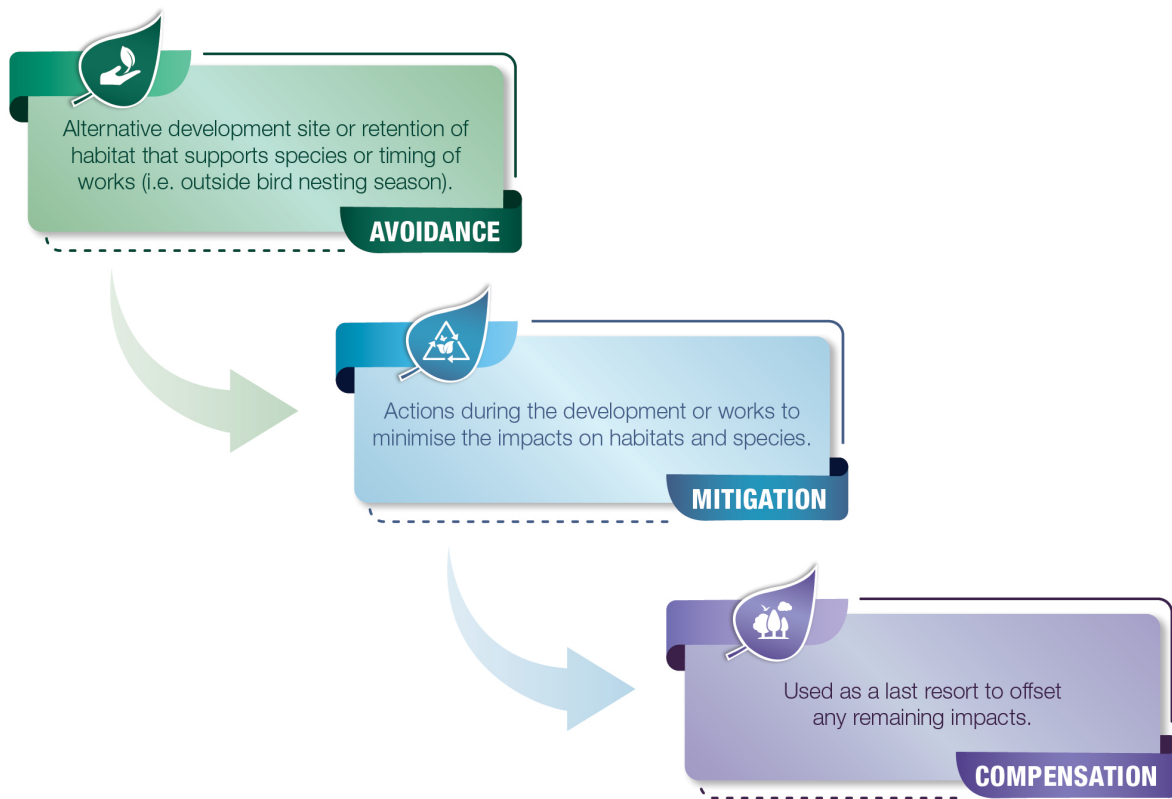
**6.36** When considering the effects of a proposal on habitats, species and the overall ecological network, development must follow the mitigation hierarchy of avoid, mitigate, restore and compensate as per the figure below<sup>62</sup>.

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61 For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

62 Adapted from [Avoidance, Mitigation & Compensation - Buildings, planning and development - Bat Conservation Trust \(bats.org.uk\)](https://www.bats.org.uk/avoidance-mitigation-compensation-buildings-planning-development/)

**Figure 18 Mitigation Hierarchy**



**6.37** Compensation should always be a last resort. Following the hierarchy is crucial for all development projects in order to achieve no overall negative impact on biodiversity and to ensure biodiversity net gains are properly calculated. Biodiversity net gain is additional to the above hierarchy.

### **Contributing to nature recovery and biodiversity improvements**

**6.38** All development can contribute to nature recovery and biodiversity improvements. Therefore, the Council expects developments to incorporate the consideration of biodiversity and biodiversity improvements into their schemes. Development must avoid any fragmentation or isolation of habitats and/or species and must create or enhance existing linkages between habitats.

**6.39** Development proposals should also have regard to the objectives identified for the Local Nature Recovery Strategy (LNRS), where appropriate (and once this is adopted), and seek to contribute towards those objectives wherever possible. This will ensure that biodiversity overall is improved and will focus net gains within areas where they are likely to offer the most benefit.

**6.40** The role of the planning process will be to ensure that the mitigation hierarchy is followed and that developments are meaningfully contributing to nature recovery within the district and, where possible in the wider area, working with our neighbouring authorities to ensure a coherent and connected natural environment.

**6.41** Policy NE1 sets out our preferred policy approach to conserving, restoring and enhancing the district's biodiversity, following the hierarchy of designated sites approach<sup>63</sup>. In taking this approach, we are seeking to ensure that development proposals not only protect and enhance individual biodiversity assets but that they also contribute to ensuring the overall network of biodiversity within the district is not adversely affected by, for example, avoiding fragmentation and creating connectivity between existing and new biodiversity. This will ensure our natural environment is healthy and functional so that it can continue to provide benefits to the health and wellbeing of our residents and nature as well as assisting us in mitigating and adapting to climate change.

### Policy NE1: Biodiversity, Geodiversity and Nature Recovery

1. The district's biodiversity resource will be protected, restored and enhanced. This will be achieved by:
  - a) Giving appropriate weight to the statutory purposes and special qualities of the hierarchy of international, national, regional and local sites, priority habitats, priority species and irreplaceable habitats;
  - b) Considering biodiversity at an early stage in site identification and design and ensuring that the location and / or use of development will not undermine designated sites, priority habitats and species and irreplaceable habitats, either directly or indirectly; and
  - c) Ensuring that any biodiversity net gain is in addition to any mitigation or compensatory measures<sup>64</sup>.
2. Development proposals affecting biodiversity and geodiversity (including designated sites, priority habitats and species and protected species) will be required to apply the mitigation hierarchy of avoidance, mitigation and compensation. The Council will not support development proposals where harm is not adequately avoided, mitigated or compensated for or where a proposal would result in loss or damage<sup>65</sup>. The only exception to this is where:
  - a) There is no suitable and alternative location for the development;
  - b) The adverse effects are unavoidable;
  - c) The benefits of development clearly outweigh the adverse effects including both the impacts it is likely to have on the features of the site or the national network of sites<sup>66</sup>; and
  - d) Appropriate mitigation and compensation measures are agreed to ensure that the development results in a net benefit for biodiversity.

#### Local Wildlife sites, Geological Sites and Local Nature Reserves

3. The mitigation hierarchy of avoidance, mitigation and compensation will also apply to Local Wildlife Sites, Geological Sites and Local Nature Reserves. Planning

63 ODPM Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system

64 BS8683:2021 Process for designing and implementing BNG; BNG - Principles and Guidance for UK construction and development, CIRIA 2019.

65 NPPF 2021. Paragraph 180 (a)

66 NPPF 2021. Paragraph 180 (b), (c) and Paragraph 181

permission will not be supported where significant harm to biodiversity cannot be avoided.

4. Where planning permission can be granted having followed the mitigation hierarchy of avoidance and mitigation first, the remaining area of the site will be protected by a planning condition or obligation and opportunities should be taken as appropriate to provide satisfactory compensatory measures in this area for any harm caused. Where compensatory measures are required, these should be provided onsite however where this is not possible, offsite compensation will be required.

#### Biodiversity and Nature Recovery

5. Relevant development proposals will be expected to apply the following measures:
  - a) Conserve, restore, enhance and/or create priority habitats and the habitats that support priority species;
  - b) Protect, conserve, restore, enhance and strengthen wildlife-rich habitats, ecological corridors and stepping stones to help wildlife populations grow and move;
  - c) Extend and buffer designated sites, irreplaceable habitats, priority habitats and where applicable support and implement measures within priority areas that could become of particular importance for nature recovery (as identified in the forthcoming Local Nature Recovery Strategy);
  - d) Improve resilience to climate change by accounting for and sustaining ecosystem services including protecting geological value and good quality soils that support sites or habitats of biodiversity value;
  - e) Ensure soil sustainability issues are identified at the earliest stage of scheme design to protect, and where possible enhance, soil quality within the site and its functions for food production (if relevant), biodiversity and carbon storage. These issues should be carried through to become part of the environmental programme for the construction phase;
  - f) Minimise any indirect adverse effects on habitats and species including those relating to recreation, lighting, disturbance, water quality, pollution or invasive species;
  - g) Maximise opportunities to deliver additional ecological and biodiversity features and support biodiversity enhancement through scheme design; and
  - h) Secure the long-term management and maintenance of biodiversity and ecological features as relevant to a scheme and in line with priorities and measures identified in the forthcoming Local Nature Recovery Strategy.
6. The loss of existing wildlife rich corridors and stepping stones should be avoided. Where this is not possible, appropriate mitigation and suitable compensatory measures, as relevant to the status of the habitat affected, will be required to protect and enhance the ecological network.
7. Planning applications will be expected to be supported by relevant environmental information, including protected species and habitat records, which is informed by appropriate and up-to-date ecological data/surveys. Any ecological surveys should be undertaken by suitably qualified professionals and in line with best practice / guidance and Government standing advice. Scheme design should be informed by an Ecological Constraints and Opportunities Map.



## Supporting text

**6.42** Applications for planning permission should be informed by a thorough understanding of the potential impacts, direct and indirect, on habitats and species. In all cases, development proposals will be required to follow the mitigation hierarchy when considering the potential impacts of the proposal on the district's habitats and species, both designated and non-designated. Applicants are encouraged to contact the Sussex Biodiversity Record Centre for protected habitats and species information within the district.

**6.43** Proposals that could affect a site of value for biodiversity or geological conservation must be accompanied by sufficient information to assess the effects of development on protected sites, species, habitats, biodiversity or geology, together with any proposed prevention, mitigation or compensation measures. Ecological surveys will be required for sites subject to development proposals that contain areas of Priority Habitat, Biodiversity Opportunity Areas (BOAs) / Areas identified within the Local Nature Recovery Strategy (due for publication in March 2025) and/or that are adjacent to sites of known nature conservation importance, to assess the impact of those proposals on species and habitats.

**6.44** Mitigation and, if required, compensatory measures will be secured through planning obligations, conditions or conservation covenants (when enacted through secondary legislation) with priority for such measures to be provided on-site wherever possible.

**6.45** Development proposals on or near a site used by protected species, or a protected area or site for wildlife, should have regard to industry best practice guidance and to Natural England's guidance on preparing planning proposals to avoid harm or disturbance to protected species<sup>67</sup> and on how to avoid harming protected areas and species during development work<sup>68</sup>.

**6.46** Development applications, subject to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, will be required to prepare an Environmental Statement. Applications for development which could have a likely significant effect on a Special Area of Conservation, Special Protection Area or Ramsar site will be required to be assessed under the Habitats Regulations.

**6.47** In terms of considerations around soils, applicants are encouraged to refer to Defra's guidance 'Construction code of practice for the sustainable use of soils on construction sites'<sup>69</sup> or any subsequent guidance.

**6.48** It should be noted that knowledge of valuable sites and their condition is constantly changing, and decisions will be based on the most up to date information available. The Sussex Biodiversity Records Centre can provide known species and habitat general data for development sites, where appropriate.

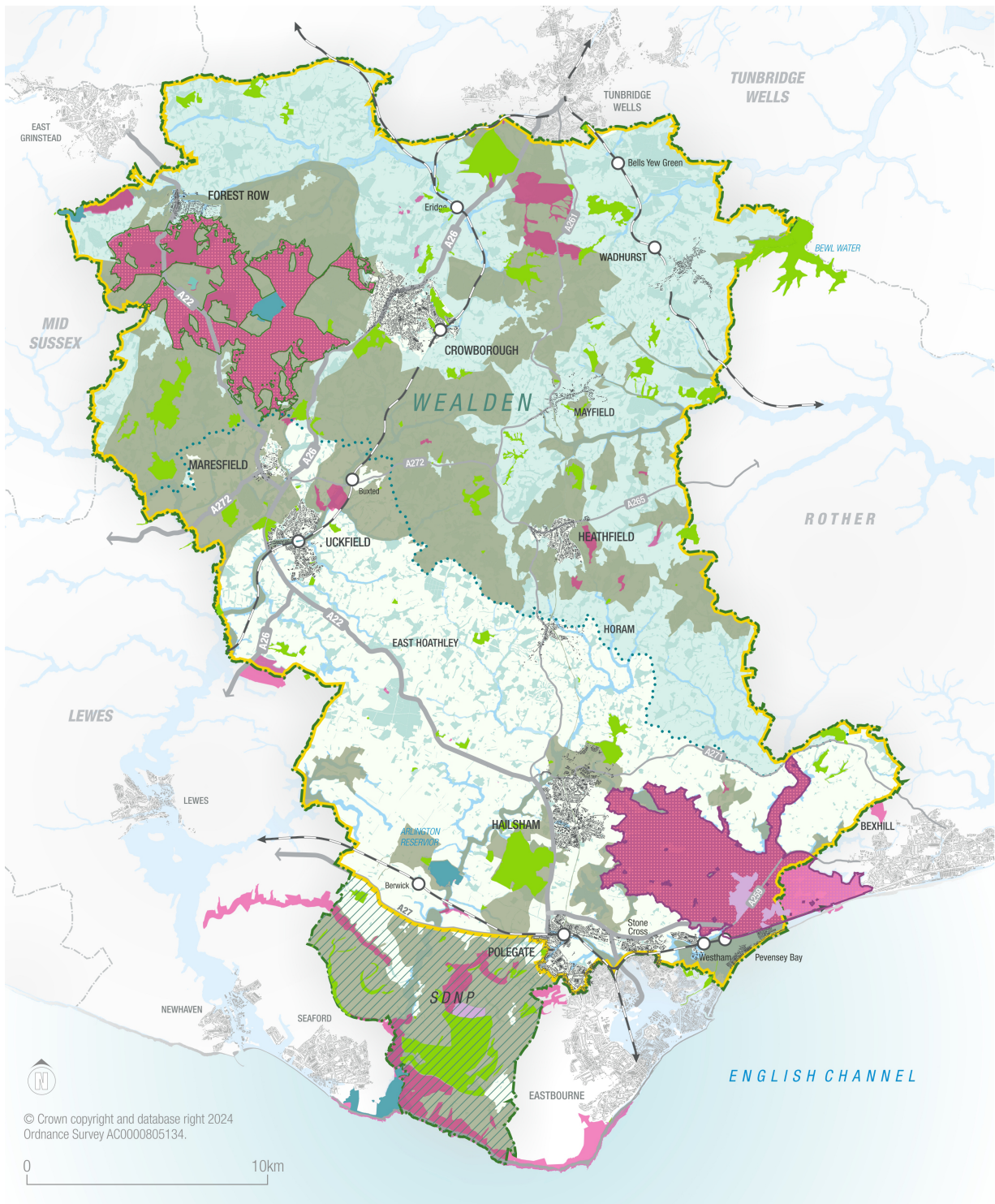
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67 [Prepare a planning proposal to avoid harm or disturbance to protected species - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

68 [Construction near protected areas and wildlife - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

69 [www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites](https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-construction-sites)

**Figure 19 International, National and Locally Designated Sites for Biodiversity**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)
- Woodland
- Water

**Designations**

- Special Protection Area
- Special Areas of Conservation
- High Weald National Landscape
- South Downs National Park (SDNP)
- Biodiversity Opportunity Areas
- Sites of Special Scientific Interest
- National Nature Reserves
- Local Nature Reserves
- Local Wildlife/Geological Sites
- Ramsar Site

This map is for guidance only and each site will be considered on a case by case basis in relation to its distance from the SPA.

## Question 22

### Consultation Questions

- a) Do you agree with draft policy NE1 Biodiversity, Geodiversity and Nature Recovery?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

### Biodiversity Net Gain

**6.49** In recent years legislation and national policy has been strengthened to require the delivery of Biodiversity Net Gain (BNG). BNG is an approach to development and land management that aims to leave the natural environment in a measurably better condition than it was before by either creating or enhancing habitats in association with development. Although we have sites specifically designated for biodiversity, the BNG approach provides a mechanism to value, maintain, enhance or create wider habitats. This builds on the mitigation hierarchy of avoid, mitigate and compensate as well as to enhance and create habitats, ensuring the improvement of ecological connectivity and nature recovery.

**6.50** To ensure the delivery of BNG, the Environment Act 2021 introduces a requirement for developments to deliver a minimum 10% biodiversity net gain above the ecological baseline for the application site. Local Nature Recovery Strategies, once drafted, will help guide the delivery of offsite BNG projects where it is appropriate to do so.

### Policy direction for the level of BNG

**6.51** There is much debate, including within our Direction of Travel consultation responses, about whether we should seek a higher than 10% requirement for BNG. We have therefore considered information that has been provided to us on this through various partnership working initiatives alongside considering our biodiversity resource and the opportunities for BNG within the district.

**6.52** In 2008 Biodiversity Opportunity Areas (BOAs) were identified by the Sussex Biodiversity Partnership. These are priority areas for maintaining, restoring and creating habitats. There are 20 BOAs within Wealden covering 36,221.2ha. This equates to just over 43% of the district and further contributes to the district's wonderfully rich and varied biodiversity resource. The work of the Sussex Biodiversity Partnership has now expanded and is incorporated into the wider Sussex Nature Partnership.

**6.53** A number of recently adopted Local Plans have adopted a minimum 20% BNG policy. In addition, a number of local authorities across the country are progressing plans that seek a minimum 20% BNG requirement.

**6.54** In addition, the Kent Nature Partnership has undertaken work to justify the adoption of a 20% target in the county. This is on the basis that the county contains globally rare habitats

and supports over 3,400 rare and threatened species nationally, including rare and special species only found in Kent within the UK. This wealth of biodiversity resource and the natural capital / ecosystem services it provides, together with increased pressure on land use and significant growth, are the justification for seeking the 20% minimum BNG in Kent. More recently, Horsham District Council located in Sussex published their Biodiversity Net Gain Assessment to support the development of their emerging Local Plan policies on BNG. This assessment tested higher and lower thresholds to the mandatory 10% and found differing thresholds appropriate for different scales of development.

**6.55** From the work undertaken in Kent, and work that is ongoing from around the country, it is considered there is a minimal difference in viability between delivering 10% or 20% BNG.

**6.56** Given the rich and varied biodiversity resource in our district and emerging information, evidence and approaches from elsewhere, we are looking to test as part of our Regulation 18 consultation a minimum of 20% BNG and this is set out within our policy below.

**6.57** There are two alternative options that we have considered aside the option presented in our policy below. This includes the legislated minimum 10% BNG and considering a higher minimum target of 20% BNG only where sites are located within or adjacent to BOAs. The premise behind considering a higher target for in and around BOAs is that these areas are considered to provide the best opportunity for enhancing biodiversity, often being buffers around existing designated sites or linkages between sites and/or incorporating a high proportion of priority habitat.

**6.58** As part of our local plan evidence base work, we will continue to consider our options and the percentage of BNG that we will require in further detail as the plan progresses.

### **Biodiversity Metric and on/off site BNG**

**6.59** BNG will be measured using Defra's Biodiversity Metric. There are two Defra Biodiversity Metrics - Biodiversity Metric 4.0 for major developments and the Small Sites Metric. The Small Sites Metric is a simplified version of the Biodiversity Metric 4.0 and has been specifically designed for use on small development sites where the project chooses to do so.

**6.60** Both metrics measure biodiversity to determine how a development, or a change in land management, will change the biodiversity value of a site. The metrics will allow developments to be designed in a way to take better account of biodiversity and will identify the biodiversity value of a site both before and after a development takes place. Developments need to submit a Biodiversity Gain Plan as part of the application process.

**6.61** The BNG approach is based on the fundamental principle for a spatial hierarchy of habitat delivery. BNG should be delivered on-site and only where this is not possible should off-site (either wholly or in part) BNG be sought. Where off-site BNG is the only option then developers should contact the Council to discuss opportunities. As the plan progresses it is likely that off-site BNG opportunities will be informed by the LNRS and the Council's Green Infrastructure Strategy.

**6.62** Part 6 of the Environment Act 2021 strengthens the duty to conserve biodiversity set out in Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. It requires the enhancement, and not just conservation, of biodiversity and as a public authority WDC should, in undertaking its functions, be seeking opportunities to enhance biodiversity wherever possible. At present, the Biodiversity Metric measures BNG in habitat terms and does not specifically take into account species. Additional measures, such as the provision of bird,

bat and insect boxes, will therefore not be included in the metric, but can provide important biodiversity enhancements.

### Policy NE2: Biodiversity Net Gain

1. Qualifying development proposals<sup>70</sup> are required to deliver a minimum overall net gain in biodiversity of 20% above the ecological baseline. Biodiversity net gain will be calculated and assessed using the appropriate DEFRA published biodiversity metric and UK Habitats Classifications. The biodiversity net gain calculation and assessment should be completed by a suitably experienced and qualified ecologist and be submitted in full with the application for development.
2. Development will need to demonstrate that the mitigation hierarchy has been followed.
3. Proposals for biodiversity net gain must follow the spatial hierarchy of net gain provision. This requires biodiversity net gain to be provided as part of the development. Only where it can be demonstrated that biodiversity net gain cannot meaningfully be achieved on site will the Council consider the potential for local enhancements and off-site biodiversity net gain.
4. Qualifying development proposals must be supported by a Biodiversity Net Gain Plan and supporting information to demonstrate how biodiversity net gain will be achieved. This should also include information on habitat management and monitoring for retained, enhanced or newly created habitats.
5. When granting permission for any proposals that include Biodiversity Net Gain, the Council will impose conditions or seek planning obligations or Conservation Covenants that secure appropriate management and monitoring regimes to deliver biodiversity net gain for at least 30 years after the completion of works.

### Supporting text

**6.63** The proposals for enhancement of biodiversity will depend on the nature and scale of the development, however a development with limited or no impacts on biodiversity should still seek to demonstrate a net gain. Small-scale development proposals, collectively, could make a notable contribution to biodiversity net gain and the wider Nature Recovery Network. The Council will use planning conditions, planning obligations or Conservation Covenants to require that a planning permission provides for works that will measurably increase biodiversity.

**6.64** Applicants are directed to the Defra Draft biodiversity net gain planning practice guidance<sup>71</sup>.

**6.65** Applicants will be expected to use the appropriate Defra Metric to show the full calculations for both the development site and any offset location in terms of the number of 'biodiversity credits/units' being claimed. Any scheme of this nature must follow the principle of ecological equivalence and therefore there must be no trading down of habitat types.

70 As defined in The Environment Act 2021, Schedule 14, Part 2, Paragraph 17

71 Defra. Draft biodiversity net gain planning practice guidance. 29 November 2023. Available at: [www.gov.uk/guidance/draft-biodiversity-net-gain-planning-practice-guidance#biodiversity-net-gain-submitting-a-planning-application](https://www.gov.uk/guidance/draft-biodiversity-net-gain-planning-practice-guidance#biodiversity-net-gain-submitting-a-planning-application)

**6.66** For small scale development proposals<sup>72</sup> applicants should use the Defra Small Sites Metric (and any subsequent replacements)<sup>73</sup> to demonstrate that completion of the development will result in a measurable long-term net gain for biodiversity. Post development habitat units' quality calculations should take account of influences and pressures that may limit deliverable habitat quality (e.g. tree shading, proximity to development).

**6.67** Where development would be subject to biodiversity net gain, the application must be accompanied by minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

- the pre-development biodiversity value of the onsite habitat on the date of application (or an earlier date) including the completed metric calculation tool used showing the calculations, the publication date and version of the biodiversity metric used to calculate that value;
- where the applicant wishes to use an earlier date, the proposed earlier date and the reasons for proposing that date;
- a statement confirming whether the biodiversity value of the onsite habitat is lower on the date of application (or an earlier date) because of the carrying on of activities ('degradation') in which case the value is to be taken as immediately before the carrying on of the activities, and if degradation has taken place supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations [2024]) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- a plan, drawn to an identified scale which must show the direction of North, showing onsite habitat existing on the date of application (or and earlier date), including any irreplaceable habitat.

**6.68** Where degradation of the onsite habitat has taken place between 30th January 2020 and the date of the submission of the planning application, the biodiversity pre-development value of the onsite habitat is the biodiversity value of the habitat immediately before the carrying out of these degradation activities.

**6.69** Major and large-scale development schemes should deliver wider environmental net gain wherever possible, reflecting the opportunities identified in the Wealden Green Infrastructure Study 2017 (or any subsequent replacement). Seeking to achieve wider environmental net gain should reduce pressure on, and achieve overall improvements in, natural capital and ecosystem services and the benefits that they deliver.

**6.70** Until such a time that the Sussex Local Nature Recovery Strategy (LNRS) is adopted, developers should use Biodiversity Opportunity Areas to focus any off-site biodiversity net gain delivery. This will ensure that biodiversity net gain contributes to wider nature recovery plans, as well as local objectives, and help ensure that the right habitats are provided in the right places.

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72 Defined as developments of up to 9 dwellings on a site of less than 1 hectare; where the number of dwellings is not known and the site area is less than 0.5 hectares; and for all other development types where the site area is less than 0.5 hectares or less than 5,000sqm and where there is no priority habitat present within the development area.

73 It is not appropriate to use the Small Sites Metric to calculate offsite losses and gains.

**6.71** Defra has recently published regulations and statutory guidance to help shape how Local Nature Recovery Strategies are implemented across England<sup>74</sup>. Developers will be expected to follow these regulations<sup>75</sup> and statutory guidance<sup>76</sup>, in combination with the East Sussex Local Nature Recovery Strategy and any district level strategies, such as the Green Infrastructure Strategy, when looking at their biodiversity net gain proposals and plans.

**6.72** The Council is considering developing a Wealden District Biodiversity Strategy which will support the Sussex LNRS which is being produced at the County level. Once produced this will provide information and guidance for developers. In the absence of this, developers can refer to guidance such as the Biodiversity Net Gain – Principles and Guidance for UK Construction and Developments (CIEEM, CIRIA, IEMA, 2019), British Standard BS42020 Biodiversity - Code of Practice for Planning and Development, and BS8683 - Biodiversity Net Gain or subsequent revisions.

**6.73** The requirement for biodiversity net gain does not change existing biodiversity protections. Therefore, current legal and policy provisions relating to development impacts on the natural environment, including protected sites and species, and priority species and habitats, all need to be considered in relation to habitat loss. A development cannot avoid this requirement by virtue of delivering a net gain. If there are protected species on-site, then these should be approached and managed in the same way as they are currently. BNG and the Biodiversity Metric calculations will be additional to this.

## Question 23

### Consultation Questions

- a) Do you agree with draft Policy NE2 Biodiversity Net Gain?
- b) Is the policy correct to require a blanket minimum 20% BNG requirement across the district or should distinctions be made i.e. higher % requirement when sites are within BOAs or other designated sites? Or should the Council have a lower or higher than 20% BNG target? Please explain your answer.
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Woodland, trees and hedgerows

**6.74** Woodland, trees and hedgerows make a valuable contribution to the district's landscape character, biodiversity, amenity, climate resilience and quality of life. They also form part of the

74 Local Nature Recovery Strategy: What to include - <https://www.gov.uk/government/publications/local-nature-recovery-strategy-what-to-include>

75 [The Environment \(Local Nature Recovery Strategies\) \(Procedure\) Regulations 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2023/111/contents/matter)

76 [Local nature recovery strategy: what to include - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/local-nature-recovery-strategy-what-to-include)

district's green infrastructure network and contribute to mitigating and adapting to climate change through carbon storage, flood mitigation and urban cooling.

**6.75** In January 2013 Defra published its Government Forestry and Woodlands Policy Statement. This explains the Government's policy of seeking to protect, improve and expand existing public and private woodland assets, to improve and restore native and ancient woodlands, and to improve the biodiversity of woodlands. It states that increasing woodland cover by 12% across England by 2060 is deliverable.

**6.76** The NPPF recognises the importance of trees and seeks net environmental gain from development. In addition, the Government's 25 year Plan to improve the Environment (2018) and its Tree Health Resilience Strategy (2018) sets out why it is important to preserve and plant trees and make a commitment to improve the extent, connectivity, diversity and condition of trees.

**6.77** Our district is heavily wooded and there are many pressures that can affect our woodlands including an ongoing decline in traditional woodland management practises, under management of woodlands and copses, inappropriate management, introduction of new species, disease and pests, pollution and disturbance. All these pressures can result in the loss of species diversity.

**6.78** Hedgerows are also important features providing the same benefits as woodlands. Mature hedgerows, including their associated trees are an integral part of the traditional hedge system, contributing to the wooded context of the district in both urban and rural areas. Changes to farming practices in the 20th Century saw a decline in the extent of rural hedgerows. The Hedgerow Regulations 1997 available at<sup>77</sup> and National Guidance Countryside hedgerows: protection and management Guidance 2024, available at<sup>78</sup> protect hedgerows where they meet specific criteria on their length, location and species composition, and where deemed important consent is required from the Local Planning Authority to remove them, although there is a presumption towards retention unless strong justification can be provided. In a Wealden context this includes hedgerows on farmland and open land. The Hedgerow Regulations also define 'important' hedgerows as being of particular archaeological, historical, wildlife or landscape value. The loss of hedgerows and mature hedgerow trees through natural ageing, development pressure or associated pests and diseases together with a lack of replacement, is a key challenge.

**6.79** In order to protect trees in the interest of amenity, particularly when they are considered to be at risk, the Council can make a Tree Preservation Order (TPO) meaning the tree has special protection under the Planning Acts. The Council has made approximately 1,457 Tree Preservation Orders (TPOs) covering individual and groups of trees / woodlands, however this number fluctuates as orders are revoked and new ones are made on a rolling basis.

**6.80** The Council will seek to ensure that, wherever possible, new development does not result in the loss of any trees which are valuable to people and the environment and will seek to maximise appropriate tree cover in new development. This includes protecting trees and other vegetation from damage during construction phases and any adverse impacts from increased access.

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77 [www.legislation.gov.uk/ukxi/1997/1160/contents/made](http://www.legislation.gov.uk/ukxi/1997/1160/contents/made)

78 [www.gov.uk/guidance/countryside-hedgerows-regulation-and-management](http://www.gov.uk/guidance/countryside-hedgerows-regulation-and-management)



## Policy NE3: Woodland, Trees and Hedgerow

### Woodland, tree and hedgerow protection and creation

1. Development proposals will be supported where they protect, restore, manage and enhance existing woodland, trees and hedgerows and their features in accordance with best practice guidance and relevant standing advice.
2. New trees, woodland and hedgerows should be located to enhance and restore biodiversity, landscape character, visual amenity, contribute to the green infrastructure network, facilitate climate change mitigation and adaptation and enhance biodiversity. Any planting should be characteristic of the local area, in keeping with the site surroundings, including any historic context, and comprise of predominantly native species. Where possible and identified, planting should contribute to local ecological networks.
3. Development proposals will be supported where existing woodland, hedgerows and trees are taken account of and integrated into the design of development with long-term sustainable relationships being achieved. Sufficient measures, with allowance for future growth and maintenance requirements, must be provided to ensure protection from any likely impacts from development, including access.
4. Proposals should incorporate trees within the design and layout of development within both urban and rural areas, including tree-lined streets, to enhance the amenity of the public realm as well as providing climate change adaptation and mitigation benefits.
5. Proposals will need to demonstrate that sufficient measures can be implemented to protect trees, woodland and hedgerows both during and for the lifetime of the development to achieve current and long-term sustainable relationships.
6. Development proposals will not be permitted where they result in, or have been subject to, the unjustified loss of, or threaten the long-term retention of trees, woodland or important hedgerows that contribute to urban or rural landscape character, the green infrastructure network, visual amenity, the historic environment or wildlife importance unless:
  - a) The proposal is supported by sound Arboricultural reasons for the loss/harm, taking account of British Standard BS5837-2012 (and any subsequent revisions) and demonstrated through work undertaken by suitably qualified professionals;
  - b) The baseline biodiversity value of the site has been established and taken account of in biodiversity net gain requirements in accordance with legislation, government guidance and best practice standards;
  - c) The development has significant benefits which outweigh the loss of/harm to the trees, woodlands or hedgerows concerned, where it is demonstrated retention is not possible; and
  - d) Suitable replacement trees and/or hedgerows at an appropriate ratio to demonstrate suitable compensation, mitigation and enhancement are provided on site, or if necessary and justified, off site.

7. Where trees are lost through development, an appropriate number of suitable replacement trees, in terms of species and size, that replaces or exceeds that which is lost will be required to be planted on-site at appropriate locations. This does not necessarily replace the requirements of other policies with regard to net gain for biodiversity or green infrastructure but may contribute to those objectives. In addition, all development will be expected to increase tree cover. This should be to a level of one tree per dwelling or per 100sqm of floorspace (for non-residential developments) on-site and will comprise predominantly native species. Where it can be clearly demonstrated and justified that onsite provision is not possible, provision should be made off-site within the district.
8. An appropriate buffer, must be provided for woodlands and trees, commensurate with its ecological and arboricultural value, that will:
  - a) Ensure long-term retention and future growth requirements of trees and woodlands;
  - b) Not prejudice ecological or arboricultural processes including natural succession of biodiversity value, development of mature or veteran trees and/or features;
  - c) Allow for tree and deadwood retention and accommodate tree risk management requirements, including windfall trees; and
  - d) Take account of, minimise and where possible avoid the impacts from tree and woodland shading, over-dominance, seasonal debris, increased property maintenance requirements and perception of risk.

#### Implementation and management

9. Development proposals, where relevant, will be required to provide a landscape and ecological management (LEMP) plan that accords with best practice standards and regulatory and legislative requirements, to ensure the successful establishment, retention, restoration and enhancement of new and existing woodland, tree or hedgerow planting.

### Supporting text

**6.81** The Council will protect existing woodlands, trees and important hedgerows including trees subject to a Tree Preservation Order and ancient or species-rich hedgerows, from loss or deterioration as well as continuing to make Tree Preservation Orders (TPOs) where specific trees or groups of trees are of particular value and are potentially under threat.

**6.82** Proposals for development will be expected to avoid harm to existing trees, woodlands and hedgerows and seek to protect and incorporate them into any landscape scheme. This includes protecting trees and other vegetation from damage during construction phases and any adverse impacts from increased access, therefore all landscape features should be protected through good design. Exceptions will only be made where their age or physical condition would compromise their long-term survival or where there are exceptional and overriding benefits in accepting their loss.

**6.83** All proposals for development which may affect trees and / or hedgerows, either within the site or in close proximity, must adhere to BS5837-2012 Trees in Relation to Design, Demolition and Construction or submit a detailed tree and hedgerow survey with their application.

The tree survey information should include protection, mitigation and management measures. A pre-development survey should be carried out by a competent arboriculturist and record information in regard to trees and hedgerows on a site independently of, and before, any specific layout or design is produced. The tree constraints identified, above and below ground should inform future site layout and design.

**6.84** Applicants will be expected to seek to maximise opportunities for tree planting and woodland creation, as appropriate to the site, including the provision of tree lined streets, in relation to development proposals, following the best practice guidance from the Forestry Commission on right tree, right place for the right reasons. It is important that applicants avoid any negative impacts of woodland creation on landscape character, visual amenity and other habitats. Where tree planting or woodland creation is proposed as part of developments within the High Weald National Landscape, applicants are strongly advised to take account of the High Weald Management Plan

**6.85** Applicants are encouraged to review and take account of the following guidance when designing their development proposals and assessing potential effects on woodlands:

- Forestry Commission - Managing and maintaining woodland<sup>79</sup>
- Forestry Commission - Plant your future - The Case for Trees<sup>80</sup>
- Forestry Commission - UK Forestry Standard<sup>81</sup>
- Woodland Trust - Tree Species Handbook<sup>82</sup>
- Woodland Trust - Tree provenance in a changing climate - the Woodland Trust's position<sup>83</sup>

**6.86** New development should seek to incorporate strategically sited trees within their design and layout that will provide shade and cooling to buildings and the public realm, in order to contribute to the mitigation of climate change impacts through, for example, provision of shading and surface water runoff management.

**6.87** Tree planting schemes, whether for replacement or new trees, will need to use appropriate species that are adaptable to future climatic conditions, particularly the higher temperatures and potential drought conditions predicted in summer. Native and large canopy species should be used where possible and appropriate, in order to deliver additional biodiversity benefits. Applicants are encouraged to refer to and take account of the Woodland Trust's Tree Species Handbook, which is also helpful for tree selection for planners.

**6.88** Applicants should also make use of the Woodland Opportunity Mapping Tool published by the Sussex Nature Partnership, Woodland Trust and South Downs National Park Authority<sup>84</sup>.

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79 Managing and maintaining woodlands: overview Guidance 2023. Available at: [www.gov.uk/guidance/managing-and-maintaining-woodlands-overview](http://www.gov.uk/guidance/managing-and-maintaining-woodlands-overview)

80 Plant your future - The case for trees (2023). Available at:

[www.assets.publishing.service.gov.uk/media/65a7a32d640602000d3cb7d5/CFT\\_plant\\_your\\_future\\_the\\_case\\_for\\_trees\\_Jan\\_24.pdf](http://www.assets.publishing.service.gov.uk/media/65a7a32d640602000d3cb7d5/CFT_plant_your_future_the_case_for_trees_Jan_24.pdf)

81 The UK Forestry Standard - The governments approach to sustainable forestry (2017). Available at:

[www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/687147/The\\_UK\\_Forestry\\_Standard.pdf](http://www.assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/687147/The_UK_Forestry_Standard.pdf)

82 The Woodland Trust. Tree species handbook - A technical guide for practitioners (2022). Available at:

[www.woodlandtrust.org.uk/publications/2022/03/tree-species-handbook/](http://www.woodlandtrust.org.uk/publications/2022/03/tree-species-handbook/)

83 The Woodland Trust. Tree provenance in a changing climate (2020). Available at:

[www.woodlandtrust.org.uk/publications/2020/11/tree-provenance-in-a-changing-climate-position-statement/](http://www.woodlandtrust.org.uk/publications/2020/11/tree-provenance-in-a-changing-climate-position-statement/)

84 [Woodland Opportunity Mapping - South Downs National Park Authority](#)

## Question 24

### Consultation Questions

- a) Do you agree with draft Policy NE3 Woodland, Trees and Hedgerows?
- b) Are the thresholds for tree provision, to increase tree cover, set out in point 7 appropriate? Please explain your answer.
- c) Should the policy look to set a minimum buffer for protecting woodland and trees? Please note there is a separate policy for Ancient Woodland and Veteran Trees below. Please explain your answer.
- d) Should we change anything? if so, what should we change and why?

### Ancient Woodland and Veteran Trees

**6.89** Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It has complex ecological networks and is a limited resource. Both the ancient woodland and its associated wildlife are particularly vulnerable and must be protected from damaging effects of adjacent and nearby land uses that could threaten the integrity of the habitat and survival of its special characteristics.

**6.90** Natural England's Ancient Woodland Inventory shows that there are 2,713 ancient woodlands in Wealden. Mature and ancient woodland are an essential part of the district's natural capital and a significant biodiversity resource. Woodland is also a Sussex Biodiversity Action Plan habitat.

**6.91** Veteran trees are trees which, because of their age, size or condition are of cultural, historical, landscape and nature conservation value. They can be individual trees or groups of trees within wood pastures, historic parkland, hedgerows, orchards, parks or other areas. They are often found outside ancient woodlands. There are over 1,200 veteran trees within the district<sup>85</sup>. Veteran trees are also considered an irreplaceable habitat.

**6.92** The Council will seek to ensure that where development is proposed close to ancient woodland and/or veteran trees, or where development may result in harm to ancient woodland and/or veteran trees, suitable and appropriate protection is provided in the form of buffer zones and any other measures deemed necessary.

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85 [Ancient Tree Inventory - Woodland Trust](#)

## Policy NE4: Ancient Woodland and Veteran Trees

1. Development proposals for sites that are adjacent to, contain, or impact ancient woodland must:
  - a) Be accompanied by appropriate Ecological and Arboricultural surveys that identifies and plots the location of ancient woodland, ancient trees and veteran trees. Ecological and Arboricultural surveys will be to recognised industry standards and best practice.
  - b) Provide suitable and adequate buffers. All buffers are sacrosanct and should be clear of any development or ancillary infrastructure including new footways, cycleways, boardwalks and upgrading/widening/intensification of existing routeways; and
  - c) Ensure that buffer zones consist of semi-natural habitat that protects, reduces and prevents against direct and indirect impacts on ancient woodland and contributes to biodiversity net-gain, ecological networks and green infrastructure.
2. In the absence of site surveys and detailed assessments that demonstrate a 25m buffer is not required, the Council will assume a minimum buffer of 25m from the edge of the woodland, which allows for the presence of veteran trees and the fall height of mature trees.
3. Development resulting in the direct or indirect deterioration or loss of ancient woodland, ancient, aged or veteran trees will not be permitted unless there are wholly exceptional reasons demonstrated<sup>86</sup>.
4. Mitigation and compensation will be required in such circumstances in accordance with the mitigation hierarchy.
5. The existing condition of ancient woodland or veteran trees likely to be impacted by development will not be an accepted reason to grant planning permission. Nor will development be permitted that relies on a final mitigation/compensation strategy that seeks to address loss or deterioration of ancient woodland during development phase where exceptional reasons have not been demonstrated.

### Supporting text

**6.93** Where developments are proposed in, or adjacent to, ancient woodland, the Council will have regard to Natural England and Forestry Commission Standing Advice for Ancient Woodlands<sup>87</sup>.

**6.94** Our priority is to protect ancient woodland, ancient, aged and veteran trees from loss or deterioration. Ancient trees and woodlands are a part of our natural heritage and are simply irreplaceable<sup>88</sup>. The Council expects developers, through assessment, to confirm the buffer that is appropriate and that the priority for such buffers will be ecological mitigation and enhancement for the woodland rather than the amenity of the proposed development.

86 For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat (paragraph 180 (c) of the NPPF)

87 Ancient woodland, ancient trees and veteran trees: advice for making planning decisions and the NPPF.

88 Keepers of time: ancient and native woodland and trees policy in England.

**6.95** In the absence of robust and site specific justification, we will adopt minimum 25m ancient woodland buffer from development sites. In line with the Standing Advice, we will also increase that distance depending upon the sensitivity of the site and its associated features. Examples are when sites include:

- Steep slopes
- Ghyll streams
- Ancient woodland blocks close to and bordered on different sides by residential development
- Where woodland is a surviving remnant from a larger block of historic woodland

**6.96** Our priority is to ensure no loss of ancient woodland occurs other than in wholly exceptional circumstances (defined as nationally significant infrastructure projects or orders under the Transport and Works Act). Remedial measures will also be sought to make good any existing damage to ancient woodland where possible, and to protect and enhance it where opportunities allow.

**6.97** Applicants are encouraged to review and take account of the Woodland Trust's publication the Ancient and veteran trees: An assessment Guide<sup>89</sup> whose steps can be incorporated into a woodland condition assessment or other site survey.

**6.98** Applicants are also encouraged to review and take account of the Ancient Tree Forum (ATF) management advice on practical management of veteran trees<sup>90</sup> which provides advice on techniques for crown reducing a veteran tree, halo clearance for veteran trees; the importance of the land around a veteran tree; common sense risk management of veteran trees; the creation of decaying wood habitats; the management of veteran fruit trees and the management of veteran pollards still in a regular cycle of cutting.

**6.99** In relation to veteran trees and their management, in addition to the ATF's advice, applicants should take account of the potential for the presence of protected / priority species they may support (i.e. bats and stag beetles) together with opportunities for retaining standing dead wood to support species.

**6.100** The Council will take account of the Natural England and Forest Commission's standing advice on ancient woodland, ancient trees and veteran trees<sup>91</sup> when considering a development proposal.

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89 The Woodland Trust. Ancient and veteran trees: an assessment guide (2022). Available at: [www.woodlandtrust.org.uk/publications/2022/06/green-recovery-avt-tree-assessment-guide/](http://www.woodlandtrust.org.uk/publications/2022/06/green-recovery-avt-tree-assessment-guide/)

90 Ancient Tree Forum. Practical management of veteran trees. Available at: [www.ancienttreeforum.org.uk/resources/videos/veteran-tree-management/](http://www.ancienttreeforum.org.uk/resources/videos/veteran-tree-management/)

91 Natural England and Forestry Commission. Ancient woodland, ancient trees and veteran trees: advice for making planning decisions (2022). Available at: [www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions](http://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions)

## Question 25

### Consultation Questions

- a) Do you agree with draft Policy NE4 Ancient Woodland and veteran Trees?
- b) Should the policy set a minimum buffer zone to protect ancient woodland? Please explain your answer.
- c) Do you agree our approach should expect deeper buffers on sloping sites, land with ghyll streams or where woodland is a remaining fragment from a long removed historic block of ancient woodland? Please explain your answer.
- d) Should the policy leave the determination of a buffer zone, to protect ancient woodland from development, to a case-by-case basis? Please explain your answer.
- e) Should we change anything? if so, what should we change and why?
- f) Have we missed anything? If so, what have we missed and how should it be included?

## Ashdown Forest Special Protection Area and Special Area of Conservation

**6.101** Ashdown Forest is located within the High Weald National Landscape in the north west of the district to the east of Crowborough and south of East Grinstead and Forest Row. It is one of the largest single continuous blocks of lowland heath, semi-natural woodland, and valley bog in south-east England, and it supports several uncommon plants, a rich invertebrate fauna, and important populations of heathland and woodland birds. Ashdown Forest is a designated Site of Special Scientific Interest and is both a Special Protection Area (SPA) and a Special Area of Conservation (SAC).

**6.102** Ashdown Forest SAC is designated due to the extensive example of European Northern Atlantic wet heaths and dry heath. Ashdown Forest SPA is designated due its ground nesting breeding bird populations of Dartford warbler and nightjar. Ashdown Forest is a European designated site, referred to as a Habitat Site, and therefore Habitat Regulations Assessments are required for development and plans that are likely to result in a significant effect on its qualifying features.

**6.103** The Council has undertaken an Interim Habitats Regulations Assessment (HRA) to test whether the local plan at the Regulation 18 stage, in combination with other plans and projects, is likely to have an adverse impact on the integrity of the Ashdown Forest SAC and SPA.

**6.104** The HRA has identified that net additional residential development is likely to result in a significant effect on the SPA. Studies and evidence resulting from research undertaken at Ashdown Forest SPA and other SPAs in the country has identified that one of the principal threats to the ground nesting Dartford warbler and nightjar is the damaging effects of disturbance caused by recreation during their breeding period. It is acknowledged that freely roaming dogs exacerbate the disturbance caused by people visiting the site.

**6.105** Ashdown Forest SPA is located relatively close to several towns and villages. Its attractive, extensive open nature and the right to access most of the site, means that it will inevitably draw people for recreation. An increase in residential development will lead to an increase in population within the districts and boroughs around Ashdown Forest SPA. As advised by Natural England both avoidance and mitigation measures are required to prevent an adverse effect on the integrity of the site. This includes the following:

- Avoidance:
  - a 400m exclusion zone for residential development to avoid cat predation and other impacts associated with urbanisation such as fly tipping;
  - Suitable Alternative Natural Greenspace (SANG) – to provide alternative green space to attract visitors away from Ashdown Forest and to reduce overall visitor and recreational pressure at the Forest. In particular, the creation of space that is particularly attractive to dog walkers. Relevant development will either need to provide a SANG or make a contribution to a strategic SANG.
- Mitigation
  - Strategic Access Management and Monitoring Strategy – to deliver a strategy for visitor management at Ashdown Forest and the monitoring of the effects of avoidance and mitigation. The SAMM Strategy is funded by developer contributions and is a strategic coordinated approach in partnership with other local authorities including Mid Sussex, Lewes, Tunbridge Wells, Sevenoaks and Tandridge.

**6.106** Avoidance and mitigation measures are necessary to ensure that the conservation objectives for Ashdown Forest SPA and SAC are met. The Council in partnership with other local authorities undertook visitor surveys in 2008, 2016 and 2021. The visitor surveys confirm that avoidance and mitigation for recreational development is required for a 400m – 7km zone around Ashdown Forest SPA.

**6.107** In relation to Ashdown Forest SAC, the European Heaths are sensitive to air pollutants, in particular nitrogen deposition, from an increase in traffic associated with additional development. The Interim HRA has concluded at this stage that the growth strategy set out in this Regulation 18 draft Local Plan will not result in an adverse impact on the integrity of the SAC and therefore mitigation is not required. However, planning applications will need to be assessed, both alone and in combination with other plans and projects, to consider any air quality impacts and to prevent adverse effects on the integrity of Ashdown Forest SAC.

#### Policy NE5: Ashdown Forest SPA

1. In order to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC, new development likely to have a significant effect, either alone or in combination with other plans or projects, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Development will only be permitted where it can be concluded that there is no likely significant effect or that proposals will not adversely affect the integrity of Ashdown Forest SPA and SAC.



### Recreational pressure avoidance and mitigation

2. Within a 400 metre buffer zone around Ashdown Forest SPA, mitigation measures are unlikely to be capable of protecting the integrity of the SPA and, therefore, residential development will not be permitted on sites where the curtilage of a property falls within 400m from the SPA.
3. Proposals for a net increase in residential development between 400m and 7km from Ashdown Forest SPA will be required to contribute to mitigation through:
  - a) The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8ha per 1,000 net increase in population or the provision of a financial contribution to a strategic SANG that is acceptable to provide avoidance / mitigation for the development; and
  - b) A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.
4. The provision of SANG will be supported where they meet Natural England SANGs Guidelines.
5. Residential development schemes located adjacent or close to the 7km zone boundary will be assessed on a case-by-case basis and may require mitigation for the SPA. A site specific HRA will be required at the application stage for sites on or close to the boundary.
6. Alternative provision(s) for avoidance and mitigation to address the impact of visitors at Ashdown Forest will only be considered where it can be demonstrated that it will be effective and deliverable over the lifetime of the development.

### Air Quality

7. New development likely to result in increased traffic will need to be assessed through a site-specific Habitats Regulations Assessment at the application stage to consider any air quality impacts and to prevent adverse effects on the integrity of the Ashdown Forest SAC.

## Supporting text

**6.108** The principle of the 400m exclusion zone is that development in close proximity to the SPA is likely to bring particularly high risks as visit rates will be higher from properties located close to the SPA and options to mitigate visits, for example through the provision of SANGs or on-site access management, are less likely to be effective. In addition, it is not considered possible to mitigate the predatory activity of domestic cats or urbanisation effects such as fly tipping. Given the impact pathways, the curtilage of a property is considered relevant for the purpose of applying the 400m residential development exclusion zone.

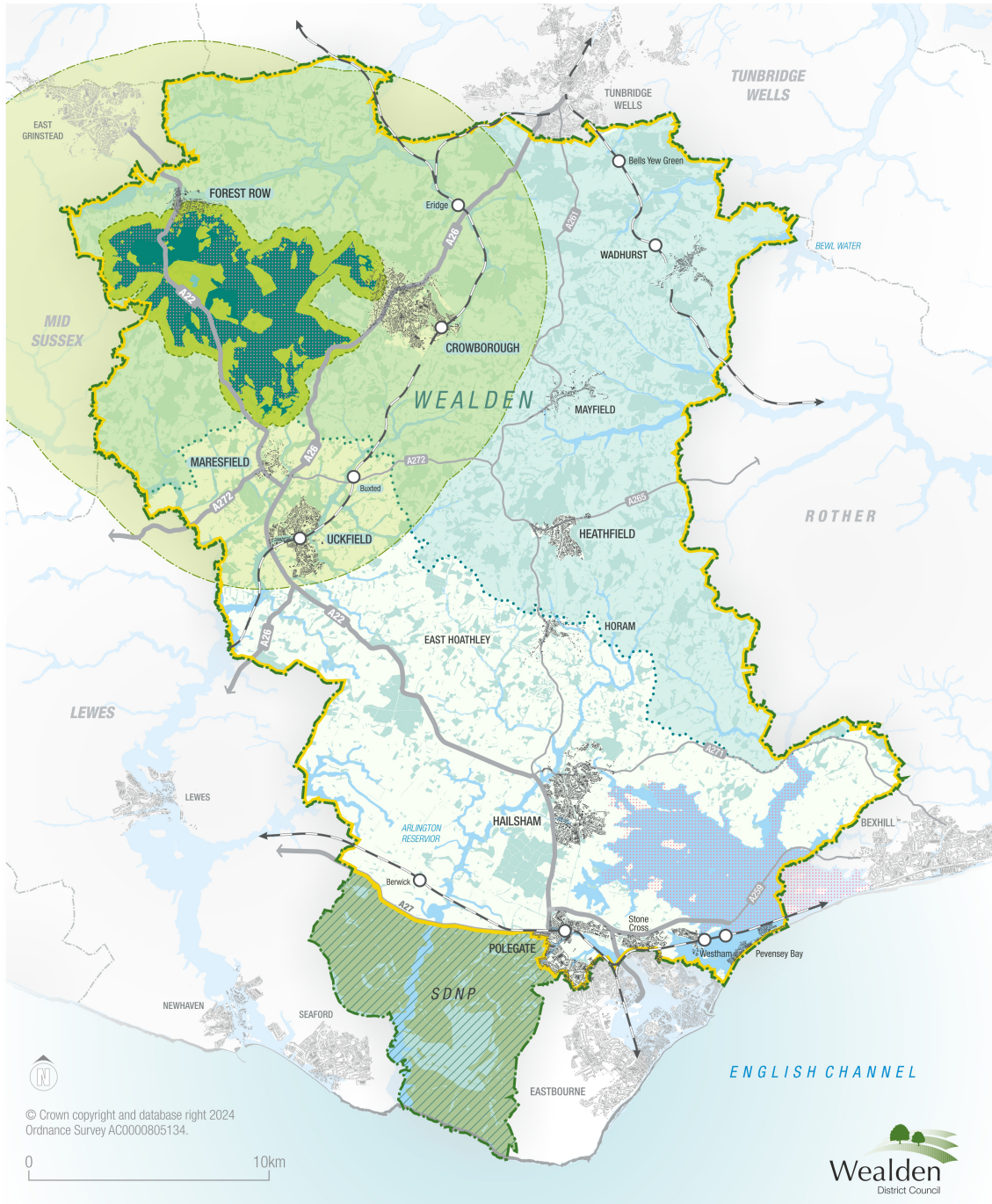
**6.109** In relation to the application of the 400m zone, the distance of a site from the SPA should be measured using a straight line from the SPA boundary. The Council provides a 400 metre exclusion zone map, which should be used for guidance only. The principal objective is to ensure that there is no net increase in residential units within the 400m exclusion zone and this should be measured using a straight line from the SPA to the site. Should any part of a

sites curtilage fall within 400m of the SPA then the whole site will be considered to be within the 400m residential development exclusion zone.

**6.110** Both the 400m exclusion zone and the 7km zone of influence is shown in the map below. This is also shown on the Council's online mapping system. Applicants should contact the Council's Development Management team in the first instance should their proposal be within, adjacent or close to either the 400m exclusion zone or the 7km zone of influence. Where this is the case, applicants will be required to submit all relevant information alongside the planning application to enable the Council to undertake a Habitats Regulations Assessment (HRA).

**6.111** In relation to the provision of SANGs, the Council currently has two SANG sites, one in Crowborough and the other in Uckfield. Where developers are required to provide a SANG site to mitigate the impact of their development, then the SANG will be required to meet Natural England SANG Guidelines. Overall, the mitigation strategy put forward and the Habitats Regulations Assessment will need to result in no adverse effect on the integrity of the SPA / SAC to meet its conservation objectives.

**Figure 20 Wealden District Ashdown Forest Zones**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- Woodland
- Water

**Designations**

- Special Protection Area
- Special Areas of Conservation
- Special Protection Area 400m Buffer Zone
- Special Protection Area 7km Buffer Zone
- High Weald National Landscape
- South Downs National Park (SDNP)

This map is for guidance only and each site will be considered on a case by case basis in relation to its distance from the SPA.

## Question 26

### Consultation Questions

- a) Do you agree with draft Policy NE5 Protecting Ashdown Forest SPA?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Landscape

**6.112** One of Wealden's principal assets is its high-quality landscape, contributing to the district's rural character as well as providing high levels of tranquillity. The quality of the landscape is reflected in nearly two thirds of the district being protected in recognition of its landscape quality. Around 53% of the district lies within the High Weald Area of Outstanding Natural Beauty (AONB) and around 7% lies within the South Downs National Park<sup>92</sup>.

**6.113** Landscape character varies across the district and is defined by numerous processes and variables including geology, soils, topography, land cover, hydrology, historic and cultural development and climate. The combination of these processes and the resultant characteristics provide the district with a diverse and distinctive landscape as well as a historic, unique and distinctive settlement pattern. The quality of the landscape is also a valuable resource contributing to the district's rural economy, ecosystem services as well as providing opportunities for recreation. It also contributes to making Wealden an attractive place to live. A key objective of our plan is to maintain and enhance the district's landscape including its natural and built-up areas and ensuring that small changes do not cumulatively impact landscape and settlement character.

**6.114** The landscape and settlements of the district have developed over time, influenced by both our historical and current use of the land with successive cycles of reclamation and abandonment of woodland, pasture and arable land as population and agricultural pressures have changed.

**6.115** The European Landscape Convention (ELC) came into force in the UK in March 2007. The ELC applies to all landscapes, urban and rural, as well as both outstanding and degraded landscapes. The Convention is aimed at the protection, management and planning of all landscapes and raising awareness of the value of a living landscape. A specific measure promoted by the Convention includes the identification and assessment of landscape. This is also promoted by national planning guidance to assist meeting national policy, which outlines the importance of protecting and enhancing valued landscapes, including designated landscapes and the wider countryside. To inform our plan-making, we have updated our landscape evidence base which accompanies this local plan.

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92 The South Downs National Park Authority is the planning authority for the national park.

**6.116** The national Landscape Character Assessment (2022) shows that Wealden District falls within three distinct National Landscape Character Areas<sup>93</sup>, including the High Weald, the Low Weald and the Pevensey Levels. The assessment then provides a finer grain of detail, identifying six landscape character types and 12 distinct landscape character areas across the district. For each of the landscape character areas, the assessment sets out the key features and characteristics that are particularly valued for their contribution to character and for the ecosystem services they provide, as well as the forces for change within the character area and landscape guidelines on how the landscape can be managed to ensure future change respects local character.

**6.117** In addition to updating our Landscape Character Assessment we have also undertaken Landscape Sensitivity Assessments. The Landscape Sensitivity Assessments consider the sensitivity of land surrounding the district's settlements as well as a consideration of landscape for sites submitted to the Council in its Strategic Housing and Economic Land Availability Assessment (SHELAA) including a separate assessment for sites located within the High Weald National Landscape<sup>94</sup> and for potential strategic growth areas<sup>95</sup>.

**6.118** All of the landscape reports provide strategic and site-specific landscape guidelines including recommendations as to how the landscape can be managed to ensure that future change respects local character.

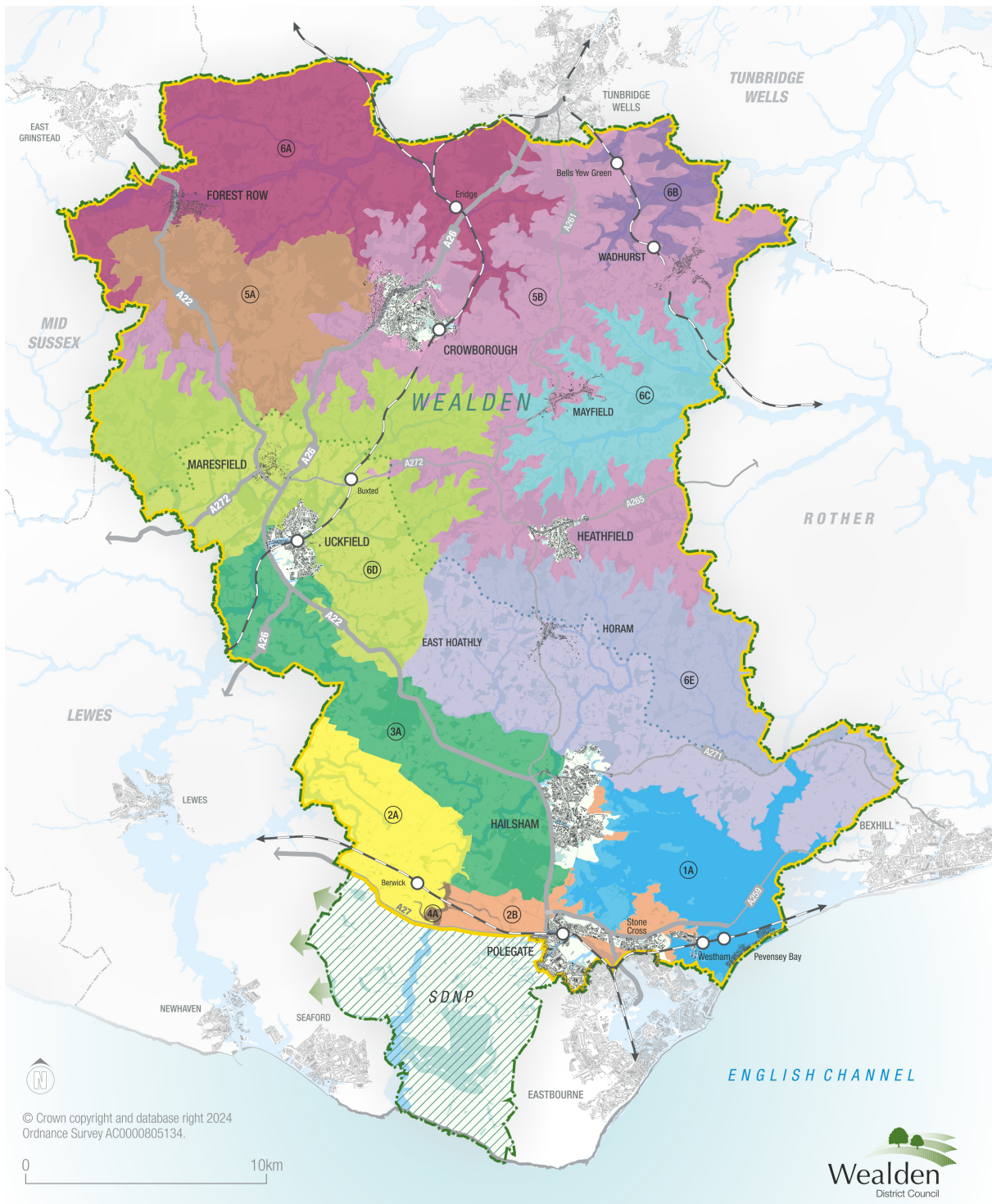
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93 National Landscape Character Areas are defined by Natural England.

94 The Landscape Sensitivity Assessment of Sites within the High Weald AONB (2023)

95 The Wealden Landscape and Visual Appraisal (2023)

**Figure 21 Wealden District Landscape Character Areas**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)

**Landscape Character Area**

- |  |   |
|--|---|
| 1A Pevensy Levels                        | 5A High Weald: Ashdown Forest             |
| 2A Laughton to Arlington Open Clay Vale  | 5B High Weald: Central                    |
| 2B Polegate Open Clay Vale               | 6A High Weald: Medway Catchment           |
| 3A Uckfield to Hailsham Wooded Clay Vale | 6B High Weald: Teise Catchment            |
| 4A Cuckmere Floodplain                   | 6C High Weald: Rother Catchment           |
|  | 6D High Weald: Ouse Catchment             |
|  | 6E High Weald: Cuckmere/Pevensy Catchment |

**6.119** Policy NE6 sets out our preferred policy approach to the landscape character of the district.

### Policy NE6: Landscape Character

1. All new developments to adopt a landscape-led approach from the outset to their design and layout to ensure that any potential adverse effects on the landscape from the proposal are avoided, before consideration is given to any mitigation measures.
2. Relevant development proposals will be required to recognise the contribution of the landscape to the district's environment, economy (including tourism) and communities and will be required to demonstrate how they have had regard to the East Sussex Landscape Character Assessment, the Wealden Landscape Evidence Base, Historic Land Classification (HLC) and any other relevant guidance in their Design and Access Statements.
3. Development proposals will be supported where they seek to protect, maintain, enhance and/or reinforce the key characteristics and qualities of landscape character and landscape components as relevant to the location of the proposal.
4. Development proposals will need to demonstrate that they have considered the following in respect of their potential impact on the landscape, including any cumulative impacts:
  - a) Geology and soils;
  - b) Topography;
  - c) Hydrology;
  - d) Landcover, biodiversity and ecological character;
  - e) Biodiversity Opportunity Areas and/or other sites designated for their environmental importance;
  - f) Ecosystem services<sup>96</sup> such as food production, the regulation of the climate, the purification of air and water, flood protection, soil formation and nutrient cycling;
  - g) Historic character and landscape setting;
  - h) Heritage assets and cultural influences;
  - i) Special landscape characteristics;
  - j) The degree of openness and sensitivity of the landscape to change;
  - k) The settlement pattern, settlement character, its setting and identity;
  - l) Open and valued views;
  - m) Perceptual character including tranquillity and dark night skies;
  - n) Climate change mitigation and adaptation;

96 Services provided by the natural environment that benefit people.

- o) The pattern of key valued landscape features such as fields, woodland, trees, hedgerows and waterbodies; and
  - p) The pattern of roads (including footways and cycle routes), Public Rights of Way and Bridleways.
4. Any landscape mitigation that is required must be commensurate with the surrounding area and must seek to contribute to local distinctiveness. Where planting is considered appropriate, this must be characteristic of the local area, in keeping with the site surroundings, including any historic context, and be compatible with the underlying soils. Where appropriate, native species of local provenance should be used.
  5. Landscape mitigation and/or planting schemes should, overall, seek to enhance the green infrastructure network.

### Supporting text

**6.120** Proposals for development should have regard to the guidance set out in the Council's landscape evidence base supporting this Local Plan as relevant and where there is likely to be an impact on landscape character, the Council will require an independent assessment, which should be proportionate to the scale and type of development proposed. In cases where the impact of development on the landscape is considered to be significant, a full landscape and visual impact assessment (LVIA) will be required. .

**6.121** Whilst native planting is desirable in countryside locations and on the boundaries of town/village and countryside it may not be wholly appropriate on urban or suburban sites. Where high quality planting is required as part of the street scene or garden landscape, ornamental planting may be appropriate. Ornamental flowering trees and shrubs can provide food for pollinators and birds / insects through flower pollen and fruits. There are some locations where non – native and parkland trees are a particular characteristic feature, such as in historic designed landscapes and gardens or even village greens and public parks.

### Question 27

#### Consultation Questions

- a) Do you agree with draft Policy NE6 Landscape Character?
- b) Have all of the landscape elements which development could have an impact on, either alone or cumulatively with other development, been identified at point 3 of the policy? If you consider any are missing, please state these.
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?



## High Weald National Landscape

**6.122** The High Weald Area of Outstanding Natural Beauty (AONB) as of 22nd November 2023 is now called the High Weald National Landscape<sup>97</sup>. It is a nationally designated landscape that is afforded the highest level of landscape protection, where great weight is given to the need to conserve its landscape and scenic beauty. The primary purpose of its designation is to conserve and enhance the natural beauty of the area.

**6.123** The High Weald Management Plan identifies the distinctive features of the High Weald landscape and sets out the objectives for protecting, conserving and enhancing its locally distinctive features. The Management Plan also considers wider environmental issues, the rural economy and communities. The Management Plan provides an assessment framework which must be undertaken when evaluating the siting, layout and design of development including materials.

**6.124** The setting of the High Weald National Landscape is also an important consideration. Additionally, development and other activities may have an impact on the economic, social or ecological value of the landscape or its natural processes such as hydrology or pollination, as well as affecting views into and out of the protected landscape.

**6.125** Within Wealden District, parts of the High Weald National Character Area go beyond the National Landscape boundary. In these locations the landscape can share similar characteristics and landscape value as the National Landscape, as it transforms into a different character.

**6.126** The High Weald Unit are currently in the process of updating the Management Plan and we will consider Policy NE7 further to ensure that it aligns with the new Management Plan as it progresses.

### Policy NE7: The High Weald National Landscape

1. Development within, or affecting the setting of, the High Weald National Landscape, as defined on the policies map, will only be permitted if it conserves and enhances natural beauty, having regard to the character of the landscape, its special qualities, its character components and functions as set out in the High Weald Management Plan. Development should not detract from the visual qualities and essential characteristics of the High Weald National Landscape, including views into and out of the High Weald National landscape, in relation to its location, siting, scale or design.
2. The High Weald National Landscape is a living landscape and certain development may be acceptable to support the land-based economy, access to the landscape and the social wellbeing of communities, where this does not impact on the High Weald National Landscapes special qualities and characteristics.
3. Development compatible with conserving and enhancing natural beauty proposed within the High Weald National Landscape should:
  - a) Be limited in scale and extent and appropriate in terms of its nature and location;
  - b) Demonstrate a positive contribution to the objectives of the High Weald AONB Management Plan;

<sup>97</sup> The Area of outstanding Natural Beauty (AONB) is still currently the term used in national planning policy and in legislation.

- c) Have regard to the High Weald Housing Design Guide, where relevant;
  - d) Apply a landscape-led design approach that reflects the High Weald Character, using high-quality architecture;
  - e) Respond to the historic pattern and character of settlements; and
  - f) Protect tranquillity and dark night skies.
4. In accordance with national policy, major development will not be supported except in exceptional circumstances and where it can be demonstrated to be in the public interest<sup>98</sup>.
  5. Development proposals will be required to submit sufficient information as part of an application to enable any impact of the proposed development to be considered, taking into account the High Weald Management Plan and design guide.

## Supporting text

**6.127** The High Weald Management Plan is a material consideration in planning decisions and the Council expects developers to have regard to the Management Plan from the outset of a scheme's conception. The Council will have regard to the defining components of character within the Management Plan in determining development proposals affecting the High Weald National Landscape and, where relevant, areas of the High Weald National Landscape Character Area that adjoins the designated area. Consideration will also be given to the High Weald Design Guide and High Weald Colour Study that support the Management Plan and applicants are strongly advised to consult these documents at the earliest possible stage of scheme design.

**6.128** The Council has also had regard to leading case law relating to development within AONB/National Landscape areas<sup>99</sup>. This Court of Appeal case confirmed that the "great weight" to be given to conserving areas of natural beauty ("AONBs") under what is now paragraph 182 of the NPPF could be considered a "clear reason for refusing" planning permission under paragraph 11(d)(i) of the NPPF. The judgment also affirmed the pragmatic approach required with interpretation of planning policy.

**6.129** Arising from this, major development within the National Landscape will not be permitted unless it can be demonstrated that the development is in the public interest, in accordance with the tests set out in paragraph 183 of the NPPF. However, the Council acknowledges that there may be cases where small scale development is necessary in or adjoining the High Weald National Landscape, for example where it helps to maintain economic or social well-being. In these instances, the Council will work with applicants and the High Weald Unit to ensure appropriate and acceptable development is achieved.

**6.130** Development close to the edge of the High Weald National Landscape has the potential for adverse impacts on the qualities of the landscape, including its setting, and applicants will need to take full consideration of this.

<sup>98</sup> See paragraphs 176 – 177 and Footnote 60 of the [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444444/nppf-2021.pdf)

<sup>99</sup> See *Monkhill Ltd v Secretary of State for Housing, Communities and Local Government & Anor* (Rev 1) [2021] EWCA Civ 74 (28 January 2021): <https://www.judiciary.uk/wp-content/uploads/2022/07/R-Monkhill-v-SOS-for-Housing-and-ors-judgment.pdf>.

**6.131** All proposals for development in, or adjacent to, the High Weald National Landscape should be accompanied by a landscape and visual impact assessment and an assessment of the proposal against all relevant High Weald Management Plan objectives.

## Question 28

### Consultation Questions

- a) Do you agree with draft Policy NE7 High Weald National Landscape?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## South Downs National Park

**6.132** The administrative area of Wealden District contains a small part of the South Downs National Park. The Local Planning Authority for this area is the South Downs National Park Authority. The development plan for this area will include the South Downs Local Plan and any relevant Neighbourhood Development Plans. The South Downs National Park boundary is marked by the A27 and beyond the escarpment of the South Downs the character area forms a gradual transition to the landscape of the Low Weald.

**6.133** Standing on top of the Downs, a significant proportion of the Low Weald and Pevensey Levels landscape can be viewed and as a result the setting of the National Park needs to be considered. Conversely, parts of the Low Weald benefit from views of the iconic South Downs and the district's residents are easily able to access this vast accessible green resource.

**6.134** The South Downs National Park Landscape Character Assessment (August 2020)<sup>100</sup> updates the previous Integrated Landscape Character Assessment (ILCA) for the South Downs National Park, which was written in 2011. The Assessment details the landscape character of the National Park, including the formative influences that have shaped the landscape as well as updates to the 2011 classifications. The assessment identifies issues that can impact the different character areas within the National Park as well as broad management objectives and landscape guidelines for each character area.

**6.135** Wealden District Council will work in partnership with the South Downs National Park Authority to conserve and enhance the landscape and scenic beauty of the South Downs National Park.

100 [www.southdowns.gov.uk/landscape-design-conservation/south-downs-landscape-character-assessment/](http://www.southdowns.gov.uk/landscape-design-conservation/south-downs-landscape-character-assessment/)

## Policy NE8: Setting of the South Downs National Park

1. Proposals for development on land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park.
2. Development proposals should ensure no adverse impacts on any transitional open green spaces between the site and the boundary of the South Downs National Park, nor on the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.
3. Development should be consistent with National Park purposes and must not have a significant adverse impact on the National Park or its setting both alone or cumulatively. Assessment of such development proposals will have regard to the South Downs National Park Local Plan, the South Downs Management Plan and other relevant adopted planning documents and strategies, as relevant.

### Supporting text

**6.136** The statutory purpose for National Parks is set out in the Environment Act 1995. Section 61 provides for the two purposes of National Parks:

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

**6.137** The conservation and enhancement of the landscape contributing to the setting of the South Downs National Park will be actively supported, particularly as defined in the South Downs National Park Landscape Character Assessment (August 2020) and South Downs Integrated Landscape Character Assessment, or any other relevant update to this document.

## Question 29

### Consultation Questions

- a) Do you agree with draft Policy NE8 Setting of the South Downs National Park?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Agricultural Land

**6.138** The National Planning Policy Framework expects local planning authorities to take into account the economic and other benefits of the best and most versatile (BMV) agricultural land, which is land in Grades 1, 2, and 3a of the Agricultural Land Classification (ALC), Grade 1 being the highest. Agricultural land which falls into these categories is considered to be the most flexible, productive, and efficient in response to inputs. Grades 3b and 4 are not considered BMV agricultural land. In addition, soils are considered a finite resource that provide other important 'ecosystem services'; for example, as a store for carbon and water, as a reservoir of biodiversity, and as a buffer against pollution.

**6.139** Site specific surveys on agricultural land within the district carried out since 1988<sup>101</sup> shows the vast majority is classified as Grade 3b or lower. Over 2,849 hectares of agricultural land within the district is classified as Grade 3b or lower. This equates to around 3.5% of the total area of Wealden. In contrast, just over 940 hectares is classified as Grade 1-3a (the BMV agricultural land), equating to around 1.15% of the district.

**6.140** These figures indicate that the majority of the agricultural land surveyed within the district is not considered to be the BMV.

**6.141** The High Weald Management Plan has identified a number of other issues affecting farming and the use of agricultural land:

- Fragmentation of farm holdings due to an increase in non-farming land ownership
- Declining agricultural skills, knowledge and ambition leading to a reduction in sustainable livestock production
- Increasing costs of maintaining grazing infrastructure
- Loss of green fields to development and infrastructure, or conversion to other land uses such as woodland
- Loss of high value grasslands (unimproved and semi-improved) and hedgerows through land use change, inappropriate management and lack of management.

**6.142** It is important to recognise and acknowledge that 'quality' may be determined by more than the ALC grade, and the 'economic and other benefits' such as infrastructure, fragmentation, and access, as well as the contribution land may make to wider ecosystem services and natural capital are important considerations in relation to the effects of development on agricultural land and the districts landscape character. Policy NE9 seeks to protect the BMV agricultural land taking these factors into account and seeks to direct development to poorer agricultural land where the development of agricultural land is necessary.

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<sup>101</sup> Agricultural Land Classification detailed Post 1988 ALC survey 1990. Maps and reports for detailed Post 1988 ALC surveys done in 1990. Available at: [www.publications.naturalengland.org.uk/](http://www.publications.naturalengland.org.uk/)

## Policy NE9: Agricultural Land

1. Where development of agricultural land is required, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives. When determining quality, applicants should take account of the agricultural lands value in terms of its contribution to food production and wider ecosystem services and natural capital.
2. Where site-specific ALC studies are not available, the Local Planning Authority will assume that the site is classified as best and most versatile. Applicants will be required to submit information on the status of a site in such cases.
3. Planning applications that would result in the loss of best and most versatile agricultural land will need to justify why the loss of the agricultural land is acceptable and also assess the impact of the loss of the agricultural land on the wider farming resource, natural capital, and ecosystem services. The Council will seek to protect the best and most versatile agricultural land from development.

## Question 30

### Consultation Questions

- a) Do you agree with draft Policy NE9 Agricultural Land?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Environmental protection policies

**6.143** National policy is clear that planning policies and decisions need to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air, water, light or noise pollution and that wherever possible development should help to improve local environmental conditions such as air and water quality.

## Light pollution and dark skies

**6.144** Minimising the amount of light pollution within the district is important for the protection and enhancement of the natural environment in Wealden as well as people's health and wellbeing and quality of life. National policy is clear that planning policies and decisions should ensure that new development is appropriate for its location and in doing so should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The PPG provides further guidance and information on what light pollution considerations developments need to address, acknowledging that artificial light provides

valuable benefits to society, but that for maximum benefit, it is important to get the right light, in the right place and for it to be used at the right time. Lighting schemes can also be costly and difficult to change, so getting the design right at the outset is important.

**6.145** Wealden is currently the 20<sup>th</sup> darkest district in England. Whilst levels of darkness differ across the district, areas such as the Pevensey Levels and undeveloped areas within the countryside benefit from high levels of darkness. The South Downs National Park, located to the south of the district, is designated an International Dark Sky Reserve (IDSR).

**6.146** Lighting becomes a problem where it is excessive, poorly designed and located, badly installed or poorly maintained. It is also an issue where it is located near to sensitive receptors, such as dark sky areas or areas with specific habitats and species. For example, artificial light can negatively impact on nocturnal species, particularly bats through causing disturbance at the roost, affecting feeding behaviour, their avoidance of lit areas and also increasing chances of bats being preyed upon. It is important to ensure that lighting associated with new development does not harm the quality of dark night skies, does not contribute to sky glow, glare and light spillage or impact biodiversity and local character.

### Policy NE10: Light Pollution and Dark Skies

1. All proposals should have regard to relevant guidance on lighting within developments to ensure any negative impacts on the natural and built environment are avoided and mitigated.
2. All proposals, regardless of scale and location, must clearly demonstrate that all opportunities to reduce light pollution have been taken, and should have due regard to the following:
  - a) All opportunities to avoid the installation of lighting schemes have been investigated and taken wherever possible;
  - b) Having fully addressed (a), that the lighting scheme is necessary and appropriate for its intended use/purpose and that any adverse impacts are avoided in the first instance, or if that is not achievable, are mitigated as far as possible;
  - c) The design of the lighting scheme has fully considered the light source and intensity being used, the luminaire design, height, and angle, including any baffles and cut-off shields where required;
  - d) The means of lighting would not cause an unacceptable level of impact on wildlife, local heritage assets, or the wider landscape;
  - e) The lighting scheme is energy efficient and uses low energy LED where possible; and
  - f) There are control mechanisms to dim or switch off external lighting schemes when not required.
3. Specific consideration should be given to the dark skies of the High Weald National Landscape, having regard to the ILP guidance for such landscape designations and as set out in the High Weald Management Plan and High Weald Design Guide, for

lighting schemes on developments within or adjacent to the High Weald National Landscape.

4. Any development proposals on land that contributes to the setting of the South Downs National Park must take full account of the Parks International Dark Sky Reserve status when designing any lighting schemes. Development must have regard to the relevant policies on dark night skies within the South Downs Local Plan 2011-2033<sup>102</sup>

## Supporting text

**6.147** Policy NE10 applies across the district, with particular consideration given to schemes within or adjacent to the High Weald National Landscape and on land that contributes to the setting of the South Downs National Park and its Dark Sky Reserve. The policy applies to any proposals which involve the installation of external lighting and where the design of developments may result in light spill from internal lighting. It will also apply to specific lighting schemes which require planning permission or listed building consent.

**6.148** All development proposals should have regard to relevant national policies on light pollution and dark skies, as well as industry guidance on lighting, including but not limited to, the Institute of Lighting Professionals (ILP) Guidance Note GN01: The Reduction of Obtrusive Light<sup>103</sup> and the Updated 'Bats and Artificial Lighting in the UK' Guidance Note GN 08 23<sup>104</sup> (and any subsequent revisions).

**6.149** In order to ensure that dark night skies are protected and enhanced, installation of lighting should be avoided and, where lighting is demonstrated to be necessary, the design and installation should be such that adverse impacts are avoided or, if not achievable, mitigated to the greatest possible extent.

**6.150** Proposals will need to fully consider the overall visual impact that the lighting will have on the landscape. This may include ground surface reflectivity, the number of lights, the daytime intrusion and the general overall footprint of the lighting. It is also necessary to consider the visibility of the lights from the surrounding landscape.

**6.151** The spill of lights from large open glass windows and sky lights often present a greater source of light pollution than externally mounted lights. Consequently, it is important to control the lighting coming from these types of developments. The design of buildings should reduce the impact of light spill from internal lighting or suitable mitigation measures should be put in place.

**6.152** Habitats, particularly woodlands, should not be considered as a 'natural shield' to lighting, because of the impact on an unlit habitat. Lighting that would spill into sensitive habitats should be shielded or removed, particularly if nocturnal species are present. Direct illumination of bat roosts and key foraging areas and/or commuting routes must be avoided.

**6.153** Where a proposal involves outdoor lighting, a statement will be required to justify why the proposed lighting is required for its intended use and that shows every reasonable effort

102 South Downs National Park Authority. South Downs Local Plan (adopted 2nd July 2019). Available at: [www.southdowns.gov.uk/wp-content/uploads/2019/07/SD\\_LocalPlan\\_2019\\_17Wb.pdf](http://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf)

103 [Guidance Note 1 for the reduction of obtrusive light 2021 | Institution of Lighting Professionals \(theilp.org.uk\)](https://www.theilp.org.uk/guidance-note-1-for-the-reduction-of-obtrusive-light-2021)

104 [Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals \(theilp.org.uk\)](https://www.theilp.org.uk/guidance-note-8-bats-and-artificial-lighting)



has been made to mitigate skyglow and light intrusions. Any statement should be proportionate to the size and likely impacts of the scheme.

**6.154** The position and orientation of sensitive receptors should be taken into account at the earliest stages of any scheme design and in consideration of the developments location. Applicants will be required to provide sufficient information on the likely impacts of any potential light pollution from a development, clearly showing how the development has sought to avoid light pollution as far as possible and how any mitigation measures will be implemented. This information can be included within the Design and Access Statement or as a standalone report.

## Question 31

### Consultation Questions

- a) Do you agree with draft Policy NE10 Light Pollution and Dark Skies policy?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Noise Pollution

**6.155** Wealden is mainly a rural district and as a result there are areas of recognised tranquillity and landscapes of national and local significance. Noise pollution has the potential to have a significant impact on these areas where the ambient noise levels are low. The district also benefits from a number of urban areas where concentrations of development have the potential to affect residential amenities by virtue of noise impacting health and well-being and quality of life.

**6.156** The planning system has a role in seeking to ensure that new noise-sensitive development, such as housing and schools, is not located close to existing sources of noise and vibration, including industrial uses and noise generated by transport. It should also ensure that potentially noise-creating uses, such as some industrial processes or some recreational activities, are not located where they would be likely to cause nuisance.

**6.157** The purpose of Policy NE11 is to ensure that noise issues and appropriate mitigation and acoustic measures are addressed and incorporated into the design of development proposals at an early stage, so as not to harm the natural environment or residential amenity.

## Policy NE11: Noise Pollution

1. Within the district, areas of tranquillity; nationally designated landscapes; designated nature conservation sites and occupants of residential properties, will be protected from unacceptable levels of noise as a result of development.
2. Development proposals for noise sensitive uses<sup>105</sup> are required to clearly identify any likely adverse noise impacts on the sensitive receptors that are intended to use or occupy the development from existing nearby sources of noise.
3. Development proposals for noise generating uses<sup>106</sup> are required to clearly identify any likely adverse noise impacts arising from the proposed development on existing nearby sensitive receptors, including the natural environment.
4. Planning applications will be required to include a Noise Impact Assessment where consideration under (2) and (3) indicates the potential for Observed Adverse Effect Levels of noise. The Assessment must be undertaken by a suitably qualified person and consider the relationship in detail.
5. Where evidence of an Observed Adverse Effect Level noise impact exists, applicants are required to demonstrate how the proposed development will be designed and implemented in order to:
  - a) prevent any present and very disruptive Significant Observed Adverse Effect levels<sup>107</sup>.
  - b) avoid any present and disruptive Significant Observed Adverse Effect levels; and
  - c) mitigate any present and intrusive Lowest Observed Adverse Effect levels<sup>108</sup>.
6. Development proposals will be supported where:
  - a) Development is located and designed to minimise the impact of noise on areas of tranquillity and where residential properties / occupants will not be exposed to an unacceptable noise impact that adversely affects the amenity of existing or future users;
  - b) Good design is used to improve and enhance the acoustic environment and reduce the impact of noise generated by the development; and
  - c) The impact of noise on the surrounding environment and noise sensitive receptors is satisfactorily mitigated through noise attenuation measures.
7. Where there will be an unacceptable adverse effect on sensitive receptors which cannot be adequately prevented, avoided, and/or mitigated, planning applications will be not be supported.
8. Planning conditions will be used to ensure that mitigation measures are satisfactorily implemented.

105 Land uses where sensitive receptors are concentrated, including residential, schools and nurseries, hospitals, care facilities, and certain public amenities.

106 Land uses that have the potential to generate levels of noise capable of resulting in adverse effects on the health and quality of life of sensitive receptors, including commercial and industrial land uses, sports and leisure facilities, and places of entertainment (bars, pubs, clubs, music venues, etc).

107 This is the level of noise exposure above which significant adverse effects on health and quality of life occur.

108 This is the level of noise exposure above which adverse effects on health and quality of life can be detected.

## Supporting text

**6.158** The NPPF requires planning policies and decisions to ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment. This should be achieved by mitigating, and reducing to a minimum potential, adverse impacts resulting from noise from new development.

**6.159** Development proposals that are likely to generate noise, or be affected by existing noise sources, must be supported by a Noise Impact Assessment prepared by a suitably qualified and competent person, as defined by the NPPF.

**6.160** Information is available in Defra's latest Explanatory Note to the Noise Policy Statement for England<sup>109</sup>. Reference should be made to this guidance (or any subsequent guidance) prior to, and, where appropriate, in the submission of a planning application and development proposals should seek to achieve the aims set out in the Statement.

**6.161** There is also further information and guidance contained in the National Planning Practice Guidance (Noise). This guidance provides noise and vibration criteria for developers where new proposals are being made that will generate noise or vibration, are in a noisy location, or are in a noise-sensitive area, in order to ensure that the potential or existing noise/vibration levels in the area are acceptable. As a starting point, it is expected that new development will not increase background noise levels.

**6.162** There are other statutory provisions for noise beyond planning legislation, including the Control of Pollution Act 1974, which deals with site construction noise, and legislation such as the Environmental Protection Act 1990, which deals with statutory nuisance. Any matters in respect of noise generated by minerals and waste related activity should be referred to East Sussex County Council.

**6.163** If the proposed development cannot be made acceptable from a noise perspective, the applicant should consider whether the existing noise-generating or noise-sensitive use that would be affected by the new development could be adapted (i.e. soundproofed). Where this includes the use of off-site measures, the applicant is responsible for ensuring that the measures are implemented and must provide agreement from the owners of the off-site property.

### Question 32

#### Consultation Questions

- a) Do you agree with draft Policy NE11 Noise Pollution?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

109 Available at: [www.gov.uk/government/publications/noise-policy-statement-for-england](http://www.gov.uk/government/publications/noise-policy-statement-for-england).

## Air Quality

**6.164** Poor air quality, caused by harmful pollutants, can have a significant negative impact on both human health and biodiversity. Air quality in the district is generally good and at present there are no areas in Wealden where people are exposed to levels of pollutants in excess of the UK Air Quality Objectives. There are also no Air Quality Management Areas within the district. However, air quality issues have the potential to arise from developments that may generate significant levels of traffic, introduce a new source of air pollution or expose people to existing sources of air pollution.

**6.165** The effects of poor air quality on ecosystems and their function have been well documented within the scientific literature. The planning system has a role in seeking to improve air quality through actively managing patterns of growth and focusing development on locations which are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes i.e. walking, cycling and public transport. It also has a role in contributing to and enhancing the natural and local environment by seeking to prevent new and existing development from being put at unacceptable risk from, being adversely affected by or contributing to unacceptable levels of air pollution, and wherever possible, helping to improve local air quality.

### Policy NE12: Air Quality

1. Development proposals should seek to improve air quality and reduce the effects of poor air quality, ensuring compliance with the objectives set out in the latest Air Quality Strategy for England, in place at the time of the application, the Air Quality and Emissions Mitigation Guidance for Sussex and/or any subsequent local air quality objectives.
2. Development proposals will only be supported where they:
  - a) Do not result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and species and any sites designated for their nature conservation value, from any sources of emissions to air;
  - b) Are not located where they would be at unacceptable risk from, or be adversely affected by existing sources of odour, dust and /or other forms of air pollution; and
  - c) Minimise any air quality impacts, including cumulative impacts from extant developments, both during the construction process and lifetime of the proposed development, either through the design of the development or, where this is not possible or sufficient, through appropriate mitigation measures.
3. Development proposals are required to include a detailed Air Quality Assessment, where:
  - a) major development is proposed and has the potential, including when combined with the cumulative effect of other approved developments and site allocations, to have significant adverse impacts on air quality; or

- b) the proposed development has the potential to result in significant adverse impacts and is within, and in close proximity to a sensitive habitat and/or species, including any site designated for its nature conservation value; or
  - c) development would introduce or intensify sensitive uses within an area that is known to experience existing poor air quality conditions.
4. Where an Air Quality Assessment identifies potential significant adverse impacts on sensitive receptors from any source, the applicant must detail the appropriate avoidance and mitigation measures that will be implemented to prevent the identified impacts, including impacts on future occupiers or users of the site.
  5. Mitigation measures on a scheme will be secured through planning condition and / or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.

## Supporting text

**6.166** The Council recognises and acknowledges the potential impact of poor air quality on human health, biodiversity, and local amenity and will ensure that unacceptable levels of poor air quality and odour does not result from new development. To achieve this, applicants will need to satisfactorily demonstrate that there is not an unacceptable impact on air quality from the development proposal.

**6.167** For general guidance on the consideration of air quality within the planning process, applicants should refer to national Planning Practice Guidance<sup>110</sup>. Further guidance on the consideration of air quality within development is available on the Institute of Air Quality Management's (IAQM's) website<sup>111</sup>.

**6.168** Where an Air Quality Assessment is required, the applicant should seek confirmation from the Council's Environmental Health Services on the appropriate approach and methodology to be used in conducting the assessment. The specific approach and methodology required for each assessment should be tailored to address the key issues driving the need for the assessment. In all cases, the Air Quality Assessment should be undertaken using an approach that is appropriate to the scale of the likely adverse impacts.

**6.169** In order to ensure that a consistent approach is used in producing Air Quality Assessments, all assessments are expected to be prepared in accordance with guidance provided by Environmental Protection UK and the Institute of Air Quality Management: 'Land-Use Planning & Development Control: Planning For Air Quality' (2017)<sup>112</sup>. Detailed guidance on the assessment of air quality impacts on sensitive habitats and sites designated for their nature conservation value has also been published by the Institute of Air Quality Management (2020)<sup>113</sup>.

**6.170** Applicants should demonstrate that the design and implementation of the proposed development:

110 [Air quality - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

111 Available at: [Guidance – IAQM](#).

112 Available at: [air-quality-planning-guidance.pdf \(iaqm.co.uk\)](#).

113 Available at: [air-quality-impacts-on-nature-sites-2020.pdf \(iaqm.co.uk\)](#)

- Will be in line with the 'good practice' principles outlined in the IAQM guidance, or any updated published guidance that replaces or supplements this.
- Will contain the information set out at paragraph 6.22 (a) - (m) of that guidance.

**6.171** Applicants are also advised to refer to the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Advisory Note: Ecological Assessment of Air Quality Impacts' (2021)<sup>114</sup>, which sets out:

- the serious adverse biochemical impacts that various air pollutants may have on sensitive habitats.
- the serious impacts of excessive nitrogen deposition on sensitive habitats, such as ancient woodland.

**6.172** Where an Air Quality Assessment identifies potential significant adverse impacts on sensitive receptors, an Emissions Mitigation Assessment must be completed. The Emissions Mitigation Assessment must:

- detail the appropriate avoidance and mitigation measures that will be implemented to prevent significant adverse impacts on sensitive receptors, including future occupiers or users of the site, from any sources of emissions to air.

**6.173** Emissions Mitigation Assessments should normally be submitted as part of the overall Air Quality Assessment and inform the conclusions made within it.

**6.174** Where an Air Quality Assessment identifies potential significant adverse impacts on internationally or European designated nature conservation sites, an HRA will be required. In relation to Ashdown Forest please see Policy NE9 Ashdown Forest SPA and SAC. Other international / European sites in / near to Wealden include Lewes Downs SAC and Pevensey Levels.

**6.175** Development proposals should also promote opportunities for walking, cycling, public transport and congestion management measures such as travel plans (and initiatives) to reduce traffic levels and improve air quality and demonstrate a shift towards the use of sustainable and low emission modes of transport (including EV).

## Question 33

### Consultation Questions

- Do you agree with draft Policy NE12 Air Pollution?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

114 Available at: [Air-Quality-advice-note.pdf \(cieem.net\)](https://www.cieem.net/Air-Quality-advice-note.pdf)

## Water Environment and Water Infrastructure

**6.176** Wealden District is located in an area of serious water stress and therefore development must be planned to minimise its impact on water resources and water quality and to provide resilience against the impacts of climate change including security of water supply. Maintaining and enhancing the water quality of above and below ground water bodies is not only important for water supply, but can also provide valuable habitats for species and a desirable amenity and recreational resource.

**6.177** A growing population and an increase in development will add additional pressure for the existing sewerage and wastewater systems, which ultimately discharges into rivers and other waterbodies. Additional flows can be mitigated to some degree by water efficiency measures within a development, however the biological load transferred to water treatment works will likely increase with a population increase. This will need to be addressed through technological improvements at wastewater treatment works, as well as the potential expansion of existing treatment works or development of new treatment works.

**6.178** New development can also impact on water quality through the creation of diffuse pollution from surface water runoff, which is a significant factor in compromising the water quality standards that are required under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017<sup>115</sup>. The Regulations establish a statutory framework for the protection of ground water and inland surface water, estuaries, and coastal waters.

**6.179** Wealden District is covered by the South East River Basin District and the South East River Basin Management Plan (RBMP), prepared by the EA and published in 2016<sup>116</sup>. The RBMP provides a framework for protecting and enhancing the benefits provided by the water environment and highlights the areas of land and bodies of water that have specific uses that need special protection. These include waters used for drinking water, bathing, commercial shellfish harvesting, and those that sustain wildlife species and habitats. The plan ensures that these areas have legally binding objectives in place to enhance water quality and prevent deterioration of water bodies.

**6.180** South East Water supplies water across the whole district and developers should review the company's Water Resources Management Plan (2020-2080) for an overview of how water will be managed in the region into the future. Southern Water supplies wastewater services across the district and its Drainage and Wastewater Management Plan(s) provides a framework for how the company's plans and investment will be integrated alongside those of organisations that have responsibilities relating to drainage, flooding, land management, land use planning and protection of the environment, including the Council.

**6.181** The Environment Act also sets out measures to secure long-term, resilient water and wastewater services as well as reforming elements of abstraction licensing to link more tightly

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115 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. Available at: [www.legislation.gov.uk/uksi/2017/407/contents/made](http://www.legislation.gov.uk/uksi/2017/407/contents/made)

116 The Environment Agency has submitted the proposed update to the RBMPs to the Secretary of State for the Environment, Food and Rural Affairs to consider, and if content, approve for publication. Submission was in October 2022. The current river basin management plans are still applicable until these updated plans are approved and published. The Environment Agency has prepared the proposed update to the RBMPs in line with [ministerial guidance](#) and the [Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017](#).

to the 25 Year Environment Plan goal of restoring water bodies to as close to their natural state as possible.

**6.182** The planning system has a role in seeking to ensure that water resources are managed in a sustainable way, including taking account of the impacts of climate change, as well as in protecting the quality of the water environment. National policy seeks to ensure that local plans make sufficient provision for water supply and wastewater infrastructure as well as taking account of the long term implications for water supply from climate change alongside preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution and that wherever possible development should help to improve water quality.

**6.183** Policy NE13 sets out our preferred policy approach to protecting and sustainably managing the water environment in Wealden to ensure benefits for both nature and our residents.

## Policy NE13: Water Environment and Water Infrastructure

### Water environment

1. Development will only be permitted where it can be demonstrated that it would not result in an unacceptable risk to, or adversely affect, the quality, quantity, levels and ecology of surface water and groundwater resources within the district, including reservoirs. Applicants must have due regard to the Environment Agency's Groundwater Protection guides in relation to potentially hazardous development proposed within Source Protection Zones (SPZs) or within 50m of a private water supply.
2. Development proposals must account for possible groundwater contamination in SPZs and where aquifers are present. Proposals will only be supported where it can be demonstrated that adequate safeguards against possible contamination of groundwater supplies or aquifers can be agreed, implemented and maintained.
3. New development adjacent to watercourses should seek to restore rivers to their natural state, including through de-culverting piped watercourses, where possible.
4. Any development adjacent to, over or in a watercourse needs to take into account the Water Framework Directive requirements and opportunities outlined in the South East River Basin Management Plan.
5. Potentially polluting development will not be permitted where there is a risk that it will cause harm to sensitive aquatic environments/areas within the district.
6. Work beneath the water table will not be permitted unless there is a comprehensive ground water management scheme agreed for the construction, operation, restoration, and ongoing management of the proposal.

### Water Infrastructure

7. Development proposals must demonstrate that there is adequate existing water supply infrastructure (foul and surface drainage as well as drinking water provision) to serve the development over its lifetime. Where provision is inadequate / not available, proposals must set out how the appropriate infrastructure improvements will be completed prior to the development's occupation. Any such proposals must be approved by the statutory undertaker.



8. Development should connect to a public sewage treatment works. If this is not feasible, proposals should be supported by sufficient information to understand the potential implications for the water environment.
9. In the interests of securing long-term water supply and wastewater management needed to serve existing or new development, proposals for new, or the expansion of existing, water supply or sewage treatment facilities and networks will be permitted provided that:
  - a) the need for such facilities outweighs any adverse land use or environmental impacts; and
  - b) that any such adverse impact is mitigated / minimised.
10. Necessary infrastructure provision will be secured through planning conditions and / or obligations.

### Supporting text

**6.184** The Council will support development proposals where the quantity and quality of surface and groundwater resources are protected from pollution and where possible enhanced.

**6.185** Developers will be required to demonstrate that there is adequate on and off-site water infrastructure capacity, or that additional infrastructure can be provided in time, to serve the development, without leading to problems for existing users. Developers will need to show that they have engaged with service providers at the earliest opportunity to establish the proposed development's demand for water supply and wastewater infrastructure and how this can be met. This may result in the need for developers to undertake appropriate studies to ascertain whether the proposed development will lead to overloading of existing water and wastewater infrastructure.

**6.186** Applicants should have regard to South East Water's WRMP (2020-2080) and Southern Water's Drainage and Wastewater Management Plan in the design and construction of a development and the Council will encourage and support developments which seek to achieve relevant and appropriate requirements of these Plans.

**6.187** Where there is a capacity constraint and no improvements are programmed by the statutory undertaker the developer will need to liaise with the statutory undertaker/s to agree the improvements required and how these will be funded prior to any occupation of the development.

**6.188** Development that would cause an unacceptable risk to surface or ground water resources will not be permitted. Where development is allowed, the Council will require developers to undertake measures to ensure that surface or ground water resources, including ponds, streams, and other watercourses, are not contaminated and where possible water quality is enhanced. If adequate mitigation cannot be provided against any significant adverse impact on water quality, the application will be refused. Proposals within any groundwater Source Protection Zone (SPZ) will be expected to provide full details of the proposed construction of new buildings and construction techniques, including foundation design.

**6.189** Applicants considering development proposals within a SPZ that could potentially affect groundwater should hold pre-application discussions with the Council and the Environment

Agency. Applicants should refer to the Environment Agency's Groundwater Protection guides<sup>117</sup> in relation to potentially hazardous development proposed within a SPZ or within 50m of a private potable groundwater source.

## Question 34

### Consultation Questions

- a) Do you agree with draft Policy NE13 Water Environment and Water Infrastructure?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Contaminated Land and Land Stability

**6.190** Failing to deal adequately with contaminated and / or unstable land could cause harm to people's health, property and the wider environment. It could also limit or preclude new development and undermine compliance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017<sup>118</sup>.

**6.191** The planning system has a role in seeking to ensure land / sites are suitable for a proposed use, taking account of ground conditions and any risks arising from land instability and contamination, including risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation, as well as the potential impacts on the natural environment arising from that remediation.

**6.192** The planning system works alongside a number of other regimes including:

- The system for identifying and remediating statutorily defined contaminated land under Part 2A of the Environmental Protection Act 1990;
- Building Regulations, which require reasonable precautions to be taken to avoid danger to health and safety caused by contaminants in ground to be covered by buildings and associated ground; and
- Environmental Permitting Regulations, under which an environmental permit from the Environment Agency or Local Authority is normally required to cover the treatment and/or redeposit of contaminated soils if the soils are 'waste' and under the same regulations, a site condition report is required for any facility where there may be a significant risk to land or groundwater (including where one is necessary to satisfy the requirements of the Industrial Emissions Directive)

117 Environment Agency and Defra. Groundwater protection Guidance (2023). Available at: [www.gov.uk/government/collections/groundwater-protection](http://www.gov.uk/government/collections/groundwater-protection)

118 The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. Available at: [www.legislation.gov.uk/uksi/2017/407/contents/made](http://www.legislation.gov.uk/uksi/2017/407/contents/made)

**6.193** Contamination can arise from a wide variety of activities and sources, both from human activity and natural processes / phenomenon. Contamination by previous land uses on or adjacent to the land, as well as invasive/harmful plants, can present a potential source of contamination to land and/or pollution of groundwater. National policy is clear that the onus is on the developer and / or landowner to ensure that all proposals are situated on land where it will be safe and suitable for the proposed use.

**6.194** Policy NE14 sets out our preferred policy approach to dealing with development where contaminated and / or unstable land is present.

### Policy NE14: Contaminated Land and Land Stability

1. Proposals on sites where land contamination/instability is known or suspected, or the site is within the vicinity of contaminated/unstable land, are required to submit appropriate Site Risk Assessments, which establish the full nature and extent of any land contamination/instability that may adversely affect sensitive receptors<sup>119</sup>, both on-site and in the surrounding area.
2. Where evidence of contamination is identified, an Options Appraisal and Remediation Strategy are required to be submitted and agreed with the Council, and they must demonstrate that the land is to be made safe for its intended purpose, detailing:
  - a) the appropriate sustainable remediation measures that will be implemented in order to prevent and/or avoid significant harm to sensitive receptors, both on-site and in the surrounding area, including future users of the site;
  - b) the appropriate mitigation measures that will be implemented in order to reduce to a minimum any risks presented to the health of sensitive receptors from land contamination;
  - c) that there is no inappropriate risk to a waterbody, including groundwater and aquifers; and
  - d) that there will be no adverse impact by the removal and treatment of the contamination on human or ecological health.
3. If suitable remediation cannot be provided, or the relevant reports indicate that there will be an unacceptable adverse impact on sensitive receptors which cannot be adequately prevented, avoided, and/or mitigated, planning permission will be refused.
4. In addition to remediation, development proposals should take adequate and effective measures in order to avoid risks to the structural integrity of buildings or structures on or adjoining the site.

### Supporting text

**6.195** It is important to consider ground conditions when preparing development proposals and any risks from land instability or contamination. For general guidance on the consideration

<sup>119</sup> Sensitive Receptors - Features that are prone to damage from pollution, such as living organisms (including humans), ecological systems, land use, controlled waters, groundwater and the natural environment

of land affected by contamination within the planning process, applicants should refer to national Planning Practice Guidance.

**6.196** Pre-application discussions with the Council, the relevant pollution control authority and stakeholders with a legitimate interest, for example East Sussex County Council in relation to drainage and SuDS approval, will be useful where contamination is an issue. All investigations and subsequent remediation should be carried out in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) Guidance<sup>120</sup>, or equivalent/successor procedures, by a competent person. The guidance requires a three stage approach to assessing and managing the risks from contaminated land and the Environment Agency expects these stages to be followed by applicants.

**6.197** At each stage of the LCRM process, the development proposal must demonstrate compliance with relevant British Standards. Relevant British Standards are noted in the Environment Agency's guidance. The general site investigation standards are:

- BS 10175: Investigation of potentially contaminated sites - code of practice; and
- BS 5930: Code of practice for ground investigations

**6.198** Reference should also be had to national guidance on contaminated land<sup>121</sup>. Further technical guidance on the management of contaminated land, including how to investigate, assess and manage the risks is drawn together by the Environment Agency in their land contamination: technical guidance<sup>122</sup>.

**6.199** Where a site subject to a planning application includes land that is known or suspected to be affected by contamination/instability, applicants are required to submit a Site Risk Assessment. Site Risk Assessments must be completed in accordance with the Environment Agency's LCRM guidance (Stage 1) and should be appropriate for the scale of the likely risk presented by the potential contamination/instability. Where required, the Site Risk Assessment must be completed during the early stages of the design and preparation of the development proposal, in order to identify and address issues early.

**6.200** Should the Site Risk Assessment identify evidence of land contamination/instability, an Options Appraisal and Remediation Strategy will be required. The Options Appraisal and Remediation Strategy must be produced in accordance with the Environment Agency's LCRM guidance (Stages 2 and 3 respectively). Where a Remediation Strategy cannot demonstrate that the proposed development site would be remediated appropriately, or if insufficient information is provided to make this determination, the planning application will be refused.

## Land contamination and water quality

**6.201** Any site that may be contaminated to some degree by virtue of its previous usage forms a potential risk to water quality, especially if redevelopment takes place. The Environment Agency requests any potential developers of such a site to contact the Agency at their earliest opportunity to discuss the need for historical information and site investigations to determine the degree of contamination, if any, of both soil and ground water.

**6.202** It is crucial that development does not cause contamination to groundwater as this provides a third of the drinking water in England and Wales and maintains the flow in many

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120 Available at: [Land contamination risk management \(LCRM\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/land-contamination-risk-management-lcrm)

121 Available at: [Contaminated land: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/contaminated-land-overview).

122 Available at: [Land contamination: technical guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/land-contamination-technical-guidance).

ivers. The Environment Agency has identified SPZs and maintains maps showing the three main zones: inner (zone 1), outer (zone 2) and total/source catchment (zone 3) in addition to a range of sub-zones. The main areas of SPZs in the district are located in the south around Willingdon and Alfriston (at the foot of the chalk South Downs) and in the north around Eridge, Groombridge, Mayfield and Forest Row.

**6.203** Applicants considering development proposals within a source protection zone that could potentially affect groundwater should hold pre-application discussions with the Council and the Environment Agency. Applicants should refer to the Environment Agency's Groundwater Protection Guides<sup>123</sup> in relation to potentially hazardous development proposed within a SPZ.

**6.204** Planning permission will only be granted when it can be clearly demonstrated that the development can proceed as proposed without causing pollution to controlled waters, including groundwater; harm to the natural environment and biodiversity or pose significant risks to human health as a result of land contamination or instability.

**6.205** Planning conditions will be applied to manage any outstanding detailed surveys, investigation, modelling, remediation and verification, and in order to secure appropriate pollution prevention and mitigation measures and land stability measures as appropriate.

## Question 35

### Consultation Questions

- a) Do you agree with draft Policy NE14 Contaminated Land and Land Stability?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

123 Environment Agency and Defra. (2023). Groundwater protection Guidance. Available at: [www.gov.uk/government/collections/groundwater-protection](http://www.gov.uk/government/collections/groundwater-protection)



# 07

## Historic Environment

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# Historic Environment

## Introduction

**7.1** Wealden's historic environment is one of its greatest assets. The district's historic environment is rich and varied across both urban and rural contexts, ranging from its historic landscapes and high-quality historic places to its historic buildings and features, some of which have formed part of the landscape and built environment for centuries. The range of landscapes within Wealden have influenced the pattern of settlements and the materials available for construction in the area. The geography and geology of the district have also influenced historic economic and agricultural uses such as agriculture and the iron and hop industries. These industries have had a particular impact on the historic environment, not just through the use and division of land, but with the High Weald having one of the highest concentrations of surviving early farmsteads anywhere in Europe<sup>124</sup>. In the 18th and 19th centuries, the hop industry was significant in Wealden, resulting in the scattered distinctive oast buildings within the High and Low Weald areas, which are a particular historic feature of the district.

**7.2** A heritage asset is defined in the NPPF as '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*'. There is a great variety in both the age and type of heritage assets in Wealden, which range from Stately Homes to Second World War pillboxes, from Roman roads to historic farmsteads.

**7.3** Within Wealden District<sup>125</sup> there are many designated heritage assets (heritage assets designated under legislation) including Listed Buildings, Scheduled Monuments and Registered Historic Parks and Gardens and Conservation Areas<sup>126</sup>.

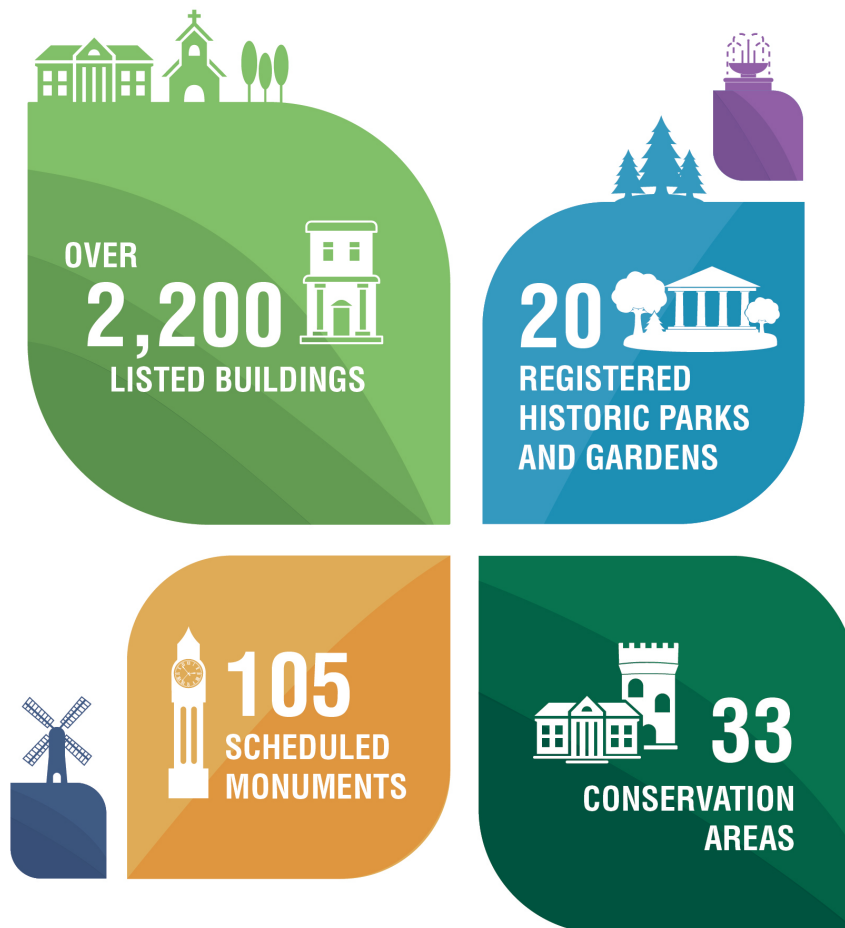
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124 See the High Weald National Landscape website. Available at: [highweald.org/about-the-aonb/](http://highweald.org/about-the-aonb/)

125 Including the part within the South Downs National Park

126 Outside of the National Park.

**Figure 22 Wealden's Heritage Assets**



**7.4** Non-designated heritage assets can also be found within Wealden, which the NPPG identifies as *'buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.'* These non-designated heritage assets therefore include buildings and monuments and in Wealden also include a large number of sites of archaeological interest<sup>127</sup>. Recent development-led archaeological work in the district has revealed new and important evidence for settlement development during the prehistoric, Romano-British, and subsequent periods.

**7.5** The historic environment in Wealden is facing challenges to its future, including the impacts of climate change and the potential for negative impacts from an increase in housing and employment development. This chapter sets out our strategy for protecting our local identity

<sup>127</sup> The NPPF identifies two categories of non-designated heritage assets of archaeological interest (1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (2) Other non-designated heritage assets of archaeological interest.

and heritage by addressing these challenges, thereby protecting and enhancing the historic environment, which plays such a key part in forming our local identity.

### **What you have previously told us?**

**7.6** As part of the Direction of Travel Consultation you told us that you were concerned with maintaining and protecting the historic environment. The benefits that a healthy historic environment can bring to the area, from tourism to an increase in property prices were raised. The biggest concern was the impact of new development on the historic environment and how to protect it whilst at the same time delivering growth.

**7.7** It was not just designated heritage assets that were considered important but also non-designated heritage assets, and the suggestion of producing a local list was made in the consultation. Other suggestions included ensuring that archaeology is sufficiently covered in future planning policy as well as being considered early in the plan-making and also planning application process. Another suggestion was made for us to consider introducing 'Areas of High Townscape Value', which denote areas of special character, which are not quite worthy of Conservation Area status, but nonetheless are special.

**7.8** There were some respondents who considered that whilst it is important to consider heritage assets, they should not prevent development coming forward. Also, that heritage assets and Conservation Areas in particular should be allowed to sympathetically evolve and that innovative and sympathetic development should be permitted. However, others raised concerns over the word innovative, and were of the opinion that it is often used to permit development that is out of context, with damaging impacts. A concern was also raised regarding contemporary design and that which may be considered as desirable and contemporary at one point in time could become an outdated eyesore at another. It was also raised that heritage may be sufficiently covered in national policy and that there may be no need for a local heritage policy. However, the majority of respondents favoured the development of a positive policy framework around the historic environment.

**7.9** The importance of Historic England was discussed and one respondent stated that policies should recognise their advice. Whilst perhaps outside of the realms of the historic environment policies in the Local Plan, several respondents felt that there was not enough publicity for the district's cultural assets, such as churches and historic villages and the tourism sector in the area, which often has a historical context and could be developed further.

**7.10** The policies within this chapter look to address the issues raised, striking the right balance between protecting the historic environment whilst also allowing positive change and allowing a degree of flexibility depending on the significance of the heritage asset and the proposed works.

### **The Conservation, Protection and Enhancement of the Historic Environment**

**7.11** The district's historic environment is a product of thousands of years of human activity and once lost is irreplaceable. Its uniqueness provides a backdrop to sustainable tourism, the local economy and investment and it connects people to places providing identity and a sense of place and belonging. It also unlocks our history to help explain why we are the way we are, why places are the way they are and confirming differences in cultural and historical diversity.

**7.12** The NPPF looks to local plans to set out a positive strategy for the conservation and enjoyment of the historic environment that includes recognising the desirability of sustaining

and enhancing the significance of heritage assets, considers the wider social, cultural, economic and environmental benefits that conservation of the historic environment can provide and the positive contribution to local character, distinctiveness and character of place that the historic environment can bring and that new development should make<sup>128</sup>.

**7.13** Planning Practice Guidance states that conservation is an active process of maintenance and managing change that requires a flexible and thoughtful approach<sup>129</sup>.

**7.14** The Council will therefore conserve, protect and enhance the significance, diversity, local character and distinctiveness of its historic environment, including heritage assets, settings and landscapes, through the positive management of development and through the management of change, for its future conservation and enjoyment. Our strategy for the historic environment seeks to ensure that development in the district is positively managed to continue to ensure the multiple benefits that derive from our historic environment for existing residents and visitors, whilst protecting and conserving the historic environment for future generations to enjoy. Policy HE1 sets out the criteria that anyone proposing development that could affect the historic environment must be able to demonstrate they have addressed, to satisfy the Council that the significance of Wealden's historic environment, including heritage assets and their settings and landscapes are protected and not diminished for future generations, thereby ultimately contributing to good design and sustainable development.

### Policy HE1: The Conservation, Protection and Enhancement of the Historic Environment

Development proposals affecting the historic environment will be required to demonstrate how they:

- a) Make a positive contribution to the character and distinctiveness of the historic environment of the local area by respecting historic plan form and reinforcing, conserving and/or enhancing special character taking into account factors including setting, historical context, urban grain and layout, plot sizes, the public realm, boundary treatment, building lines, roofscapes, trees, hedges, green space, landscaping, the mix of building types and uses, siting, scale, height, massing, appearance, traditional vernacular materials and finishes, and historic architectural detailing including windows and shop fronts;
- b) Ensure the significance of the heritage asset and its setting is understood and used at an early stage to inform development proposals in order to avoid or minimise harm, ensuring that heritage is at the heart of place-making;
- c) Have considered, and positively addressed the cumulative impact of incremental change from development on the significance of heritage assets;
- d) Preserve, and ensure clear legibility of and hierarchy of, locally distinctive vernacular building forms / groups of traditional vernacular buildings and their settings, features, fabric and materials whether within urban or rural areas or within historic farmstead complexes;

128 DLUHC (2023) NPPF Paragraph 190. Available at [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_Sept\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf)

129 DLUHC (2019) NPPG Paragraph: 002 Reference ID: 18a-002-20190723. Available at: [www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment](https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment)

- e) Have identified and fully incorporated opportunities to better reveal the significance of the historic environment, through protecting the setting of settlements, important views between historic settlements and across the landscape;
- f) Ensure that the impact of traffic, parking or other environmental matters such as lighting and noise are considered at an early stage to avoid harm to the historic environment;
- g) Reflect the current good practice advice and research produced by Historic England; and
- h) Ensure that appropriate archaeological research and investigation (including above ground archaeology, such as buildings) is undertaken at an early stage to understand significance and inform the design process.

### Supporting text

**7.15** The strategic policy aims to ensure that heritage is firmly at the heart of place-making and considered early in the design process, not as an afterthought. Any potential impacts on the historic environment need to be considered early so that they can be minimised or avoided. Any archaeological research and investigation that is necessary also needs to be carried out at an early stage in order to inform the design process, this includes any investigative work on above ground archaeology such as buildings. The policy clarifies that above ground archaeology includes buildings as this is something that is often forgotten or misunderstood. The cumulative impact of incremental small-scale change on the significance of heritage assets can have as great an effect as a larger scale change<sup>130</sup> and again, needs to be considered early in the design process.

**7.16** Historic England is a public body sponsored by the Department for Digital, Culture, Media and Sport (DCMS) and is the government's statutory advisor on the historic environment. They have produced an extensive range of advice, from Good Practice Advice to Historic England Advice Notes and more detailed technical guidance. Applicants should be able to demonstrate that they have taken this advice into account in their proposals.

### Question 36

#### Consultation Questions

- a) Do you agree with draft policy HE1: The Conservation, Protection and Enhancement of the Historic Environment?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

130 Historic England (2015) Managing Significance in Decision-Taking in the Historic Environment. Historic Environment Good Practice Advice in Planning: 2. Available at: [historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/](https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2/)

## Heritage Assets

**7.17** The NPPF recognises that heritage assets are *'an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations'*. It explains that heritage assets vary in their significance, from buildings of local historic value to those of the highest significance. Significance is defined in planning practice guidance as *'the value of a heritage asset to this and future generations because of its heritage interest'*. In the planning context, heritage interest can be archaeological, architectural and, artistic or historic<sup>131</sup>.

**7.18** The setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and can change over time. The importance of setting lies in what it contributes to in relation to the significance of the heritage asset or to the ability to appreciate that significance.

**7.19** Designated heritage assets are those assets which are considered significant enough to be designated under the relevant legislation. As relevant to Wealden, they include Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas. Any harm to, or loss of significance of a designated heritage asset will require clear and convincing justification. Substantial harm to or loss of grade II listed buildings or grade II listed Registered Parks and Gardens in the district should be exceptional, and in the case of scheduled monuments, grade I and II\* listed buildings and grade I and II\* Registered Parks and Gardens wholly exceptional<sup>132</sup>.

**7.20** Non-designated heritage assets are defined in the Planning Practice Guidance as *'buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions due to their local heritage value but which do not meet the criteria for designated heritage assets'*. They include unlisted buildings, structures or parks and gardens identified as having heritage interest locally. The biggest challenge with non-designated heritage assets is ensuring they are recognised as such. Non-designated heritage assets can be identified in the Conservation Area Character Appraisal documents, Neighbourhood Plans, a local list and also as part of the decision-making process on planning applications. Therefore, it is not solely buildings that are on a local list that can be considered non-designated heritage assets.

**7.21** It is the Council's intention that in the future it will produce and maintain a local list of locally designated heritage assets, which will be available for the public to access. The Council will make public the selection criteria used to compile the local list in Wealden. In the meantime, Neighbourhood Plans often contain a local list as relevant to a particular Parish.

**7.22** An inappropriate change of use of a heritage asset has the potential to result in long-lasting damage. For example, with the conversion of agricultural buildings in Wealden there are often issues around the inappropriate design detailing and poor use of materials proposed in applications, which if approved as submitted could result in harm to the heritage asset.

131 DLUHC (2019) NPPG Paragraph: 006 Reference ID: 18a-006-20190723. Available at: [www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#overview-historic-environment](http://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#overview-historic-environment)

132 DLUHC (2023) NPPF, paragraph 200. Available at: [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_Sept\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf)

**7.23** It is a common misconception that heritage assets are not energy efficient and that it is very difficult to improve their performance without radical works. Historic buildings are generally highly 'sustainable' having usually been built of local, natural materials with a low inherent carbon footprint. Also, many historic settlements incorporate mixed-uses and high densities, providing a 'model of sustainable development'<sup>133</sup>. The removal and replacement of traditional buildings and materials would likely use more energy and resources than retention and repair using traditional, local materials.

**7.24** Notwithstanding the above, integrating renewable energy technologies and energy saving measures into historic buildings can be difficult because of their visual and physical impact. Historic England have produced advice on the 'whole building approach'<sup>134</sup> which uses an understanding of a building in its context to find balanced solutions that save energy, whilst sustaining heritage significance and maintaining a comfortable indoor environment. As with any other application affecting a heritage asset, an assessment of significance is critical to understanding any potential harm. Ultimately a balance will need to be reached between protecting significance and improving energy performance.

**7.25** In accordance with the NPPF and to support the positive strategy for the historic environment, when assessing development proposals, the Council will pro-actively conserve and enhance heritage assets throughout the district. This may not be those formally designated or listed it may also include heritage assets identified locally that are important in the context of history, cultural identity or landscape.

## Policy HE2: Heritage Assets

1. Proposals that seek to safeguard, conserve and enhance the significance of heritage assets (including non-designated heritage assets), their historic function and their setting, making a positive contribution to local character and distinctiveness will be supported.

### Heritage Statement

2. Any development affecting a heritage asset (both designated and non-designated) and /or its setting must demonstrate sufficient understanding of the significance of the heritage asset and / or its setting through the provision of a heritage statement which provides detail proportionate to the importance of the heritage asset.
3. The heritage statement must demonstrate how this understanding of significance has informed the principles of the proposal and the potential impact of the proposal on the heritage asset and why the works proposed are desirable or necessary. As a minimum, the historic environment record should be consulted in order to inform the heritage statement and the heritage assets assessed using the appropriate expertise where necessary.

133 Historic England (2008) Conservation Principles. Policies and Guidance for the Sustainable Management of the Historic Environment. Available at: [historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesandguidanceapril08web/](https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesandguidanceapril08web/)

134 Historic England (2018) Energy Efficiency and Historic Buildings. How to improve Energy Efficiency. Available at: [historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/#:~:text=This%20%27whole%20building%20approach%27%20ensures,parties%20involved%20in%20the%20process.](https://historicengland.org.uk/images-books/publications/eehb-how-to-improve-energy-efficiency/heag094-how-to-improve-energy-efficiency/#:~:text=This%20%27whole%20building%20approach%27%20ensures,parties%20involved%20in%20the%20process.)

### Setting and views to and from Heritage Assets

4. Setting and views to and from heritage assets can form an important and integral part of their significance and development must be informed by an understanding of setting in accordance with current Historic England good practice advice including a consideration of where change may better reveal significance and where views are important and should be respected and protected.
5. The Council will support proposals that retain and enhance the setting of heritage assets subject to other policies in the Local Plan. Development that would demonstrably harm the significance of the heritage asset through development within its setting will normally be resisted.

### Change of use of Heritage Assets

6. The change of use of heritage assets, including buildings in Conservation Areas, will only be permitted where the proposed use is considered to be the optimum viable use that is compatible with the significance of the heritage asset, its features and setting and will secure the long-term sustainable future of the heritage asset as well as its conservation and enhancement. Development affecting a heritage asset should not compromise future restoration opportunities.

### Energy efficiency & Sustainability of Heritage Assets

7. Proposals affecting heritage assets that seek to install energy efficiency improvements or improve environmental sustainability will be supported where it can be demonstrated that the proposed measures take a 'whole building approach' and are suitable for the asset, and informed by an understanding of their specific performance, including construction and materials. The suitability of improvements will need to be weighed against the significance of the asset and / or its setting, or any features of special architectural / heritage interest that may be impacted.

### Loss of Heritage Assets

8. There is a general presumption in favour of the preservation of heritage assets. Where the loss of a heritage asset is proposed, for example partial or complete demolition of a Listed Building or key unlisted buildings within a Conservation Area (either as identified in the Conservation Area Appraisal or as arises in the planning process), or an identified non-designated heritage asset, consent or permission will only be granted where:
  - a) There is clear justification and evidence that all reasonable efforts have been made to sustain the existing use and find alternative uses. Evidence must include (as applicable) a structural report, evidence of redundancy, attempts to market the building to a new user over an 18 month period and a viability report.
  - b) Any replacement buildings are of a sufficient quality to make the same or an enhanced contribution to the character or appearance of the area;
  - c) There is robust evidence that the development will be progressed in a timely manner following demolition. This may be subject to a legal agreement.



9. The Council will expect the applicant to fully meet the requirements set out in the NPPF, having regard to the significance of the heritage asset affected.
10. Where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to secure a programme of recording and analysis of that asset and archaeological excavation where relevant and ensure that the information is recorded to an appropriate standard and submitted to the East Sussex Historic Environment Record.

#### Designated Heritage Assets

11. Proposals that result in any harm to, or loss of significance of a designated heritage asset or its setting will require clear and convincing justification to demonstrate that the harm or loss proposed will be outweighed by the public benefits of the proposal.
12. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, it will only be supported where it can be demonstrated that there are heritage benefits and that the harm can be weighed against the public benefits including securing the optimum viable use of the heritage asset.
13. Substantial harm to, or loss of significance of a designated heritage asset will only be permitted in exceptional circumstances. Where substantial harm to a designated heritage asset or its setting cannot be avoided, consent or permission will only be granted where it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm and:
  - a) The applicant has made every effort to avoid and mitigate the extent of harm to the significance of the designated heritage asset or its setting;
  - b) That the works proposed are the minimum required to secure the designated heritage asset in the long-term and represent the optimum viable use;
  - c) The asset features that contribute to its heritage significance and interest are retained; and
  - d) Materials used for alterations, replacement features and repairs are consistent with those originally used or typical of the character of the local area and are compatible with/ in the interests of the long-term preservation of the heritage asset.

#### Non-designated heritage assets

14. Proposals will be supported where a positive commitment is made to retain a non-designated heritage asset and its architectural and design features are considered positively and retained. Due regard will be required to the developments impact on the asset's significance and its conservation.

## Supporting Text

**7.26** Proposed development affecting a heritage asset or its setting is assessed against the impact that such works will have on its significance therefore the proposal must be informed by an understanding of that significance. This understanding of significance is therefore crucial to determining any application affecting a heritage asset. The NPPF confirms that *'local planning*

*authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting*'. Where a development would affect a heritage asset and/or its setting, a heritage statement should be submitted with the application. Whilst heritage statements should be proportionate according to the significance of the heritage asset and the level of works involved, there is a minimum level of information and research required from the applicant so that the planning officer and their advisors are able to clearly identify heritage impacts – whether neutral, beneficial or harmful - and make an informed decision.

**7.27** In order to assess significance it is necessary to develop an understanding of the history of the heritage asset in terms of its development, use and context<sup>135</sup>. In most cases, a level of research and/or analysis will be required and will often also include understanding of their fabric and construction. The East Sussex Historic Environment Record (ESHER), maintained by East Sussex County Council, is a key source of information that can inform the understanding of significance and is the minimum that should be consulted when preparing a heritage statement. Applicants can either carry out the research themselves or pay for a HER Consultation Report.

**7.28** Conservation Area Character Appraisals<sup>136</sup> are also part of the evidence base and will assist in informing significance, local distinctiveness and specific issues. Other sources of information include the Heritage Gateway, the Historic England Archive, The Keep, local history societies and museums, as well as specific information relevant to Wealden for example the High Weald Management Plan and Housing Design Guide and the National and Local Landscape Characterisation and Sensitivity Studies. Other guidance as relevant should also be considered. In many cases there will be no alternative to using a conservation professional to assess significance and demonstrate how an understanding of significance has informed the principles of the proposal, to determine the impact on the heritage asset and to explain why the works proposed are desirable or necessary.

**7.29** Policy HE2 confirms that where development may affect the setting of a heritage asset, the detailed Historic England guidance on the setting of heritage assets<sup>137</sup> should be used to provide an assessment of impact as a series of steps to demonstrate the capacity for the setting to accommodate change without harm to the heritage asset's significance and to demonstrate where change may better reveal significance.

**7.30** This policy explains that the change of use of heritage assets will only be permitted where the proposed use is considered to be the optimum viable use. The Planning Practice Guidance explains that if there is only one viable use then that use is the optimum viable use but *'if there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes'*.

**7.31** Applicants are encouraged to consider not just the immediate impact of proposed works on the heritage asset but also any future implications of the works. Development affecting a

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135 Further advice can be found in Historic England (2019) Statements of Heritage Significance: Analysing Significance in Heritage Assets. Historic England Advice Note 12. Available at: [historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/](https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/)

136 Wealden District Council Conservation Area Character Appraisals. Available at: [www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/](http://www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/)

137 Historic England (2017) The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning Note 3 (Second Edition). Available at: [historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/](https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/)

heritage asset should not compromise future restoration opportunities for that heritage asset because of a lack of forethought.

**7.32** In relation to loss or partial loss of a heritage asset the Council will require evidence to justify the works such as a structural report, evidence of redundancy and attempts to market the building to a new user over 18 months. Where a development is acceptable, the Council will also require robust evidence that the development will be progressed in a timely manner following demolition. This may be subject to a legal agreement to ensure that this is the case. The Council will also require that any replacement buildings are of sufficient quality to make the same or an enhanced contribution to the character or appearance of the area.

**7.33** In addition, where a proposal would result in the partial or total loss of a heritage asset or its setting, the applicant will be required to secure a programme of recording and analysis of that asset and archaeological excavation where relevant and ensure that the information is recorded to an appropriate standard and submitted to the East Sussex Historic Environment Record.

**7.34** Where potential harm to designated heritage assets is identified it is categorised in the NPPF as either less than substantial harm or substantial harm. In the case of less than substantial harm, it states that harm should be weighed against the public benefits<sup>138</sup> of the proposal, where appropriate securing its optimum viable use. In the case of substantial harm or loss it states that it will be necessary to achieve substantial public benefits that outweigh the harm or loss. Whether a proposal causes less than substantial or substantial harm is a judgement that the decision-maker has to make having regard to the particular circumstances of the case, the NPPF and existing Case Law. The harm is then balanced against the public benefits of the proposal.

**7.35** The NPPF requires Local Plans to set out a positive strategy for the conservation and enjoyment of the historic environment. The Heritage at Risk Register is a list of heritage assets deemed at risk of being lost as a result of neglect, decay or inappropriate development. It is updated and published by Historic England. In order to be included on the Register sites must be both assessed as being at risk and be designated<sup>139</sup>. Historic England work with partners such as the National Lottery Heritage Fund to support owners with funding and to try and find solutions. The Council will continue to work proactively with Historic England to reduce the number of heritage assets within Wealden that are on the Heritage at Risk Register and to identify new assets that would benefit from inclusion. For other buildings locally that are not eligible for inclusion on the Heritage at Risk Register e.g. Grade II Listed Buildings, then condition and/or environmental issues (such as flooding) will be factored into consideration of heritage benefits.

**7.36** In addition to the above the Council will seek to conserve and enhance designated heritage assets in a number of additional ways;

- Helping owners to maintain their heritage assets, for example permitting enabling development in certain circumstances

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138 Public benefits could be anything that delivers economic, social or environmental objectives NPPG (2019) Paragraph: 020 Reference ID: 18a-020-20190723. Available at: [www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment](http://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment)

139 Only certain Listed Buildings can be assessed as being at risk and included on the Register (1) Buildings or structures (grade I and II\* listed buildings nationally, grade II listed buildings in London, and structural scheduled monuments) (2) Places of worship (grade I, II\* and II listed buildings)

- Recognising heritage benefits related to securing the long-term survival of heritage assets within decision-making
- Supporting informed maintenance and proposals for repair
- Providing pre-application advice.
- The use of Article 4 Directions where necessary
- Use of statutory powers in certain circumstances.

**7.37** The NPPF is clear that '*the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application*' i.e. it is a material planning consideration. The weighting that can be given to the conservation of the heritage asset, within the assessment of the development proposals, will depend on the balance between the scale of harm or loss that will result from the development, and the significance of the asset. The setting of non-designated heritage assets is also a material consideration in planning decisions.

## Question 37

### Consultation Questions

- Do you agree with draft policy HE2: Heritage Assets?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

## Conservation Areas

**7.38** Conservation Areas are designated by Local Planning Authorities because of their special architectural or historic interest and because they possess a character or appearance which is worthy of preservation or enhancement. Before considering designating new Conservation Areas local authorities have to ensure that the area has sufficient architectural or historic interest to justify its designation.

**7.39** Within the plan area there are currently 33 Conservation Areas which were all designated by the Council in March 2017 as a result of a reappraisal of existing Conservation Areas and the identification of new Conservation Areas. Conservation Area Character Appraisals are detailed assessments that detail the special architectural or historic interest of each Conservation Area and detail its significance. The Council is currently drafting Character Appraisals for each Conservation Area in the District and an over-arching management strategy<sup>140</sup>. The appraisal outlines the elements which contribute to its character. It also assesses those issues having a negative impact on the character and appearance of the area. The management strategy will not only reinforce the positive character of the area but will also, according to Historic England, set out ways of 'avoiding, minimising and mitigating negative impacts identified as affecting the area'.

140 Completed Conservation Area Character Appraisals are available on the Council's website.

**7.40** Once an area is designated as a Conservation Area, additional controls are introduced in a bid to preserve and enhance the identified special historic character and interest i.e. control over works to trees, removal of more permitted development rights, and control over demolition of unlisted buildings<sup>141</sup>. One of the biggest threats to Conservation Areas is the gradual erosion of their special architectural or historic character through inappropriate development. Where erosion of character is found to be continuing despite designation, the Council can impose an Article 4 Direction, further restricting permitted development rights. Currently there is only one Article 4 Direction relating to a Conservation Area in place in Wealden, in Rotherfield<sup>142</sup>.

### Policy HE3: Conservation Areas

1. Proposals within or adjoining a Conservation Area will be supported where they:
  - a) preserve or enhance the existing architectural, historic character, townscape appearance, quality and setting of a designated Conservation Area;
  - b) take account of and respond to the relevant Conservation Area Character Appraisal and future management strategy when considering the design, scale, positioning, grouping, density and detailing of the development;
  - c) involve restoring original details, historic fabric or preserving or enhancing specific features of interest including landscaping features such as trees, walls, fences, green infrastructure and other special features that make a positive contribution to the character and appearance of a Conservation Area; and
  - d) use building materials and finishes that respect the area.
2. Subject to other policies in the Local Plan, buildings that make a negative or neutral contribution to a Conservation Area may be replaced or refurbished where this will result in a high-quality design and an enhancement to the character and appearance of the Conservation Area including replacement of shopfronts of inappropriate/poor design.
3. Inappropriate alterations to unlisted buildings that make a positive contribution to a Conservation Area, will be resisted.

### Supporting Text

**7.41** The Council will only support those proposals that can demonstrate that they will preserve or enhance the special character of a Conservation Area when considering design, scale and density of development and also building materials and finishes. Planning applications which directly or indirectly affect the significance of a Conservation Area should be informed by and respond to the Conservation Area Character Appraisals and any future Management Strategy. This will need to be demonstrated within the submission.

141 Wealden District Council webpage on extra planning controls in Conservation Areas. Available at: [www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/extra-planning-controls-in-conservation-areas/](http://www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/extra-planning-controls-in-conservation-areas/)

142 Wealden District Council webpage on the future management of Conservation Areas- Article 4 directions. This includes the Rotherfield Article 4 Designation. Available at: [www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/extra-planning-controls-in-conservation-areas/](http://www.wealden.gov.uk/planning-and-building-control/heritage/conservation-areas/extra-planning-controls-in-conservation-areas/)

**7.42** Proposals that involve restoring original details, historic fabric or preserving special features of interest that make a positive contribution to the character and appearance of a Conservation Area will be supported. Guidance on all of these areas can be found within the Conservation Area Character Appraisals.

**7.43** As described in policy HE4, inappropriate alterations to unlisted buildings that make a positive contribution to a Conservation Area will be resisted, but not all change within Conservation Areas is detrimental. The Council supports the replacement or refurbishment of buildings that make a negative or neutral contribution to a Conservation Area, for example if a building has been identified as such in a Conservation Area Character Appraisal. However, this replacement building or refurbishment must result in a high quality design and take the opportunity to enhance the character and appearance of the Conservation Area. Designs should make informed use of historic precedents, but this does not exclude innovation in design where it can enhance the character and appearance of the Conservation Area.

## Question 38

### Consultation Questions

- a) Do you agree with draft policy HE3 Conservation Areas?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Enabling Development

**7.44** In certain circumstances proposals for new development, which is not in compliance with local and/ or national policy, may be acceptable in order to secure the future conservation of a heritage asset. The NPPF states that 'local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies'. It is an exception to policy to ensure that the heritage asset is able to endure in the public's interest.

**7.45** Ideally the enabling development will not result in harm to the significance of the heritage asset or its setting, and 'well-designed enabling development will minimise potential adverse effects'<sup>143</sup> but it will be for the planning authority to assess whether the benefits of the enabling development outweigh the harm of departing from planning policy. When considering a scheme, the local authority will also have to consider the significance of the heritage asset, the nature of the policies to be breached and the severity. The NPPF is clear that where there is evidence

143 Historic England (2020) Enabling Development and Heritage Assets. Historic England Good Practice Advice in Planning Note 4. Available at: [historicengland.org.uk/images-books/publications/gpa4-enabling-development-heritage-assets/heag294-gpa4-enabling-development-and-heritage-assets/](https://historicengland.org.uk/images-books/publications/gpa4-enabling-development-heritage-assets/heag294-gpa4-enabling-development-and-heritage-assets/)

of deliberate neglect of or damage to a heritage asset then the deteriorated state of the heritage asset should not be taken into account in any decision.

### Policy HE4: Enabling Development

Enabling development that would ordinarily conflict with other planning policies, but which would secure the long-term future conservation of a heritage asset, and, where applicable, its continued use for a sympathetic purpose, will be supported only where the public benefit of securing the future of the heritage asset through such enabling development would decisively outweigh the harm of departing from the development plan or from national planning policies. Proposals for enabling development must demonstrate that:

- a) There is clear justification and evidence that there are no alternative ways of achieving the same outcome for the heritage asset including through sources of public and private investment;
- b) The enabling development would not materially harm the significance of the heritage asset or its setting;
- c) The enabling development is required to solve the conservation requirements of the heritage asset and is proportionate to the 'conservation deficit', the amount of enabling development being the minimum necessary to secure the future of the heritage asset; and
- d) The enabling development meets the requirements set out in Historic England Good Practice Advice and is accompanied by a costed conservation management plan, the conservation benefits to be secured under a S106 Planning Obligation.

### Supporting Text

**7.46** The harm done by enabling development is likely to be irreversible, therefore the applicant needs to be able to demonstrate that they have investigated all alternative ways of securing the asset, including sources of public and private investment.

**7.47** Conservation deficit is described by Historic England as 'the amount by which the cost of repair (and conversion to optimum viable use if appropriate) of a heritage asset exceeds its market value on completion of repair and conversion, allowing for all appropriate development costs'. Applicants should be able to demonstrate that the enabling development is required to solve the conservation needs of the heritage asset (not the financial needs of the present owner or to compensate for the price paid for the site) and should be the minimum required to address the conservation deficit and secure the future of the heritage asset.

**7.48** A costed conservation management plan should accompany any application for enabling development and will identify the correct level of conservation that will sustain the asset in the long term and justify the scale of enabling development proposed. To avoid development being carried out without the conservation benefits being achieved, the benefits will be secured using a S106 agreement.

## Question 39

### Consultation Questions

- a) Do you agree with draft policy HE4 Enabling Development?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Historic Parks and Gardens

**7.49** Historic Parks and Gardens are an important part of the heritage and environment of the District. There are those designed landscapes which are considered significant enough to be designated and included on the Register of Parks and Gardens of Special Historic Interest in England, compiled by Historic England, and there are those of local significance.

**7.50** Within Wealden there are 20 Registered Parks and Gardens which can be found on the National Register. Registered Parks and Gardens are awarded grades, similar to the Listed Building grading system. The purpose of Policy HE5 is to clarify further in what circumstances development affecting Historic Parks and gardens, both registered and unregistered, may be acceptable.

**7.51** Historic Parks and Gardens are comprised of a variety of features: the open space itself, views in and out, the planting, water features, built features and archaeological remains. Perhaps the biggest threat to them in Wealden is the pressure for new development within their setting, which may have a detrimental impact on their significance. Policy HE5 thus recognises the importance of conserving and enhancing the setting of these landscapes, including views to and from the parks and gardens.

**7.52** Being on the Register does not signify that the sites are open to the public. Given the benefits that access to these spaces could bring for the public, increased public access will be supported, where appropriate.

### Policy HE5: Historic Parks and Gardens

1. Development proposals affecting Historic Parks and Gardens on the national register or of local significance will be supported where they:
  - a) Maintain, conserve or enhance the special historic interest, significance, character and appearance and design and layout of these landscapes;
  - b) Conserve and enhance the setting of these landscapes including significant views to and from the park or garden;
  - c) Take opportunities to restore original features and increase public access where appropriate;



2. Proposals affecting Registered Parks and Gardens, must be able to demonstrate that any harm can be outweighed by public benefits commensurate to the level of harm arising.
3. Where proposals affect non designated Historic Parks and Gardens consideration will be given to the significance of the asset, the extent of impact on its significance, as well as the scale of any harm or loss to the asset as balanced against the public benefits that may result from the development proposal.

## Supporting text

**7.53** Registration is a material consideration when determining planning applications, signifying that local planning authorities have to consider the impact of the proposed works on the landscape's special character. The NPPF makes clear that substantial harm to or loss of Grade II Registered parks and gardens should be exceptional, to Grade I and II\* Registered Parks and Gardens should be wholly exceptional. Where proposals affect non-designated Historic Parks and Gardens of local significance, a balanced judgement will need to be made by the local authority concerning the level of harm or loss and the identified significance of the heritage asset.

## Question 40

### Consultation Questions

- a) Do you agree with draft policy HE5: Historic Parks and Gardens?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Archaeology

**7.54** The NPPF describes a heritage asset as having archaeological interest if '*it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point*'. The NPPF assigns three different types of sites with archaeological interest. Firstly, there are those designated as Scheduled Monuments and deemed of national importance. There are currently over one hundred in Wealden<sup>144</sup>. Secondly there are non-designated sites of archaeological interest '*which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets*'. Thirdly there are those that are non-designated heritage assets.

**7.55** The Planning Practice Guidance states that it is helpful if local plans note areas with potential for the discovery of non-designated heritage assets with archaeological interest. However, in East Sussex the known sites and areas of archaeological interest within the County

144 Historic England advanced search. Available at: [historicengland.org.uk/listing/the-list/advanced-search/](https://historicengland.org.uk/listing/the-list/advanced-search/)

are included within the Historic Environment Record as Archaeological Notification Areas (ANA) and can be viewed on the East Sussex County Council website<sup>145</sup>.

**7.56** As yet undiscovered archaeological remains, in particular below ground but also hidden within historic buildings and structures, can be found outside these ANAs. There is a common misconception that archaeology relates to below ground remains only, but buildings may also have archaeological interest as they hold evidence of past human activity and are a primary source of evidence about the substance and evolution of places and the people and cultures that made them.

### Policy HE6: Archaeology

1. Development proposals that would result in substantial harm to Scheduled Monuments and other important archaeological sites, including their setting, will not be permitted unless there are exceptional circumstances.
2. Where it is considered that a development could either directly or indirectly impact on a heritage asset with archaeological interest, development will only be permitted where it can be demonstrated that the proposal will not be harmful to the archaeological interest (significance) of the heritage asset or its setting. This includes direct impacts on designated sites e.g. Scheduled Monuments, indirect impacts on the setting of designated sites and impacts on sites of archaeological interest.
3. In some cases, where there is potential for impacts to heritage assets with archaeological interest, permission may be granted subject to a condition that no development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation. The Written Scheme of Investigation will be subject to approval by the local planning authority and should follow the Sussex Archaeological Standards, ESCC 2019, (or subsequent replacement).
4. Subject to other policies in the Local Plan, development proposals will be considered favourably where they:
  - a) Preserve, protect and / or enhance archaeological sites or remnants of such sites in situ, unless the Written Scheme of Investigation shows that the preservation of archaeological remains in situ is not justified.
  - b) Maximise opportunities to conserve, enhance and improve the accessibility and interpretation of archaeological sites, remains or features.
5. Where this is not possible or justified to preserve in situ, developers will be required to record any heritage assets to be lost (wholly or in part) by a suitable and approved archaeological body and in a manner proportionate to their importance and possible impact. This information must be submitted to the East Sussex Historic Environment Record including making this evidence (and any archive generated) publicly accessible. Developers will also be required to make satisfactory provision for the conservation and storage of any artefacts. Planning conditions/ a planning obligation may be used in order to secure these requirements.

145 ESCC website- Archaeological Notification Area Maps (ANAs) Available at: [www.eastsussex.gov.uk/environment/archaeology/heritage-planning](http://www.eastsussex.gov.uk/environment/archaeology/heritage-planning)

## Supporting Text

**7.57** As required by the Planning Practice Guidance, Wealden takes a proportionate response to decision making and sites of archaeological interest. All development proposals that involve excavation or groundworks within Archaeological Notification Areas or that will impact upon other areas of archaeological interest, including buildings with archaeological interest, should arrange for an initial consultation with the Historic Environment Record Officer at East Sussex County Council in order to assess the level of further work required. This may include

- A Historic Environment Record (HER) Report
- A desk based archaeological assessment (likely to be required on the majority of major applications and applications on sites where the significance of and/or potential for heritage assets to be impacted is high)
- A field assessment/ evaluation
- Archaeological Interpretative Surveys of Standing Buildings and Structures<sup>146</sup>.

**7.58** This initial consultation with the HER Officer and any further preliminary work needed should be carried out prior to submitting an application to Wealden (i.e. we should have it at the point of validation), in order that Planning Officers and their advisors, have all the available evidence when determining or commenting on the application.

**7.59** The conservation of an archaeological asset in its original location (preservation in situ), for example when a site is preserved as part of a development scheme, is the preferred approach where possible. When it is not possible the NPPF gives clear guidance that *'local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'*

**7.60** Where there is potential for impacts to heritage assets with archaeological interest, the Council may include a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI). A WSI sets out the methodology for the proposed archaeological works<sup>147</sup>.

### Question 41

#### Consultation Questions

- a) Do you agree or disagree with draft policy HE6 Archaeology?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

146 To be undertaken in accordance with the ESCC (2019) Sussex Standards for Historic Building Archaeology, or any subsequent guidance. Available at: [www.eastsussex.gov.uk/environment/archaeology/heritage-planning](http://www.eastsussex.gov.uk/environment/archaeology/heritage-planning)

147 which should follow the ESCC (2019) Sussex Archaeological Standards 2019 (or subsequent replacement). Available at: [www.eastsussex.gov.uk/environment/archaeology/heritage-planning](http://www.eastsussex.gov.uk/environment/archaeology/heritage-planning)



# 08

## Housing





# Housing

## Introduction

**8.1** Our vision for housing is to deliver high quality, well-designed and energy efficient new homes to meet local needs, as well as boost the provision of affordable and specialist homes, to ensure that there is suitable housing for everyone. Our vision also aims to deliver new homes in the most sustainable locations, providing the right homes in the right places to support people's daily needs as well as delivering attractive and locally distinctive places. This chapter sets out our preferred strategy for achieving this.

**8.2** The provision of homes to meet local needs is a national issue that is embedded in national planning policy. The provision of homes is also a local issue that we must address. Wealden, like many other places across the country, requires new, quality homes to be delivered to ensure that future generations are housed in genuinely affordable and suitable homes in their area. We therefore need to plan and prepare for this including ensuring that homes are designed to a high standard and are capable of being flexibly used by different groups and communities with specific needs, including older people, those with disabilities and families with children.

**8.3** We also need to provide policies to deliver other types of homes. This includes those people requiring affordable housing, older persons accommodation, travellers, or those wishing to commission or build their own homes. In short, we need to provide new, well-designed homes in suitable and sustainable locations of the right size, type and tenure.

**8.4** In addition, the rural areas are subject to increasing pressure to change. This relates to both development pressures from nearby urban settlements both within and outside the district, as well as changes to agriculture through the diversification of existing rural enterprises for alternative uses. The plan's vision is for new development to be attractive as well as respect our most valued rural landscapes, local distinctiveness, character, and our ecological assets, whilst continuing to balance the delivery of new homes in rural areas (particularly affordable homes). This chapter sets out our preferred strategy for achieving this also.

## What you have previously told us?

**8.5** As part of our Direction of Travel Consultation you told us that we should ensure that the right mix of homes is delivered within the district to support younger generations (first time buyers), families wishing to remain in rural villages and those older people who now wish to downsize. You also told us that we should be looking to support alternative methods of providing new homes, including self-build and custom build homes, as well as community led housing.

**8.6** There was also a general consensus that new homes could be built to a higher standard in terms of design, climate change mitigation, accessible/adaptable home standards, parking road widths and through the provision of private amenity space. There was also support for faster broadband connections to new homes given the changes to the ways of working through the Covid-19 pandemic. It was also noted that although there was genuine support for all of these higher standards, it was noted by some respondents, mainly developers, that this should be subject to financial viability testing in line with national planning policy.

**8.7** There was also support for maximising housing opportunities on brownfield sites, particularly within existing towns and villages. However, several respondents did suggest that there needed to be flexibility in any housing density policy, in order to reflect the local area's

characteristics, particularly given that local densities do inevitably vary from settlement to settlement within Wealden.

**8.8** In terms of affordable housing, it was clear that the vast majority of respondents were concerned with the delivery of affordable housing in the district and whether young, single, or older persons could genuinely afford such accommodation, particularly in the north of the district. It was noted that Community Led Housing schemes were supported and were seen as a significant provider of affordable housing, particularly in rural areas. It was also suggested that there should be flexibility incorporated into any policy on affordable housing based on financial viability, especially for smaller housing sites. There was very limited feedback on potential planning policies for Gypsies and Travellers, although there was support for the approach proposed. We have addressed all of these issues in our draft policies that are set out within this chapter.

**8.9** In terms of housing in rural areas, it was noted that there is a statutory duty to enhance and conserve the High Weald AONB. There was a relatively mixed response on the conversion of agricultural buildings for dwellings, with some respondents suggesting that new homes of this nature should be supported in the countryside, whilst others stating that there should be sufficient measures in place to refuse planning permission for inappropriate conversions.

**8.10** There was general support for more affordable accommodation for rural workers/students and apprentices (particularly in the north of the district) in order to allow them to work and live within the same local vicinity. There was also broad support for rural exception sites and having clear planning policy to support such opportunities to meet identified local needs, including allowing some market homes to help facilitate provision. It was also suggested that Community Land Trust (CLT) housing schemes could be a significant provider of affordable housing, particularly in rural areas.

## Housing Type and Mix

**8.11** Wealden District is required to appropriately plan for and meet the housing needs of current and future residents as part of its Local Plan. The NPPF confirms that in addition to establishing an overall local housing needs figure for the district, the Council should within this context, provide for the size, type and tenure of housing needed for different groups in the community and that this should be assessed and reflected in planning policies (this includes those who require affordable housing). Further information on this can be found within the Housing Needs' Background Paper.

**8.12** The Census for 2021 shows that there was a low level of 1-bedroom properties within Wealden that were owner-occupied (only 3.3%), with the vast majority of owner-occupied dwellings being over 3-bedrooms<sup>148</sup>. The opposite is true of social rented dwellings within the district, with 4+ bedroom properties in that tenure making up only 3.3% of the overall stock, with the remaining stock (1-, 2- and 3-bedroom properties) divided relatively evenly between 29.1% and 36.5% of the overall stock (2-bedrooms being the largest stock type proportionality). This is shown in the table below.

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148 36.3% of owner-occupied dwellings in Wealden as of the 2021 Census were 3-bedroom properties, whilst 36.8% of owner-occupied dwellings in Wealden were 4+bedroom properties.



**Table 9 Number of Bedrooms by Tenure in Wealden District for Dwelling Stock (Census 2021)**

	1-bedroom	2-bedrooms	3-bedrooms	4+bedrooms
Owner-Occupied	3.3%	23.6%	36.3%	36.8%
Social Rented	31.1%	36.5%	29.1%	3.3%
Private Rented	17.8%	39.9%	30.6%	11.7%

**8.13** The Census 2021 has released information on the number of bedrooms and tenure of dwellings in Wealden District separately that can be found below.

**Table 10 Number of Bedrooms in Wealden District for Current Dwelling Stock (Census 2021)**

	1-bedroom	2-bedrooms	3-bedrooms	4+bedrooms
Percentage of Dwelling Stock	7.6%	26.9%	34.9%	30.6%

**Table 11 Dwelling Stock by Tenure in Wealden District (Census 2021)**

	Owner-Occupied	Shared Ownership	Social Rented	Private Rented
Percentage of Dwelling Stock	77%	1.2%	8.4%	13.5%

**8.14** This latest Census 2021 information continues to show that the vast majority of dwellings in Wealden District are owner-occupied (with the majority of these dwellings being owned outright) with over 30% of the dwelling stock being 4-bedrooms or over.

**8.15** The Council's Local Housing Needs Assessment (LHNA) (August 2021) considered a range of factors which will influence demand for different types, tenures and sizes of homes. The assessment has recommended that a greater number of smaller sized dwellings are needed for market homes (predominately 2- or 3-bedroom homes) to meet the accommodation needs of newly forming family households in the district, as well as older households looking to downsize. It is noted that the LHNA, when assessing housing mix, was based upon the Census in 2011. The Council will seek to update our evidence in the LHNA on housing mix, including statistics from the 2021 census, to inform the Regulation 19 stage of the Local Plan.

**8.16** To support the Council's ambition of largely delivering 2- and 3-bedroom dwellings for new market homes in the district, Policy HO1 confirms that the smaller units (1-3 bedroom homes) provided are not capable of further subdivision due to their size and/or layout to create additional bedrooms. This is to ensure that 1-, 2- and 3-bedroom dwellings specifically are not constructed at a size that could become unaffordable for residents within the district, again, subject to the established character of the surrounding area.

**8.17** The LHNA also considered the housing mix for affordable homes (for rented and affordable ownership accommodation). The study considered a range of factors including the role that the affordable sector can play in delivering larger family homes, whilst releasing a supply of smaller properties for other households. The assessment also considered the limited flexibility in the provision of 1-bedroom affordable properties, particularly where there is a change in household circumstance that may mean that a 1-bedroom property is no longer suitable, which results in a higher turnover and management issues. However, it is known that there are several issues for Registered Providers in delivering 1-bedroom affordable homes including design, sustainability, and management issues and this will be considered further in the update to the LHNA to inform the Regulation 19 version of the Local Plan.

**8.18** Policy HO1 sets out the Council’s preferred housing type and mix for both market homes and affordable homes (rented and ownership) in Wealden. The Council’s LHNA determined that the size of both market housing and affordable housing needed in the district differ; therefore, separate housing mixes have been provided for each tenure.

**Policy HO1: Housing Type & Mix**

1. New housing developments, including affordable housing, will be expected to provide for a mix of dwelling size, type, price and tenures that meets the identified housing needs of the local area.
2. For all new development schemes for housing of at least 10 (net) or more dwellings, the Council expects the proposed housing scheme to maximise its potential contribution towards meeting the identified housing mix for market homes as set out below:

	<b>1-bedroom</b>	<b>2-bedrooms</b>	<b>3-bedrooms</b>	<b>4+ bedrooms</b>
Market	5%	30%	40%	25%

3. Affordable housing on large mixed tenure sites of at least 50 (net) dwellings (market and affordable units), including strategic allocations (unless otherwise stated in the Local Plan) should seek to contribute towards the following mix of bedroom sizes:

	<b>1-bedroom</b>	<b>2-bedrooms</b>	<b>3-bedrooms</b>	<b>4+ bedrooms</b>
Affordable housing (rented)	40%	30%	25%	5%
Affordable housing (ownership)	20%	40%	30%	10%

4. On sites smaller than 50 dwellings (net), the preference will continue to be for smaller affordable dwellings (rented or home ownership) of 3 bedrooms or less, unless otherwise specified by the Local Housing Authority through the planning application process, following a review of its housing register.
5. For both market and affordable homes, the housing mix of new developments should have regard to the Council's latest evidence base. However, other factors may be considered for the housing mix of specific schemes where such other factors are relevant. Therefore, the housing mix of new residential development (including mixed use schemes), where not covered by other strategic allocation policies within this local plan, will be considered against the following criteria as relevant to the scheme:
  - a) the established character and density of the area the proposal development is situated in (as evidenced in the Council's Urban Capacity and Density Study);
  - b) the viability of the scheme;
  - c) site specific constraints of the site associated with either brownfield land or conversions particularly; and
  - d) locally and robustly prepared evidence on housing mix, such as a 'Made' or referendum-stage Neighbourhood Plan or a local (parish) housing needs assessment.
6. If the proposed residential development fails to take opportunities to deliver a residential development that reflects the housing mix specified above, subject to the criteria above, then the residential scheme will not be supported.
7. For market homes, the Council will seek to ensure that the size of bedrooms for smaller homes (1-3 bedrooms) are not capable of further subdivision. Exceptions will only apply when a scheme or unit is designed to meet the needs of people with disabilities, or where this relates to the conversion of a designated heritage asset.

## Supporting Text

**8.19** Policy HO1 sets out the requirements for housing mix for both market homes and affordable homes in Wealden and this should be read and implemented in conjunction with Policy HO2 (Density) and Policy HO8 (Affordable Homes) for new residential schemes (including mixed use schemes). In circumstances where viability is an issue, then robust evidence demonstrating an alternative housing mix will be required. Policy HO1 therefore provides flexibility in the Council's preferred housing mix, but the above circumstances must demonstrably be proven to apply for individual schemes. The onus will be with the applicant to demonstrate this.

**8.20** The Council will consider the removal of permitted development rights to extend new 1, 2 and 3 bedroom homes to ensure that this smaller dwelling stock remains so in perpetuity.

## Question 42

### Consultation Questions

- a) Do you agree with draft Policy HO1 Housing Mix and Type?
- b) Is the housing mix required for both market and affordable homes in Wealden correct in our context? If not, is there evidence to support an alternative housing mix within the district? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Density

**8.21** Another crucial dimension of delivering new homes within the district is to ensure that new housing sites are provided at the right densities, whilst ensuring that local planning policies continue to promote the effective use of land. The NPPF confirms that planning policies should support development that makes the efficient use of land and this should account for the identified need for different types of housing and other forms of development; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed; the desirability of maintaining an area's prevailing character and setting; and the importance of securing well-designed, attractive and healthy places.

**8.22** The Council has commissioned an Urban Capacity and Density Study that has examined many of our major towns and villages that are subject to growth and has assessed different parts of these towns/villages for their prevailing character and density. This study has identified that outside of market town centres, the densities of existing settlements tend to be lower than other major towns outside of the district, with the majority of settlements achieving an average density of between 20-30 dwellings per hectare (dph). However, there are significant variations within towns and villages in Wealden, with certain smaller geographies around town centres achieving densities of up to 50-55 dph and other areas at the edge of villages/towns only achieving 10-20 dph.

**8.23** The lack of cohesiveness across the district or even within settlements themselves alongside the district's rural nature, provides a justification for our policy approach to not be prescriptive by assigning a specific density to the district as a whole or to specific settlements within the district. Instead, we seek to support all housing developments to make the most effective use of land in line with national planning policy and seek to optimise the use of land and potential of individual sites.

**8.24** Policy HO2 also considers the potential use of specific densities for strategic allocations within this Local Plan. These densities will consider the site characteristics, constraints and mix of uses on site, as well as the prevailing character within the vicinity of the area. However, for some strategic schemes, particularly for those sites that provide a different function or scale to the surrounding village/town, the Council is also considering whether such sites should create its own character, rather than to reflect an existing local character. This will be considered on a case-by-case basis and will be identified specifically for the next phase of the viability study that will be undertaken prior to submission of the Local Plan under Regulation 19.

## Policy HO2: Density

1. New housing developments must make the most effective use of land and seek to optimise the use of land and the potential of a site. The density of a development should be informed by the following:
  - a) the capacity of the site and the need to use land effectively;
  - b) the need to achieve high quality design that respects local character, including consideration of the Council's latest Urban Capacity and Density Study;
  - c) local circumstances and site constraints, including the required housing mix, the need to protect or enhance the local environment (including woodland), topography, heritage assets, as well as any important landscape, habitats and/or townscape features; and
  - d) the site's (or for strategic schemes, the relevant parts of the site) current and future level of accessibility to local services and facilities by walking, cycling and public transport.
2. Sites that have been allocated within this Local Plan may have a specific density requirement. Where applicable, strategic sites should seek to create their own character rather than trying to reflect or densify the existing local character.

## Supporting Text

**8.25** In terms of accessibility and the application of criteria d) of Policy HO2, each site will be considered on a case-by-case basis, but densities will, of course, be expected to be higher where the level of accessibility is higher. It should be noted that only the current level of accessibility to local services (i.e. shops, GPs, schools etc.) should be considered, unless a future piece of infrastructure is under construction, or is confirmed by the infrastructure provider to be certain (for example, improvements to a bus route, a new footpath etc).

**8.26** Policy CC1 (Net Zero Development Standards) of this Local Plan should be read alongside this policy on density as new developments should also utilise the landform, layout, building orientation, massing and landscaping to minimise energy consumption and maximise energy efficiency measures.

## Question 43

### Consultation Questions

- a) Do you agree with draft Policy HO2 Density?
- b) Is the Council's preferred approach of considering housing density on a case-by-case basis subject to the criteria listed the correct approach? Please explain your answer.

- c) Should this policy instead set out minimum density standards across the district? If so, what should this be? Please explain your answer.
- d) Should we change anything? If so, what should we change and why?
- e) Have we missed anything? If so, what have we missed and how should it be included?

## Brownfield Land

**8.27** The NPPF confirms that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. This is defined in the NPPF as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. Where possible and suitable, the Council will encourage the redevelopment and intensification of suitable brownfield land for housing development.

**8.28** The Council produces a Brownfield Land Register<sup>149</sup> each year and this provides a list of all brownfield sites that are considered suitable for housing development (with or without planning permission) at that time. The NPPF confirms that local planning authorities should take a proactive role in identifying and helping bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield land registers or held in public ownership, using the full range of powers available.

**8.29** There is typically a limited legacy of redundant brownfield land within the district, but support for the use of brownfield land within our most sustainable settlements will ensure the promotion of growth and change within our built-up areas, contribute to sustainable development and subsequently reduce the need to build on greenfield land over the plan period.

### Policy HO3: Brownfield Land

Housing developments must make the most effective use of land and seek to optimise the use of land. The development of brownfield land for housing will be supported within development boundaries of settlements defined within the 'settlement hierarchy' as sustainable, providing that the site is readily accessible by means of public footpath and in reasonable distance to that settlement.

## Supporting Text

**8.30** The Council will continue to safeguard employment land (Use Class B2, B8 and E(g)) due to the significant need for employment land in the district as described in the Employment and Economic Study for Eastbourne and Wealden (May 2022). This will mean that existing brownfield sites in employment use, including sites that were last in such a (lawful) use, must demonstrate that the site is genuinely redundant and there is no reasonable prospect of a continued use, as well as being supported by evidence of 18 months marketing campaign in

149 [Brownfield Land Register – December 2023](#)

line with Policy EC8: The Retention of Sites in Economic or Tourism Uses and Commercial Community Facilities.

## Question 44

### Consultation Questions

- a) Do you agree with draft Policy HO3 Brownfield Land?
- b) Should this policy consider supporting the redevelopment of 'brownfield sites' for housing in less sustainable locations (i.e. beyond development boundaries)? Please explain your answer.
- c) Have we missed anything that we should include in this policy, if so, what have we missed?
- d) Should we make changes to this policy? If so, what changes should we make?

## Small and Medium Sized Housing Sites

**8.31** The NPPF confirms that small and medium sized house builders can make an important contribution to meeting the housing requirement overall, as they often build out at speed. Smaller sites offer a number of benefits, including providing a greater diversity of sources, locations, type and mix of housing supply, including self-build and custom build homes, community led housing schemes and specialist accommodation. The delivery of small sites plays an important role in meeting overall housing need and national planning policy expects the local planning authority to identify, through the development plan and brownfield land registers, land to accommodate at least 10% of its housing requirement on sites no larger than one hectare, unless there are strong reasons that this cannot be achieved. This issue is considered in further detail within the Council's Housing Supply Background Paper.

**8.32** The Council aims through this Local Plan to meet as much of its housing need on smaller sites (under one hectare) as possible and Policy HO4 below provides the policy approach for supporting small and medium sized housing sites.

### Policy HO4: Small and Medium Sized Housing Sites

There are clear benefits of providing well-designed new homes on small and medium sized sites, up to 1 hectare of land, providing it meets the other relevant requirements of this Local Plan. Small and medium sized sites (under one hectare) that provide the following housing mix and types will be supported, subject to other policies in this plan, where they provide:

- a) a mix of smaller homes of 1-, 2- and 3-bedrooms;
- b) self-build and custom build homes;
- c) affordable housing; and
- d) specialist accommodation.

## Supporting Text

**8.33** There is no strict definition as to what constitutes a small to medium sized housing site, although paragraph 70 of the NPPF confirms that local planning authorities should identify, through the development plan and brownfield land registers, land to accommodate at least 10% of its housing requirement on sites no larger than one hectare. The Council will use this size (i.e. under one hectare) as to what constitutes a small or medium scale site, as this generally reflects a scale of development that would be brought forward by small and medium size housebuilders. Other policies in the plan will apply but specifically Policy SS1 Spatial Strategy for Wealden in respect to development boundaries, Policy HO3 Brownfield Land and Policy HO7 Rural Exception Sites to meet Local Housing Need.

### Question 45

#### Consultation Questions

- a) Do you agree with draft Policy HO4 Small and Medium Sized Housing Sites?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Self-Build and Custom-Build Homes

**8.34** Self-build and custom build housing helps to diversify the housing market and increase consumer choice. It is a specific community housing need that often goes beyond the considerations of type and tenure set out within the LHNA. There are a number of different forms of self-build and custom housebuilding, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals buy serviced plots or shells to commission their own homes, making key decisions along the way.

**8.35** The Self-Build and Custom Housebuilding Act 2015 (as amended) requires Council's to keep a self-build and custom housebuilding register. The register is for people or organisations who are interested in a self-build or custom build project and the register is used to understand the demand for this type of housing and the locations as to where this type of housing is required. The register is also used to inform local plan policies to ensure that sufficient serviced plots or land to meet the demand for self-build or custom housebuilding is provided in the area for the plan period.

**8.36** The LHNA concluded that as a first step, the Council should consider seeking to adopt a general 'encourage' policy for all new housing sites, but also to consider the delivery of self-build and custom-build plots on strategic sites. The Council's preferred approach is therefore to support all self-build and custom-build housing schemes, where compliant with other policies



within this Local Plan, and to define for larger sites, the level of self-build and custom-build plots needed.

**8.37** The LHNA identified on average, 26 individual entries onto Wealden's Self-Build and Custom-Build Register from the 31 October 2016 up to 30 October 2020, which gives an indication of the scale of future need. This represents a small need for this specific housing type representing approximately 2% of overall housing need within the district. Therefore, the Council's preferred approach is to allow the location of the plots to be dealt with through the housing market by way of 'windfall' planning applications predominately, although it is also recognised that larger strategic sites are capable and will be required to deliver some self-build or custom-build plots.

**8.38** The Council will also support small-scale self-build and custom housebuilding projects particularly for affordable homes through the development of Neighbourhood Development Plans, Community Land Trusts (CLTs) or through other sources.

### Policy HO5: Self-Build and Custom Housebuilding

1. The Council will support self-build and custom housebuilding schemes where this complies with all other relevant policy requirements in this Local Plan.
2. On sites of 20 dwellings (gross) or more, the provision of fully serviced plots for self-build and custom housebuilding should be made on site. At least 5% of the total dwellings should be made available for self-build and custom build plots, where this will not result in the over provision of this type of housing when considering the Council's supply / demand evidence. The onus will continue to be with the applicant to demonstrate that the self-build and custom-build plots are not required within the district based on the evidence on need for self-build and custom build plots within the plan period.
3. In terms of housing mix and size, the Council will support applicants for self-build and custom housebuilding in delivering new affordable (home ownership) and market homes in line with Policy HO1: Housing Type and Mix of this Local Plan. The Council will also strongly support self-build and custom housebuilding schemes that provide affordable homes and variation within the housing market, particularly when delivering smaller homes of 1-, 2- and 3- bedrooms including sites under the threshold of 10 units. The Council will expect self-build and custom build housing schemes to make the efficient use of land in line with Policy HO2: Density.
4. A design code will need to be agreed with the District Council. It will need to be followed for each plot and individual plot passports will also be required.
5. Where serviced plot(s) for self-build and custom-build housing have been sought as part of a strategic allocation within the Local Plan, or on sites of 20 dwellings (gross) or more, those plots must be prominently marketed for sale to self or custom builders for at least 12 months (or another period of time if mutually agreed between the two parties), at a reasonable price (this may be independently assessed through the Council) and if not sold, the plot(s) can return to the developer to be constructed as open market housing or in line with the terms set in a specific legal agreement.

## Supporting Text

**8.39** The Council acknowledges that there may be circumstances in which self-build and custom housebuilding plots remain unsold on specific sites. It is considered that a 12-month marketing period is a sufficient period to understand whether there is a market for the self-build and custom build homes in the locality. The Council, as part of this process, will also notify those registered on the self-build and custom build register, who have a particular interest in the parish where the site is located within to ensure that those registered have the opportunity to express an interest in plots as they become available.

**8.40** The mechanism for securing self-build and custom build plots is the planning obligation that will outline the number of self-build and custom-build plots required, and the stages needed to revert self-build and custom build plots back to market housing. It should be noted that both the marketing exercise and the 'reasonable' price that the plots will be sold for, may be independently assessed through the Council and the costs for the Council's independent assessment should be paid for by the applicant.

### Question 46

#### Consultation Questions

- a) Do you agree with draft Policy HO5 Self-Build and Custom Housebuilding?
- b) Should the policy set the threshold to require self-build and custom build plots above or below 20 dwellings (gross)? What should the threshold be? Please explain your answer.
- c) Should the marketing period for the sale of self-build and custom build housing plots be at least 12 months or should this be a longer period (i.e. 18 months)? Please explain your answer.
- d) Should we change anything? If so, what should we change and why?
- e) Have we missed anything? If so, what have we missed and how should it be included?

## The Subdivision of Existing Dwellings and Houses in Multiple Occupancy (HMOs) Houses in Multiple Occupation (HMO)

**8.41** In practice, the Housing Act (2004) confirms that a building, or part of a building is an HMO if it meets one of the following criteria:

- Any building in which two or more households share basic amenities (or the lack of an amenity) such as a bathroom, toilet, or cooking facilities; or
- Any flat in which two or more households share basic amenities; or

- Any converted building which comprises of one or more units of accommodation that are not self-contained; or
- Any converted building which comprises of self-contained flats and the standard of conversion does not meet the 1991 Building Regulation Standards and more than one third of the flats are occupied on short tenancies.

**8.42** As the affordability of housing continues to worsen within Wealden District, HMOs are becoming an ever increasingly popular form of accommodation for those who are unable to afford their own home. These forms of housing are particularly popular for younger, single and low-income individuals.

**8.43** The Council's LHNA has identified that there is a growing number of one person households in the district who are seeking smaller forms of accommodation. The LHNA has also identified that the district's existing housing stock is unbalanced, with many large 4+ bedroom dwellings that will not meet the district's changing housing need across the plan period for smaller homes. The Council will therefore support proposals for HMOs, thereby helping to diversify the existing housing stock and meet the changing housing needs of the district.

### Subdivision of Existing Dwellings

**8.44** There is a substantial legacy of larger residential properties within Wealden District, especially in rural locations that are too large for a single-family occupation, and these often have intrinsic heritage interest (designated or non-designated) and tend to be well integrated within the landscape and thereby their retention is normally encouraged. The NPPF confirms that planning policies should avoid the development of isolated homes in the countryside unless the development would involve the subdivision of an existing residential building (amongst other exceptions).

**8.45** However, there is still national planning policy support for this specific type of development (i.e. the conversion/subdivision of the existing residential dwelling into smaller dwellings) within the countryside.

**8.46** The following policy sets out the criteria which will be considered when determining planning applications for new HMOs and the subdivision of existing dwelling houses.

## Policy HO6: Houses in Multiple Occupancy (HMOs) and Subdivision of Existing Dwellings

### Houses in Multiple Occupancy (HMO)

1. Proposals for the development of, and change of use of an existing property to a House in Multiple Occupation (HMOs) that requires planning permission will normally be permitted, provided that the development:
  - a) includes satisfactory storage areas for refuse and recycling, cycle storage, a suitable vehicular access and adequate car parking spaces on site;
  - b) is in keeping with the character of the locality, having regard to the appearance and general design of the original building and surrounding area; and
  - c) demonstrates that the residential amenity of existing residents and future occupiers has been considered in relation to privacy, noise, light, outlook and usable outdoor

amenity space and would not result in harmful visual amenity impact on existing residents and/or the surrounding area due to the construction of physical structures associated with the proposal.

#### Subdivision of Existing Dwellings

2. Outside of development boundaries, as defined on the Policies Map, the conversion and subdivision of larger residential property into smaller dwelling units, would be supported provided it meets all of the criteria above, and provided that the development:
  - d) does not involve the creation of a large number of dwellings, with associated increases in activity, that would detrimentally harm the rural character of the area; and
  - e) does not require a significant extension or alteration to the existing residential property, in order to maintain the visual integrity and character of the building.

### Supporting Text

**8.47** All proposals for the subdivision of an existing dwelling to create additional dwellings should demonstrate that the internal layout of the additional individual dwellings continues to meet the space standards as set out in Policy HO13 (Internal Residential Space Standards for New Dwellings).

**8.48** Given the concerns relating to the standard of accommodation of some HMOs, proposals for the internal and external design of the dwelling will be required to ensure the standard of living of current and future occupiers has been carefully considered. This will help to ensure that more vulnerable members of the district's population benefit from a good standard of accommodation. Proposals for the development of and change of use of an existing property to an HMO should meet the Wealden District Council adopted HMO standards<sup>150</sup>, or any adopted standards thereafter.

### Question 47

#### Consultation Questions

- a) Do you agree with draft Policy HO6 Houses in Multiple Occupancy (HMO) and Subdivision of Existing Dwellings?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

150 [Wealden District Council Prescribed Standards for Houses in Multiple Occupation, 2018](#)

## Rural Exception Sites

**8.49** A rural exception site is defined in the NPPF as a small site used for affordable housing in perpetuity where sites would not normally be used for housing. The NPPF supports a flexible approach for housing in rural areas to ensure that we can be responsive to local circumstances and to support housing developments that reflect local needs.

**8.50** Whilst housing in rural areas is not normally permitted, given that such areas are located outside development boundaries and are areas of development restraint, the Council recognises that some residents in our rural areas may require affordable housing to remain in their locality. Therefore, and in accordance with the NPPF, a rural exception policy is considered necessary within the local plan to deliver affordable housing in our rural areas, where it is suitable to do so, to address local housing need and to help sustain rural communities. Such housing must be of a type that addresses local need and must remain affordable in perpetuity. To achieve this, occupiers should be prevented from being able to own dwellings outright on rural exception sites and this will be secured through a legal agreement.

**8.51** Rural exception sites are normally brought forward by a Registered Provider or can be brought forward by a CLT. It will be important in the first instance for any provider to liaise with the town or parish council to ensure that a scheme is supported. A key factor in applying for planning permission for a rural exception site will be the provision of a robust local needs survey for the Parish.

**8.52** The methodology of the Local Housing Needs Survey for the Parish will need to be agreed with the District Council's housing department. The housing needs survey of a 'made' neighbourhood development plan for that Parish area may be appropriate to use if it is up-to-date and reflects the current position of the Council's Housing Needs Assessment and its methodological approach. At a minimum, surveys should establish the quantum and tenure characteristics of local need (both for affordable and market housing), site location options and constraints, available parish facilities and occupancy requirements of the affordable housing.

## Delivery of Sites to Meet Local Needs

**8.53** The expectation is that the delivery of rural exception sites will not require any cross subsidy from the market. However, with government funding being reduced to Registered Providers in recent years, alongside the NPPF that suggests a flexible approach to ensure delivery, there may be circumstances where cross subsidy may be required to bring rural exception sites forward. In order to control sporadic housing development in the countryside and to ensure that the main aim of the policy is delivered, the Council will ensure that only the minimum amount of open market housing is provided and that there is an overriding planning benefit from its delivery.

## Policy HO7: Rural Exception Sites to Meet Local Housing Need

1. Proposals will be supported for housing that meets local needs within or adjoining rural settlements (i.e. settlements that are defined as types 5 and 6 in the settlement hierarchy) providing all of the below criteria is met.
2.
  - a) The need for affordable housing is clearly evidenced in an up-to-date and robust local housing needs survey that demonstrates that there is an imperative need for affordable housing;
  - b) The size, type, tenure, mix and price of the affordable dwellings reflects the required local housing need. The development is well designed and would relate well to the existing physical form of the settlement;
  - c) The development needs to be reasonably well located in relation to an existing settlement and provide appropriate footpaths to ensure that safe access for all can be achieved to local services and public transport;
  - d) The development would not result in any adverse impacts on the character of the area, heritage, landscape or the amenity of adjoining properties for the lifetime of the development;
  - e) Where market housing is deemed to be required to deliver affordable housing, then the market housing should be comparable in design to the affordable housing proposed on site in terms of its scale and the number of bedrooms.
2. In all cases, planning permission will be subject to a legal agreement to ensure that the affordable housing accommodation remains available to meet local housing needs in perpetuity.
3. Proposals which promote market housing will not be supported unless it is verified by an independent financial appraisal that market housing is required to deliver the affordable element of the scheme. Where a viability case is justified, the Council will accept the minimum enabling amount of market housing only to ensure that affordable homes is the primary use. This will be subject to an independent assessment by the Council's appointed consultant, of which, the costs will be paid for by the applicant. Market housing will be required to demonstrate that it meets the parishes local market housing need.

### Supporting Text

**8.54** The Council will utilise legal agreements to ensure that rural exception sites remain affordable in perpetuity. The legal agreement will also ensure that residents with a local connection to the area are granted the highest priority in terms of occupying the available dwellings. A local connection is currently defined by meeting one of the following definitions set out within the latest adopted Council's Housing Allocations Policy<sup>151</sup>. It should be noted that the criteria may be subject to change in the future, in which case the latest adopted Housing Allocations Policy will apply.

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151 [Housing Allocations Policy](#)

**8.55** In assessing the scale and extent of any proposed local housing needs, account should also be taken of affordable housing already planned for in the parish and adjacent parishes, which will include existing sites with planning permission and sites allocated for housing within this Local Plan. The onus will be with the applicant to prove that the affordable housing is genuinely required in that Parish and cannot be met locally by other sites in that Parish or adjacent Parishes.

**8.56** The Council will also support other forms of affordable housing schemes on Rural Exceptions Sites, including specialist housing for older and vulnerable people providing it also meets the criteria set out in Policy HO11 Specialist Housing for Older and Vulnerable People, as well as other policies of this Local Plan.

## Question 48

### Consultation Questions

- a) Do you agree with draft Policy HO7 Rural Exceptions Sites to meet Local Housing Need?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Affordable Housing and Housing for Specific Groups

**8.57** The NPPF outlines at paragraph 64 that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect to be on-site. This is a key priority for the Council with the 'Housing Strategy 2020-2025' confirming that the key priorities for the Council are increasing housing supply and improving housing quality, including increasing the supply and quality of affordable homes.

### Types of Affordable Homes

**8.58** Policy HO8 sets out the tenure mix which, proposals involving affordable housing provision are expected to provide on-site. Affordable housing can be split into two main tenures. This includes affordable housing to rent, which can be either 'social rent' or 'affordable rent' that is a priority of the Council. The other main tenure is affordable home ownership products (i.e. First Homes and Shared Ownership amongst other types of products), which are collectively known as 'intermediate housing'. These products provide routes to home ownership for those who cannot afford home ownership through the open market. Some of the main affordable housing tenures are defined within the glossary to this Local Plan.

## Affordable Housing Need

**8.59** The median price of a residential property within Wealden District (£390,000) is significantly higher than the national average (£290,000)<sup>152</sup>, whilst wages in Wealden are relatively low in comparison. Affordability has therefore significantly deteriorated in Wealden and as of 2022, the median house price in Wealden was 13.25 times median earnings, which is higher than across the southeast region (10.75) and across England (8.28). As such, many residents of Wealden, particularly the younger demographic, are struggling to find suitable accommodation within the district to buy or rent. The LHNA suggests that overall, around half of newly forming households in Wealden are unable to afford market housing to buy (or to rent privately). Many of our residents, mainly younger people, are therefore leaving the district for other parts of the southeast (and further afield) to find work and lower cost homes to purchase and/or rent, taking with them many of the skills required to support local employment and resulting in a less diverse district.

**8.60** In line with the above statistics, the Council's LHNA identified that the district has a significant affordable housing need of 854 dwellings per annum (dpa). This is formed of 519 dpa required for social/affordable rented housing tenure and 335 dpa required to be affordable home ownership tenure (i.e. First Homes, Shared Ownership, discounted market sale etc.). This equates to a significant affordable housing need (against the local housing need calculated under the 'standard method' of 1,200 dpa) of around 71%. Therefore, there is a significant need for affordable housing in the district, with our affordable housing need being greater than what we will realistically be able to deliver.

## Affordable Housing and Viability

**8.61** The initial Wealden Local Plan Viability Assessment has tested a number of viability scenarios with differing thresholds and tenure splits (including the provision of First Homes) in order to determine the most appropriate and desirable levels of affordable housing within the district from a viability perspective. The study at this stage confirms that those appraisals do not point towards any particular level of affordable housing that most schemes can viably deliver. The study has therefore recommended that the existing 35% affordable housing target should be retained, with some flexibility in exceptional circumstances to be applied taking into account site-specific circumstances. This may include any abnormal costs that the applicant could not expect to be accounted for in the initial purchase of the land. The Council will seek to update our evidence on viability to inform the Regulation 19 stage of the Local Plan. This viability evidence at the Regulation 19 stage will consider whether there is evidence to support increasing affordable housing delivery as a priority of this Local Plan.

**8.62** For both older persons accommodation and for affordable housing contributions on permanent residential caravan parks, it is noted in the viability assessment that those schemes can also yield affordable housing contributions. The study has recommended that the same target be used for all types of residential development in Use Classes C2 and C3 (with contributions for residential caravan parks being in the form of commuted sums).

**8.63** In terms of viability, the Council expects that applicants will have factored in the Council's housing policies (especially on housing mix and space standards), the Council's other policy requirements set out elsewhere in this local plan, including those that relate to the site context specifically, CIL and any planning obligations that are necessary for the development to come

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152 Prices are correct to the year ending March 2023.



forward, when determining the price paid (or to be paid) for land for residential development. As part of any viability assessment, the onus will be on the applicant to demonstrate that the correct land value was paid for the land, given the adopted and emerging local planning policies known at that time.

**8.64** Whilst the Council will of course consider proposals for the provision of affordable housing at a higher rate than Policy HO8, the Council will need to be satisfied that the agreed approach (particularly if affordable housing on a site is over 50%) contributes to the objective of creating mixed and balanced communities. In addition, the Council will need to ensure that new housing proposals continue to support the provision of much needed infrastructure within the district, via CIL and/or Section 106 planning obligations.

### **Affordable Housing in the High Weald National Landscape**

**8.65** Paragraph 65 of the NPPF confirms that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas<sup>153</sup> (where policies may set out a lower threshold of 5 units or fewer). The High Weald National Landscape forms a large part of the district and therefore, the Council, in order to deliver affordable housing in rural areas will pursue affordable housing for development of 6 dwellings or more, where a site is located in the High Weald National Landscape. It was concluded in the Wealden Local Plan Viability Assessment that there is no significant difference in the viability of schemes providing 9 or fewer units than those of 10 units or more. The provision of affordable housing within the High Weald National Landscape is crucial and makes a valuable contribution to the area in terms of retaining younger people and those in rural work, which tends to be lower paid.

### **Community Land Trusts (CLTs), Co-Housing and Almhouses**

**8.66** The Council is supportive of CLTs, Co-Housing and Almhouses schemes that provide much needed affordable housing within the district. CLTs provide an opportunity to develop affordable housing through local communities and ensure that such homes are permanently and genuinely affordable. Wealden has also had a significant history with Almhouses, which is charitable housing, and the Council will support such types of development within the district providing it meets other criteria and policies within the local plan.

### **Tenure**

**8.67** The affordable housing tenure mix to be provided on relevant sites has been based on evidence within the Council's LHNA and has been tested through the Wealden Local Plan Viability Assessment. This ensures that the tenure mix of affordable housing provided meets as much of the affordable housing needs identified in the local evidence base as possible. In general, it is considered within the evidence base that affordable rented homes (either social rented or affordable rented) should form the overwhelming majority of new affordable homes (75%) in the district (as this will meet the accommodation needs of those with the most acute affordability issues), but that a smaller proportion of affordable homes (25%) will be affordable homes ownership products (i.e. First Homes and/or shared ownership).

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153 This includes the High Weald National Landscape

## First Homes

**8.68** The LHNA confirms that a discount of 30% is generally reasonable for First Homes to ensure that the actual housing cost is genuinely affordable for first time buyers in the district. The study also considers, given the cost of housing in the area, that the Council should consider a maximum price of First Homes to be £200,000 after the discount is applied in order to help keep First Homes affordable in the local context. This would be lower than maximum price of First Homes allowed nationally after applying the discount, which stands at £250,000.

**8.69** The LHNA also confirms that given the likely income requirements to afford a First Home (and incomes required to buy market housing) a threshold household income of around £50,000 would be appropriate, which would be lower than the maximum national income household threshold that can be applied of £80,000.

**8.70** It is noted that the LHNA published in July 2021 and that the costs for new homes have changed since the time of publication. The First Homes product was also in its relative infancy at that time. On this basis we will update our evidence on First Homes, to inform the Regulation 19 stage of the Local Plan, to consider whether a higher rate of discount (i.e., 40% or 50%) is warranted for the First Homes product. This update will also consider whether the maximum price of First Homes locally after the discount should continue to be £200,000 and whether threshold income of around £50,000 remains appropriate.

## Design

**8.71** The Council is seeking to create mixed and balanced communities across the district, with current and future residents provided with high quality dwellings that meet their accommodation needs. Policy HO8 requires affordable housing to be provided to the same high quality design standards expected of market housing. The policy requires affordable housing to be carefully located within the design of any scheme, such as in small clusters, to ensure the creation of mixed and balanced communities.

## Vacant Building Credit

**8.72** Paragraph 65 of the NPPF confirms that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount<sup>154</sup>. This policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. The PPG notes that local planning authorities should have regard to the intention of national policy and in doing so, consider:

- Whether the building has been made vacant for the sole purposes of re-development; and
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.

**8.73** These factors will be considered on a case-by-case basis by the Council, as will matters of 'abandonment'.

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<sup>154</sup> Footnote 30 of the NPPF confirms this to be equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been 'abandoned'.

## Policy HO8: Affordable Housing

### Affordable housing requirement

1. To meet the district's need for affordable housing, all residential development proposals of 10 or more units (net), or proposals for 6 or more units (net) within the High Weald National Landscape, or sites of 0.5 hectares or more, will be required to provide on-site affordable housing. Affordable housing will be expected to be provided at a level of 35% of the total number of dwellings. The application of this policy relates to use class C3, including permanent residential caravan sites and C2 self-contained units. Financial contributions will be sought in lieu of on-site affordable housing on permanent residential caravan sites only.
2. In some instances, sites allocated in this Local Plan, may specify a different affordable housing target having regard to the findings of the associated viability assessment and site-specific considerations.
3. Where a proposal comes forward with an affordable housing contribution higher than that required under the criterion above, the Council will consider this on a case-by-case basis and will only seek to support schemes that deliver mixed and balanced communities, as well as provide sufficient infrastructure contributions and/or on-site infrastructure necessary to make the development acceptable in planning terms.
4. If a development site is sub-divided to create two or more separate development schemes, one or more of which falls below the relevant affordable housing threshold, the Council will require an appropriate level of affordable housing to reflect the provision that would have been achieved on site as a whole, had it come forward as a single scheme.

### Tenure

5. Affordable housing provision should incorporate a mix of tenures. The Council will expect a tenure mix of 40% affordable rented, 35% social rented and 25% through other affordable routes to home ownership, including First Homes, shared ownership and other types of intermediate accommodation. In the case where First Homes are provided, at least a discount of 30% will be expected to ensure that the actual housing cost is genuinely affordable for first time buyers within Wealden.

### Exceptional circumstances

6. There may be exceptional circumstances where the provision of on-site affordable housing is not viable or desirable. The Council considers that the following issues may represent exceptional circumstances, where the applicant is unable to comply with this policy:
  - a) The developer has provided written evidence that no Council Approved Registered Provider will take the units, and this has been demonstrated to the satisfaction of the Council that this is the case; or
  - b) It is demonstrated that there is no realistic prospect of providing affordable housing by another means, such as the District Council; or

c) It can be demonstrated that the provision of the policy-compliant level of affordable housing would make the development unviable.

7. Where it can be proven that the affordable housing requirement cannot be achieved, due to economic viability, there will be flexibility in meeting stated targets. It will be the responsibility of the applicant to demonstrate that the requirements of the policy cannot be met, and that the closest alternative provision that can be achieved is provided taking into account viability and need in agreement with the Local Planning Authority. The alternative provision should initially consider a change in tenure mix before considering reducing the overall totality of provision on site. If provision is not shown to be viable, then serviced plots for affordable housing could be provided, should this be acceptable to the Council. If this is not viable or considered appropriate by the Council, a commuted sum in lieu of on-site delivery will be required. This will be subject to independent assessment by the Council's appointed consultant, of which, the costs will be paid for by the applicant.

#### Affordable Housing Design

8. The design of all new affordable dwellings shall be such that the quality and appearance of the homes (including the site layout) are indistinguishable from market housing. Any new housing scheme should make use of good quality materials and be designed in such a way as to reduce ongoing management, maintenance and repair costs. Such proposals should be designed to ensure that service charges to any affordable housing are kept relatively low. Affordable housing should be provided in small clusters throughout the development scheme to ensure the creation of mixed and balanced communities.

#### Community Land Trusts, Co-Housing and Almhouses

9. The Council supports CLTs, Co-Housing and Almhouse schemes that provide affordable housing subject to other policies within this Local Plan.

## Supporting Text

**8.74** Where First Homes are to be provided as part of affordable housing provision on site, the applicant must enter into a planning obligation under a Section 106 agreement that:

- a) secures the delivery of the First Homes; and
- b) ensures that a legal restriction is registered onto a First Home's title on its first sale, and this continues in perpetuity.

**8.75** In most cases, these planning obligations should be entered into in the usual way prior to the grant of planning permission. The government has published template planning obligations for this purpose<sup>155</sup>.

**8.76** Section 106 planning obligations will also be utilised to ensure that affordable rented and social rented dwellings are managed and maintained as such in perpetuity. In addition, only affordable housing proposals which can demonstrate that a Council approved 'Registered Provider' will be taking over the management of affordable/social rented tenures upon their

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155 [First Homes: Model Section 106 Agreement](#)

completion will be supported by the Council. This is to ensure that the standard of living of those in affordable housing is protected, as these occupants are often more vulnerable to poorer standards of accommodation than those who live in market housing. The Council strongly advises that applicants contact the Council, prior to the submission of their planning application, to ensure their chosen Registered Provider is acceptable.

**8.77** All forms of affordable rented housing will be provided on the basis of the applicant(s) meeting the Housing Register criteria at that time. This will be secured by a Section 106 agreement.

**8.78** For the purposes of planning applications received, planning policy and planning legal agreements, the Council will use the affordable housing terms within the NPPF (December 2023) as set out in Annex 2: Glossary. If national planning policy is updated, the Council will consider this new definition and will endeavour to use those terms where appropriate and follow any transitional arrangements.

**8.79** In terms of the design of affordable housing, the Council supports 'small clusters' of affordable housing throughout the development scheme. The scale of those clusters will be dependent on the overall scale of the residential scheme, but clusters should not abut each other and be dispersed appropriately across the whole development. This will include blocks of flats. Where a development site is to be built out in separate phases/parcels, developers must take account of the location of affordable homes within neighbouring parcels of land to ensure clusters do not adjoin each other. Clusters should contain a mix of affordable tenures, to include both rented and intermediate tenures. All affordable housing should meet, as a minimum, the Building Regulation Standard Part M4(2) in line with Policy HO12: Residential Accessibility Standards. Where affordable housing is designed for households with a disability, the homes should meet the higher Building Regulation Standard Part M4(3b).

## Question 49

### Consultation Questions

- a) Do you agree with draft Policy HO8 Affordable Housing?
- b) Is the proportion of affordable housing to be provided (at 35%) appropriate in the district? If not, should a higher proportion (i.e. 40% or 45%) be sought? Please explain your answer.
- c) Is the Council's preferred tenure mix for affordable housing, including First Homes, correct, and if not, is there evidence to suggest an alternative tenure mix for affordable housing? Please explain your answer.
- d) Where First Homes are provided, is the minimum 30% discount appropriate and if not, should this be at 40% or 50%? Please explain your answer.
- e) Where First Homes are provided, is a maximum price of £200,000 after discount an appropriate maximum sales value (noting that the maximum sales value nationally that can be applied is £250,000)? Please explain your answer.

- f) Where First Homes are provided, is an income cap (for individual households) of around £50,000 appropriate and if not, where should this be set (noting that the maximum national income cap is £80,000)? Please explain your answer.
- g) In terms of the design of affordable housing and support for 'smaller clusters' of affordable housing within a housing scheme, should the scale of these clusters be defined by a number and in line with the scale of the wider scheme (i.e. small, medium and large schemes)? Please explain your answer.
- h) Should we change anything? If so, what should we change and why?
- i) Have we missed anything? If so, what have we missed and how should it be included?

## Gypsy, Traveller and Travelling Showpeople – Site Criteria

**8.80** Gypsy, Travellers and Travelling Showpeople are distinct groups of people who have their own ways of life, traditions and cultures. Although the population of Gypsy, Travellers and Travelling Showpeople may be underestimated, it is reported that there are around 300,000 travellers in the UK and from the Census figures published in 2021 (latest data available), shows that 394 residents of Wealden District identified as a 'Gypsy or Irish Traveller' with a further 104 residents identifying as 'Roma'<sup>156</sup>. Gypsy, Travellers and Travelling Showpeople are considered to be one of the most disadvantaged groups in our society and are protected under the Equality Act 2010 that legally protects people from discrimination in the workplace and wider society.

**8.81** The Planning Policy for Travellers Sites (PPTS) document (December, 2023) confirms that local planning authorities should set pitch and plot targets for Gypsy, Traveller and Travelling Showpeople to address their permanent accommodation needs, which is considered under Policy SS3: Gypsy, Traveller and Travelling Showpeople – Accommodation Need of this Local Plan. National planning policy then confirms that criteria should be set to guide allocations where there is an identified need and that a criteria-based policy should be included in a Local Plan to provide a basis for decisions in case 'windfall' applications come forward.

**8.82** The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) recommended that the Council incorporate a criteria-based policy into the Local Plan for planning applications that may materialise over the plan period from households residing on unauthorised developments or encampments, due to in-migration, and those residing in bricks and mortar accommodation. In considering the evidence gathered through the GTAA, it was considered that the likely key factors in determining new provision locally are:

- the affordability of land suitable for the development of new sites and the cost of development;
- the need to ensure that new provisions are within reasonable travelling distance of social, welfare and cultural services;

<sup>156</sup> The term 'Roma' was not used in the 2011 Census.

- the need to carefully consider the proximity of new provisions to existing provisions (i.e. conflict and social tensions potentially arising if new provisions are located too close to existing provisions); and
- the sustainability of new provisions (i.e. ensuring that they do not detrimentally impact on the local environment and do not place undue pressure on local infrastructure).

**8.83** The criteria within Policy HO9 has been formulated in accordance with the guidance contained within the PPTS and local recommendations from the GTAA as listed above. It should be noted that the criteria contained within the PPTS for the development will continue to be used concurrently with this policy. Policy HO9 covers all those Gypsies and Travellers who meet the 'PPTS' definition and those who are ethnically considered to be Gypsies and Travellers in line with the recommendations in the Council's GTAA. For the latter, the individual circumstances of the applicant(s) will need to be considered with respect to the PPTS and the Equalities Act (2010).

### Policy HO9: Traveller and Travelling Showpeople - Site Criteria

The following criteria will be taken into account when determining planning applications for new or extended permanent and temporary sites for Gypsies, Travellers and Travelling Showpeople:

- a) That the site or extension satisfies a clearly defined need, as evidenced by the GTAA for Wealden District, and/or the best available evidence of the applicant to demonstrate both their ethnicity and 'cultural need' for the accommodation, with respect to the PPTS and the Equalities Act (2010);
- b) That the site is well related to an existing sustainable settlement (as defined within the settlement hierarchy) with local services and facilities, particularly shops, public transport provision, primary health care and schools;
- c) That the proposal has a safe vehicular and pedestrian access to the surrounding principal highway network;
- d) That the site will be large enough to enable vehicle movements within the site, including parking and circulation to take place, having regard to the number of pitches/plots provided on site. Each pitch/plot should at least be able to accommodate 1 mobile home, 1 touring caravan and 2 car parking spaces;
- e) That the site avoids locations, which are adjacent to uses that are incompatible with residential uses, such as a refuse tip and sewage treatment works or where the land is unstable or contaminated;
- f) That new sites or the enlargement of existing sites, are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, cause significant visual harm by way of its siting, or undue impact upon local infrastructure or services in the area;
- g) In cases where proposals are in or adjacent to the High Weald National Landscape, or where the proposal is within the setting of the South Downs National Park, the scale and the extent of development should be limited, sensitively located and designed to avoid or mitigate adverse impacts on these designated landscapes;

h) That the site has existing or can be provided with power, drinking water, sewage treatment and waste disposal facilities. In the case of foul drainage and drinking water, the site needs to be serviced by mains pipes and sewers;

i) That the site avoids locations where there is a risk of flooding of all types, given the vulnerability of residential caravans. Where a site is identified as being at risk from surface water flooding, a site-specific flood risk assessment must be undertaken in line with Policy CC7: Managing Flood Risk;

j) Any proposal for a new or extended site will need to demonstrate sufficient space for the storage and maintenance of equipment/or the exercising of animals commensurate with any business needs of the site;

k) The proposal must be well-screened by existing or new native vegetation that contains the site visually. The screening should be maintained permanently, and any planning application should be accompanied by a landscape management plan to ensure it remains in perpetuity. The use of high fences or walls to supplement the existing screening of the site will not be supported; and

l) That the proposal is well designed and laid out, ensuring that suitable amenity space is provided in terms of open space and soft landscaping, whilst limiting the use of hard standing and permanent structures. Where proposals for amenity blocks are provided, these must be of appropriate scale to the pitch/plot and well-designed.

## Supporting Text

**8.84** With respect to criteria a) of this policy, the Council would either expect the applicant to meet 'PPTS' definition of a Gypsy, Traveller and Travelling Showperson, or demonstrate that they are 'ethnic' Gypsies, Travellers or Travelling Showpeople that still have a cultural need for this type of accommodation. The onus is with the applicant to demonstrate this.

**8.85** In terms of criteria b) of this policy, the PPTS confirms that local planning authorities should very strictly limit new traveller site development in the open countryside that is away from existing settlements. In such cases, where development of this nature does inevitably come forward through the planning application process, the Council will consider the use of temporary planning permissions in certain circumstances. This will be considered where there is a lack of available alternative accommodation for the applicant, in view of the personal circumstances of the applicant, in line with the applicant's human rights and in view of the harm visually of the site, particularly when located within or adjacent to the setting of a designated landscape.

**8.86** In terms of criteria d) of this policy, the PPTS does not provide any guidance on the appropriate minimum size for a gypsy and traveller site or what should be included on individual pitches. However, the government did publish a 'Designing Gypsy and Traveller Sites: Good Practice Guide'<sup>157</sup> (2008) that was withdrawn in 2015, but this did provide guidance on what permanent Gypsy and Traveller sites should provide and is still the latest guidance on this matter. This stated that a permanent pitch should include:

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157 [DCLG – Designing Gypsy and Traveller Sites: Good Practice Guides - 2008](#)



- Space for a mobile home;
- Space for a touring caravan;
- An amenity block;
- Two parking spaces;
- At least 6 metres between mobile homes; and
- A 3-metre buffer around the boundary.

**8.87** It will be expected that the applicant for a new or extended gypsy and traveller sites will consider the spacing of pitches and ensure that all new pitches include space for the necessary accommodation and parking.

**8.88** It should be noted that any Gypsy and Traveller pitch or Travelling Showpeople plot that is located within the 400m - 7km zone of influence around the Ashdown Forest SPA will require an assessment under the Habitats Regulations to be undertaken and appropriate mitigation provided as required under Policy NE5: Ashdown Forest SPA of this Local Plan.

**8.89** Where a new planning permission is granted for a new temporary or permanent site, planning conditions<sup>158</sup> will set out the maximum number of caravans on site, as well as the legal basis for the occupants living on site. The use of personal planning conditions will be limited and only in cases where the personal circumstance of the applicant means that they need to live on the site on a temporary/permanent basis.

## Question 50

### Consultations Questions

- Do you agree with draft Policy HO9 Gypsy, Traveller and Travelling Showpeople – Site Criteria?
- Should we change anything? If so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

## Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites

**8.90** The district has historically struggled to provide suitable sites to meet the needs of the Gypsy, Traveller and Travelling Showpeople community, either through the provision of allocations in Local Plans, or via the planning application process. Therefore, it is crucial that existing lawful Gypsy and Traveller sites with permanent planning permission are safeguarded and are not redeveloped for alternative uses. The Council's GTAA confirms that Wealden should consider safeguarding Gypsy, Traveller and Travelling Showpeople sites and yards with permanent planning permission for their current use, unless it can be demonstrated that they are no longer needed to meet identified need.

158 Or a legal agreement if a planning condition cannot be used.

**8.91** Where a proposal is seeking to redevelop an existing Gypsy and Traveller site into an alternative use, the Council will only support such proposals in accordance with the circumstances set out in Policy HO10 below. This will ensure the safeguarding of suitable sites with permanent planning permission, but will also allow for the Gypsy, Traveller and Travelling Showpeople community to vacate sites that are no longer suitable for such a use, providing a site of equal or better quality, with equal or better access to services, is provided.

### Policy HO10: Gypsy, Traveller and Travelling Showpeople - Safeguarding Sites

1. The existing provision of Gypsy, Traveller and Travelling Showpeople sites within the district will be safeguarded. Planning applications for the loss of such sites will need to be robustly justified. In order to demonstrate compliance, appropriate, detailed and robust evidence will be required to satisfy the criteria below. The Council may require the independent assessment of such evidence at the cost of the applicant.
2. Proposals that would result in the loss of an authorised and permanent site for residential use for Gypsies, Travellers or Travelling Showpeople will not be permitted unless it can be clearly demonstrated that:
  - a) The site is no longer suitable for such a use and suitable alternative provision is made for the use on a site of equal or better quality, with equal or better access to services; or
  - b) That there is no need for Gypsy, Traveller and Travelling Showpeople pitches/plots within the district.
3. Where existing Gypsy, Traveller and Travelling Showpeople sites have a personal planning condition attached to the site occupier (and/or their relatives) who subsequently leave, every effort should be made to remove or modify the planning condition to allow for the site to be used as a Gypsy, Traveller and Travelling Showpeople site in perpetuity.
4. Planning conditions or legal obligations may be necessary to ensure that any replacement sites are provided before the existing Gypsy, Traveller or Travelling Showpeople site is lost.

### Supporting Text

**8.92** Under Policy HO10, where an existing authorised and permanent site is no longer suitable for such a use, the applicant will need to demonstrate that suitable alternative provision is made for the use on a site of equal or better quality, with equal or better access to services. To establish this circumstance, the applicant will need to provide detailed and robust evidence in the criteria set out above, including comparisons to the existing site. The Council may require the independent assessment of such evidence at the cost of the developer. In terms of timings, the Council would expect any replacement site to be available for use (i.e. with planning permission and ready for occupation) before the existing site is lost to the alternative use (to be secured through a planning obligation or planning condition).

## Question 51

### Consultation Questions

- a) Do you agree with draft Policy HO10 Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites?
- b) Should we change anything? If so, what have we missed and how should it be included?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Specialist Housing for Older People and Vulnerable Groups

**8.93** Specialist housing provides homes for some of our most vulnerable people. The vast majority is for older residents, however, supported housing also serves people from other vulnerable groups, such as those with disabilities, those at risk of homelessness, young people who may have a support need or those fleeing domestic abuse amongst others. Supported housing can be defined as ‘any housing scheme where housing is provided alongside care, support or supervision to help people live as independently as possible in the community’. Types of supported housing can include hostels, refuges, supported living complexes, extra care schemes and sheltered housing.

**8.94** The East Sussex County Council (ESCC) Plan (2022/23)<sup>159</sup> outlines the four main priorities for the County Council to achieve by 2025 and two of its key priorities relate in part to housing vulnerable and older people. This includes:

- keeping vulnerable people safe; and
- and helping people to help themselves.

**8.95** With regards to the latter priority, it notes that whilst we must keep vulnerable people safe, people prefer and need to be independent. If we can encourage families and communities to work together to build better local communities, meet local need, and support individuals to stay independent, this can break dependency, while reducing demand for services and therefore costs. This Local Plan can assist in this aim by providing supportive policies for both new and extended specialist/older person’s accommodation that meets local need, as well as allowing homeowners (and requiring developers) to adapt or provide adaptable homes for Wealden’s residents.

**8.96** Wealden District Council’s Housing Strategy 2020-25<sup>160</sup> confirms that the Council will need to increase the supply of specialist/adaptable/supported housing and confirms that the Council will work closely with ESCC to explore the need for and develop any specialist accommodation and to review the current supply of supported accommodation across East

159 [East Sussex County Council Plan 2022/23](#)

160 [Wealden District Council Housing Strategy 2020-25, June 2020](#)

Sussex. Wealden District Council has also published an Older Persons Housing and Support Strategy<sup>161</sup> that contains six key priorities. These are set out below:

**Figure 23 Older persons Housing and Support Strategy priorities**



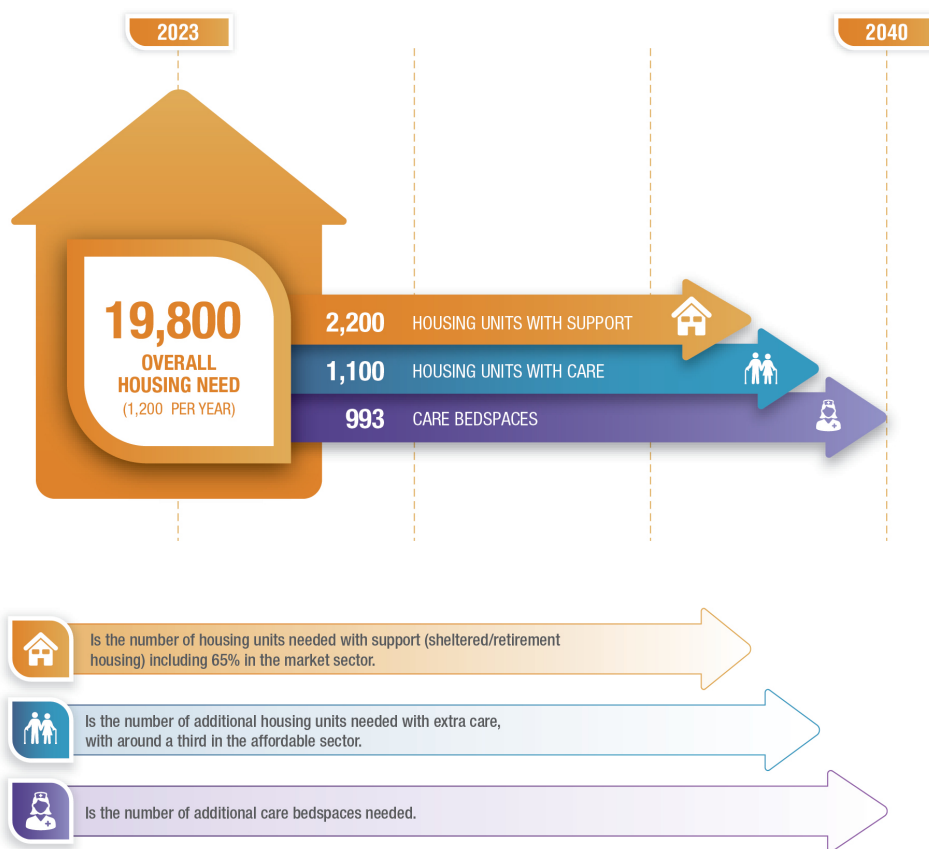
**8.97** The needs of older people are diverse. Some older people still have jobs and others are affected by disability or long-term illness and may require specialist accommodation or additional care. The Council's LHNA provides the evidence base for older persons housing and confirms that Wealden is projected to see a notable increase in the older person population, with the total number of people aged 65 and over projected to increase by 56% from 2019 to

161 [Wealden District Council's HRA Older Persons Housing and Support Strategy](#)

2039. As a result of an ageing population, it is anticipated that we will see a large increase in the number of people with age related disabilities or health problems. The key findings of the LHNA are that between 2019 and 2039, there will be a 75% increase in the number of people aged 65+ with dementia and a 66% increase in those aged 65+ with mobility problems within Wealden.

**8.98** The LHNA confirms the types of older persons accommodation that we need in the district. A summary is provided in the diagram below. Further information can be found in the LHNA.

**Figure 24 Older Persons Accommodation Needs**



**8.99** The Council is supportive of both retirement villages and bungalows, either within a development boundary or as specified in strategic allocations. With respect to bungalows, the LHNA did seek to determine the need and attraction for this type of accommodation in the district and highlighted that bungalows are often a first choice for older people seeking suitable accommodation in later life and there is generally a high demand for such accommodation when it becomes available, albeit it is difficult to quantify this need.

**8.100** Policy HO11 requires specialist housing schemes to be located in sustainable locations and within existing development boundaries or as part of specified strategic housing allocations. This will ensure that residents can access public transport, shops and other community services and facilities. It will also integrate residents into the local community and support the local economy. This ensures that such accommodation is easily accessible for staff and visitors and

is an appropriate policy approach to meet the needs for older person's accommodation in a sustainable way.

## Policy HO11: Specialist Housing for Older and Vulnerable People

### New Specialist Housing for Older and Vulnerable People

1. The Council will support development proposals that deliver specialist housing for older people and vulnerable groups in the following circumstances:
  - a) When the proposal is within a development boundary or is specified in strategic allocations contained within this Local Plan. In particular, support will be given to development proposals for older and vulnerable person's accommodation that meets Wealden's local needs as evidenced within the Council's latest Local Housing Needs Assessment. This will include support for schemes that incorporate housing with support (sheltered/retirement housing), housing units with care (i.e. extra care), specialist accommodation for those with disabilities and conventional care bedspaces where there is an identified need.
  - b) Whereby proposals include bungalows as part of a housing scheme, particularly where these provide smaller accommodation (1-, 2- and 3- bedrooms) and are provided as part of affordable accommodation for rent and shared ownership/equity.
2. Retirement villages will be supported, where these are provided on strategic housing allocations or other suitable housing sites (that accords with other relevant policies of this Local Plan), if the proposal meets the needs of older and vulnerable people specifically (including extra care or supported accommodation).
3. The Council will particularly encourage schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent and shared ownership/equity. Where there is a local need within the Parish or in a combination of Parishes that are adjacent to each other, the Council would support, subject to other policies in this plan, specialist housing coming forward on a rural exceptions site under Policy HO7 (Rural Exception Sites).

### Amenity Space and Parking Provision

4. Housing for older and vulnerable people should incorporate amenity and garden space appropriate to the nature of the scheme (i.e. gardens will be appropriate to private dwellings, whilst communal amenity space will be appropriate to flatted C2 schemes for example).
5. On-site parking will be required, for residents, staff and visitors, and should not harm the character of the area and should be delivered in line with the Council's Parking Standards. The design of scheme should include refuse storage, cycle storage and EV charging points in line with other relevant policies of this Local Plan.

### Loss of Older Persons' Accommodation and Specialist Housing

6. The loss of existing older persons' accommodation and specialist housing will not be supported unless it is demonstrated to the Council's satisfaction that:
  - a) There is no longer an identified need for that type of accommodation within the district; or

b) Suitable alternative provision is, or will be, provided locally so that there is no net loss; or

c) The accommodation no longer meets minimum standards required to provide acceptable care and it is not practicable or viable to improve the specialist accommodation to those minimum standards or adapt to another form of alternative specialist accommodation.

7. In order to demonstrate compliance, appropriate, detailed and robust evidence will be required to satisfy the criteria above. The Council may require the independent assessment of such evidence at the cost of the applicant.

## Supporting Text

**8.101** Policy HO11 confirms that the loss of existing older persons' accommodation and specialist housing will not be supported unless it meets one of the criteria listed within this policy.

**8.102** With respect to criteria 6b), the Council would expect the suitable alternative provision to be similar in nature to the accommodation proposed to be lost and to provide, as a minimum, the total number of self-contained dwellings or bedspaces that the previous accommodation had (i.e., no net loss of accommodation). In terms of location, the new accommodation would be expected to be delivered within the settlement where the loss has occurred, or a neighbouring settlement as deemed acceptable. The onus will be with the applicant to demonstrate that there is no or only limited harm in this respect.

**8.103** With respect to criteria 6c), the Council confirms that the onus would be on the applicant to demonstrate that the existing accommodation no longer meets the minimum standards required to provide acceptable care and it is not practicable or viable to improve the specialist accommodation to those minimum standards. This information should be provided as part of the planning application process. The necessity for this must be supported by appropriate viability evidence that is proportionate and justified and paid for in full by the applicant, including the costs associated with the Council's appointed consultants who will independently assess the evidence presented.

## Question 52

### Consultation Questions

- a) Do you agree with draft Policy HO11 Specialist Housing for Older and Vulnerable People?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Residential Accessibility Standards

**8.104** The NPPF is clear that local planning authorities should seek to plan to create safe, accessible environments and promote inclusion and community cohesion. The NPPF also confirms that the housing needs of older people and those with disabilities are one of the specific groups whose size, type and tenure of housing should be assessed and reflected in planning policies.

**8.105** The LHNA anticipates that between the years of 2019-2039, that there will be a 66% increase of residents within Wealden living with mobility problems. It was also concluded that there is a need for around 1,800 dwellings to be for wheelchair users (meeting the technical standard M4(3)). The Council is determined that dwellings are provided within the district that are adaptable for older people and can also accommodate those persons who require a wheelchair.

**8.106** Building Regulations Approved Document 'Access to and use of buildings' M came into force from October 2015, with amendments in 2016. The regulations set out that residential dwellings can be defined into the following categories:

- Category 1 M4(1) – Visitable dwellings;
- Category 2 M4(2) – Accessible and adaptable dwellings; and
- Category 3 M4(3) – Wheelchair user dwellings.

**8.107** The regulations also confirm that all new dwellings nationally must be constructed in accordance with the requirements of Category 1 M4(1). Furthermore, the regulations confirm that local planning authorities can require dwellings to be constructed to a higher standard (Categories 2 and 3) via local planning policy requirements, as long as this is based on local needs and viability assessments. Category 2 dwellings deliver a higher level of accessibility and adaptability and includes a range of features to make the most common adaptations easier. Category 3 relates to wheelchair accessible and wheelchair adaptable housing and has the highest level of requirements in relation to features to help meet the needs of people with disabilities.

**8.108** The recommendations from the LHNA confirms that the Council should consider requiring all dwellings (in all tenures) to meet the M4(2) standards and at least 10% of affordable homes meeting M4(3) compliant dwellings. This was tested through the Wealden Local Plan Viability Assessment, and it was concluded that the results of those appraisals indicate that the impact of the requirement is modest.

**8.109** Policy HO12 requires that all dwellings are to be constructed in compliance with Category M4(2) requirements, unless it is built in line with M4(3)(A) wheelchair adaptable dwellings or M4(3)(b) wheelchair accessible dwellings of the Building Regulations 2015, or subsequent government standard. Furthermore, Policy HO12 requires that on proposals of 20 or more dwellings, that 10% of new affordable dwellings are constructed in compliance with M4(3) requirements. The construction of dwellings in accordance with these standards will ensure that the accommodation needs of people with disabilities is met as part of the Local Plan, giving all residents of Wealden the opportunity to live and thrive independently.



## Policy HO12: Residential Accessibility Standards

1. All new development will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations, unless it is built in line with M4(3) (a) wheelchair adaptable dwellings or M4(3) (b) wheelchair accessible dwellings of the Building Regulations 2015, or subsequent government standard.
2. In addition, on developments of 20 (gross) or more dwellings, the Council will require a minimum of 10% of new affordable dwellings to be built to meet requirement M4(3) standards of the Building Regulations 2015, or subsequent government standard.
3. Only in circumstances where it can be robustly demonstrated by the applicant that it is not practicable or financially viable to deliver the provisions above or where the requirements are clearly incompatible with conserving and enhancing historic character, will new development be exempt from this policy requirement.

### Supporting Text

**8.110** The PPG highlights that planning policies within the Local Plan should take account of site-specific factors such as vulnerability to flooding and site topography, which may make a specific site less suitable for being built to meet requirements M4(2) and M4(3) of the Building Regulations, including where step free access cannot be achieved or is not viable. The onus will be with the applicant to highlight the specific reasons as to why it cannot meet any accessibility standard and this will be, by its nature, site specific.

**8.111** Planning permission granted for schemes of 1 to 19 (gross) dwellings will be subject to a planning condition that requires dwellings to be constructed to the accessibility standards set out in part M4(2) of the Building Regulations. Where planning permission is granted for schemes of 20 (gross) dwellings or more, they will be subject to a planning condition that 10% of the development will be built in compliance with part M4(3)(b) of the Building Regulations, with the remaining development to be built in compliance with part M4(2) of the Building Regulations. Planning applications for all new residential development must include supporting information which includes clear plans and a statement on 'accessibility standards' setting out how the requirements of this policy have been met.

### Question 53

#### Consultation Questions

- a) Do you agree with the draft Policy HO12 Residential Accessibility Standards?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Internal Residential Space Standards for New Dwellings

**8.112** It is vital that new homes meet the needs of their occupiers, and future occupiers, in terms of the internal space available in new dwellings. The nationally described space standards were introduced by Government in October 2015 and were further updated in May 2016<sup>162</sup>, replacing the existing space standards in use by local authorities. The PPG sets out the approach for the setting of technical internal space standards for new dwellings. These provide ‘optional’ standards for the gross internal (floor) area of new dwellings at a defined level of occupancy as well as floor areas and dimensions.

**8.113** The PPG confirms that to establish a need for internal space standards within the district, local planning authorities should consider:

- Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed; and
- Viability – the impact of adopting the space standards should be considered as part of the plan’s viability assessment, including the impacts on affordability where a space standard is to be adopted.

**8.114** In terms of need, the LHNA highlights that many households within Wealden are being excluded from the owner-occupied sector. In order to reduce the cost of new market housing within Wealden, there is a risk that the delivery of new homes in the district will be smaller than the ‘nationally described space standards’ and that an intervention is required to ensure that new homes deliver the appropriate amount of internal floor space and are well designed through a new policy. Historically, the Council has not formally monitored the floorspace of new homes delivered within the district, but such information will be collated. The Council will seek to undertake further work on this evidence base between the Regulation 18 Local Plan consultation and the Regulation 19 stage to show whether there is compliance with these standards across the district.

**8.115** In terms of viability, the Council’s Wealden Local Plan Viability Assessment indicates that the introduction of the nationally described internal space standards will not have a material impact on the deliverability of housing schemes within the district.

### Policy HO13: Internal Residential Space Standards or New Dwellings

All new residential development, including dwellings created through the subdivision of existing dwellings or conversion, shall comply with Nationally Described Space Standards, or any subsequent government space standard.

## Supporting Text

**8.116** The current national space standards for new homes are set out in the table below.

162 [Technical Housing Standards – Nationally described space standards](#)

**Table 12 Minimum gross internal floor areas and storage (m2)**

Number of Bedrooms(b)	Number of bed spaces (persons)	1 storey dwelling	2 storey dwelling	3 storey dwelling	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

*\*Where a 1b1p has a shower room instead of a bathroom, the floor area may be reduced from 39m<sup>2</sup> to 37m<sup>2</sup>, as shown bracketed.*

**8.117** The Council does accept that in some circumstances, new residential dwellings may not be able to be constructed in accordance with Policy HO13. However, this must only be in exceptional circumstances, where there is clear evidence provided by the applicant through the planning application process to demonstrate that these requirements cannot be met due to a special feature(s) (i.e. the proposal relates to the conversion of a listed building) that prevents the achievement of those requirements.

**8.118** In cases where affordable housing is provided, the Local Housing Authority may specify for higher space standards (i.e. higher occupancies) to be delivered for some affordable homes to support specific households on the Council's Housing Register and to allow for a household's changing needs, which would in turn reduce the turnover of affordable housing properties. Where this is financially viable and specified by the Local Housing Authority for households on

the Council's Housing Register as part of the planning application process, the developer should aim to deliver this for those new affordable homes.

**8.119** The Council will ensure that new residential dwellings are constructed in accordance with Policy HO13, via the means of a planning condition attached to the planning permission. This will allow the Council to ensure compliance with this policy.

## Question 54

### Consultation Questions

- a) Do you agree with draft Policy HO13 Internal Residential Space Standards for New Dwellings?
- b) Is there alternative evidence to suggest that the Council should not be adopting the minimum national gross internal floorspace standards? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Rural Workers Accommodation

**8.120** The NPPF is clear that the development of isolated homes in the countryside (i.e. outside development boundaries) should be avoided unless specific circumstances apply such as if there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

**8.121** In most circumstances, it will not be necessary for a rural worker to live at or in the immediate vicinity of their work, especially as CCTV or automated animal feeding machines can often assist in reducing the need to be on site. On this basis, attracting staff to a rural business, staff retention, convenience, security is not a sufficient justification to provide rural workers accommodation on-site. Instead, and to avoid a proliferation of isolated dwellings in the countryside, robust justification for rural workers accommodation will need to be demonstrated to show that one full-time/primary worker are essential to be available to meet the established needs of the rural business at most times, day and night, such as to provide for the proper supervision of agricultural processes and/or livestock (including equestrian operations).

**8.122** Policy HO14 therefore provides criteria to allow for a new rural worker's dwelling outside of development boundaries, as well as cases where temporary planning permissions for such rural workers accommodation are permitted.

## Policy HO14 Rural Workers Accommodation

1. Proposals will be supported for a new temporary or permanent rural worker dwelling subject to the criteria below being met. Applicants will need to demonstrate the following:
  - a) That there is a clearly established operational or functional business need for an additional worker to live permanently at the site;
  - b) The need relates to a full-time worker or relates to their primary employment as a rural worker and does not relate to a part time requirement;
  - c) That no suitable accommodation exists in the vicinity of the land based rural enterprise (sale/rent) or could be made available for the rural worker using existing buildings or the conversion of existing buildings on the site;
  - d) That the agricultural, forestry or other land based rural enterprise has been established for either:
    - i. a minimum three-year period (being profitable for at least one of them) and is likely to remain financially viable for the foreseeable future; or
    - ii. where the business has not been operating for three years, it can demonstrate that it will be financially sound.
  - e) The proposal does not provide a replacement dwelling that has been disposed of for market housing in recent years including the conversion of agricultural buildings to residential;
  - f) The dwelling is appropriately located to satisfy the operational and functional needs of the agricultural, forestry or other land based rural enterprise, is located near to existing buildings/dwellings and is no larger than that required to provide for the accommodation needs of the rural worker and their immediate family, including any residential curtilage; and
  - g) The proposal would not result in any adverse impacts on the character of the area, heritage, landscape or the amenity of adjoining properties for the lifetime of the development.
2. Evidence submitted on financial viability will be subject to an independent assessment by the Council's appointed consultant, of which, the costs for the independent assessment will be paid for by the applicant.
3. Permitted development rights will be removed for rural workers dwellings to ensure that the dwelling remains of a size commensurate to the needs of the business.

### Temporary Rural Workers Dwellings

4. If a rural workers dwelling is essential to support either a new or existing rural enterprise or activity, it should for the first three years be provided by a caravan/mobile home or other temporary accommodation. Temporary accommodation will not be granted planning permission in locations that would not be suitable for a rural worker's dwelling.

### Rural Workers Occupancy Condition

5. A rural workers dwelling will be restricted to remain available for meeting the accommodation needs of a rural / primary worker for as long as the need exists / permission is provided for, or the widow or widower of such a person or any resident dependents are living within the property. This is to ensure that the dwelling remains commensurate to the needs of the agriculture, forestry or land based rural enterprise.
6. The removal of an occupancy condition will only be permitted where it can be demonstrated to the satisfaction of the Council that:
  - a) There is unlikely to be any need for such rural worker dwellings at the site or within the local area as demonstrated by an up-to-date assessment of the demand for rural worker dwellings;
  - b) It can be demonstrated that the agriculture, forestry or land based rural business is no longer financially viable; and
  - c) Robust and comprehensive evidence has been provided to demonstrate that the property has been subject to continuous marketing for an 18-month period at either a rental or sale price that reflects the occupancy condition in place.
7. Evidence submitted to the Council on the removal of an occupancy condition will be subject to an independent assessment by the Council's appointed consultant, of which, the costs for the independent assessment will be paid for by the applicant.
8. Where the removal of a rural occupancy condition does take place, planning conditions and/or Section 106 Planning Obligation will usually be imposed to require the dwelling to remain as affordable housing, with a new occupancy condition restricting the dwelling as affordable housing in perpetuity. The only exception to this will be where:
  - a) The applicant has provided written evidence that no Council Approved Registered Provider will take the unit, and this has been demonstrated to the satisfaction of the Council that this is the case; and
  - b) It is demonstrated that there is no other realistic prospect of another appropriate organisation taking on the unit, such as the District Council.

### Supporting Text

**8.123** In relation to criteria 1c) of Policy HO14, in cases where the local planning authority believe that a dwelling has been sold on the agricultural holding within the past 5 years, or a rural diversification scheme involving the conversion of a rural building has taken place, the Council will investigate the history of the holding to establish the recent pattern of use of the land and buildings and whether, for example, any dwellings or buildings suitable for conversion to dwellings have recently been sold separately from the farmland concerned. Such behaviour may constitute evidence as to the 'lack' of need for a rural worker's dwelling.

**8.124** In determining the scale and size of the dwelling, the local planning authority will also consider the long-term availability for farm workers to use the rural worker's dwelling, to ensure that the scale of the dwelling would not be restricted by the future value of the property. An

individual dwelling would be expected to be only marginally larger than the minimum internal residential space standards set out for new dwellings at Policy HO13 (Internal Residential Space Standards for New Dwellings) of this Local Plan. Any increase in the size of the dwelling beyond the minimum standards set out in Policy HO13 must be clearly justified on a business basis, in respect of supporting the operational / functional needs of the rural enterprise.

### Occupancy condition

**8.125** Dwellings essential for the needs of a rural enterprise should be kept available for those purposes where constructed. Policy HO14 confirms that where planning permission for a rural worker's dwelling is granted, then the local planning authority will apply a planning condition<sup>163</sup> to an approved permission to ensure the dwelling is only inhabited by a rural worker and their family. The occupancy condition will enable a dwelling to be available for other rural enterprises even if the original rural enterprise no longer seeks to retain it.

**8.126** In cases where an applicant seeks to remove an occupancy condition, the proposals for removing that occupancy condition will be resisted by the Council to ensure the dwelling remains available as rural workers accommodation, helping to prevent further development in the countryside, albeit there are some circumstances where this will be accepted.

**8.127** However, where an agricultural occupancy condition is removed, planning conditions and/or planning obligation will usually be imposed to require the dwelling to remain as affordable housing, and this would be expected to remain so in perpetuity. The only exception to this is if registered providers and/or the District Council are not willing to take on the dwelling as an affordable unit. This would be supported by written evidence setting out the names and contact details of registered providers approached; the property particulars provided to those parties including the proposed asking price; the date(s) of the correspondence and any responses received.

## Question 55

### Consultation Questions

- a) Do you agree with draft Policy HO14 Rural Workers Accommodation?
- b) Do you agree that where a rural occupancy condition is removed, that a new planning condition/planning obligation should be in place to require the dwelling to remain as affordable housing in perpetuity? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

<sup>163</sup> Where there are extenuating circumstances and a planning condition cannot be used, this may be tied through a planning obligation.

## Conversion of Rural Buildings to a Residential Uses

**8.128** The district is formed of large areas of beautiful countryside that contains some underutilised agricultural buildings that are no longer required for that purpose and could be converted to a residential use. Planning permission is not always required for the conversion of existing agricultural buildings to residential uses owing to permitted development rights as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Where the conversion of an agricultural building to a residential use does require planning permission, Policy HO15 and other relevant policies of this Local Plan shall apply.

### General Approach

**8.129** The Council's aspiration is for all conversions of rural buildings to result in economic, recreational or tourism development, as these are considered most beneficial to the district and are likely the most appropriate uses in rural settings. The approach to the conversion of a rural buildings to economic, recreational or tourism development is described Policy EC4: Rural Economy. However, it is accepted that in some circumstances, the conversion of an existing rural building to these uses may be unachievable and a residential conversion may be more appropriate.

**8.130** In such cases, the onus will be with the applicant to provide evidence that the conversion of an agricultural building to employment, recreational or tourism uses is not suitable or is unviable. Only after it has been demonstrated that all reasonable attempts have been made to secure an alternative use associated with rural businesses or land management uses without success, will the conversion to residential use be considered.

**8.131** The NPPF confirms that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Therefore, rural buildings in isolated locations and/or those that require significant improvements to their access arrangements (i.e. where the building is some distance from the main highway network) are unlikely to be supported, as they will be contrary to national planning policy on those sustainability matters.

**8.132** Therefore, all rural buildings that are the subject of a residential conversion should be in a sustainable location in relation to existing services and facilities and should ideally be located close by to a sustainable settlement<sup>164</sup>, and be in close proximity to sustainable modes of transport. It is only in those circumstances that the conversion of rural building to residential uses will in principle be supported.

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<sup>164</sup> As defined within the settlement hierarchy.



## Policy HO15: Conversion of Rural Buildings to a Residential Use

1. The conversion of existing rural buildings in the countryside for residential uses (outside the development boundaries as defined on the Policies Map) will be supported where:
  - a) The building is structurally sound and of a permanent and substantial construction capable of conversion without significant new build, extension or alteration. The Council will normally require this to be demonstrated through the submission of a structural survey as part of the planning application process;
  - b) It is demonstrated that every reasonable attempt has been made to secure a business, recreational or tourism use of the building in the first instance and the application is supported by a statement of the efforts which have been made to achieve this. This should include details of active marketing at an appropriate value/rent and the details of any interest received (with no reasonable offers being refused) for a minimum of 18 months;
  - c) The conversion of a rural building to a residential use shall not compromise the existing or future operation or management of the land for its principal rural use, or result in the need for further rural buildings as a result of the proposal;
  - d) The proposal makes an efficient and viable use of a redundant or disused building, including the optimal viable use of a heritage asset where applicable;
  - e) There is an enhancement to the immediate setting;
  - f) The residential use and associated activities do not detract from the area including landscape character and visual amenity of the immediate surroundings;
  - g) The proposed conversion and alterations respect the character and appearance of the rural building, the immediate and surrounding landscape character and the significance and setting of heritage assets; and
  - h) The residential curtilage of the dwelling shall be limited, only allowing for adequate space for parking/turning and outdoor amenity space only where appropriate.
  - i) The building shall be worthy of retention for its historic character or its architectural value and makes a positive contribution to landscape character and/or the farmstead. The conversion of Atcost barns will not be supported;
  - j) The rural building is situated either in a sustainable location, or includes safe options to sustainable transport modes to existing services and facilities of a nearby sustainable settlement;
  - k) The rural building has not been 'recently constructed'<sup>165</sup> with little or no use for this purpose, prior to the proposed conversion of the building to an alternative use being submitted to the local planning authority;
  - l) It is demonstrated that the living conditions of future occupiers will not be harmed by proximity in relation to existing neighbouring uses, including farm activity, noise, and odours;

<sup>165</sup> The term 'recently constructed' in this context will generally apply to rural buildings constructed within five years of a planning application for their re-use or conversion to an alternative use.

m) The residential use and associated activities do not detract from the area including landscape character and visual amenity of the immediate surroundings;

n) Any ancillary structures and garaging will be required to demonstrate that the additional space cannot be met from existing buildings in the immediate surrounds suitable of conversion. The design, scale and massing of the dwelling, including ancillary structures and landscaping, must show clear regard to the rural location, local traditional vernacular materials and the traditional layout of any historic farmstead to which it is located. The design must have regard to and reflect the hierarchy of buildings within the farmstead (where applicable) and not introduce inappropriate hard and soft landscaping and subdivision of a farmstead area, or inappropriate incursion into agricultural land, in the pursuit of providing any associated residential curtilage.

2. Planning permission for this type of development may be subject to planning conditions requiring landscape buffering. Where appropriate, planning conditions will be imposed to remove permitted development rights for alterations and/or extensions to the building and the erection of other ancillary buildings, fencing within the curtilage.

## Supporting Text

**8.133** In relation to criteria a), the Council may require the review of the survey programme of works for the conversion by an independent consultant, and in those cases, the applicant would be expected to cover the costs of this. It is also anticipated that the building should be capable of conversion without significant reconstruction, modification or extension. In such cases where extensions are required, this will be strictly controlled, and the minimum required to allow for the proposed use.

**8.134** With respect to criteria b), the Council expects the applicant to demonstrate that every reasonable attempt has been made to secure a business, recreational or tourism use of the building in the first instance, before then considering a conversion to a residential use. This should include a written statement with evidence of an active and effective marketing campaign that will be expected to cover a period, normally of 18 months, with written confirmation from a specialist commercial agent(s) that clearly indicates a lack of demand for an alternative commercial use. This marketing process would also need to demonstrate that the rural building has remained unlet or for sale for the 18-month period, despite genuine and sustained attempts to let or sell on reasonable terms. The Council will consider the production of a Supplementary Planning Document (SPD) for rural issues, including the conversion of rural buildings that will consider a number of the criteria above.

**8.135** In considering applications for the conversion of rural buildings, the Council will consider whether a landscape management plan is required by planning condition in perpetuity and where appropriate apply planning conditions to remove permitted development rights for the alteration or extension of the resultant dwelling, or the erection of other ancillary buildings or boundary treatments within the curtilage of the dwelling. This will be determined on a case-by-case basis, dependant on the scale of the resultant dwelling, the sensitivity of its setting and its location within the farmstead.

## Question 56

### Consultation Questions

- a) Do you agree with draft Policy HO15 Conversion of Rural Buildings to a Residential Use?
- b) Do you agree that the conversion of agricultural buildings should first consider business and tourism uses first before residential development? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Park Homes and Residential Caravan Sites

**8.136** Park homes and permanent residential caravan sites are becoming an increasingly popular form of dwelling for those seeking low-cost accommodation or for those who are drawn to the idea of a close-knit community with many facilities provided on-site. This form of development is not uncommon within the district and has appeal to local residents. This form of housing therefore has a role to play in providing low-cost accommodation for small households.

**8.137** The Council's preferred policy approach is to support proposals for the development of new residential caravan sites within development boundaries, or the small-scale extension of existing park home and permanent residential caravan sites in sustainable locations, if they can show that they demonstrably contribute to the diversification of the district's housing stock.

### Policy HO16: Park Homes and Residential Caravan Sites

Proposals for new park homes/permanent residential caravan sites within development boundaries, or small-scale extensions to existing park homes/ permanent residential caravan sites that lie outside of the development boundaries will be supported where they contribute to the district's housing need provided that:

- a) the scale, design and layout of the proposed development relates well to the surrounding area and does not appear dominant in the landscape or to its nearest settlement;
- b) the site is not located within Flood Zones 2 or 3, within an area with poor drainage or within an area of poor ground stability;
- c) the proposal includes on-site facilities for day-to-day uses and recreational provision of an appropriate scale;
- d) the proposal includes safe vehicular and pedestrian access, satisfactory storage areas for refuse and recycling, and sufficient car parking spaces (including circulation);

- e) the location of the site will not have a detrimental impact on the surrounding highway network;
- f) the site has good accessibility by sustainable modes of transport to a sustainable settlement; and
- g) the proposal will not result in an unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, sunlight, noise, odour and disturbance.

## Supporting Text

**8.138** Policy HO16 provides a number of criteria for new park homes and residential caravan sites in development boundaries, or extensions to existing park/permanent residential caravan sites that each proposal should meet.

**8.139** Given the popularity of such park homes and residential caravan sites, including with older people, some of whom suffer with mobility issues, proposals for new sites should also include on-site facilities for day-to-day uses and recreational provision appropriate to the scale of development, particularly in rural locations. Many existing park homes and residential caravan sites lie outside of existing settlement boundaries. Therefore, criteria within this policy confirms that the extension of these sites will only be permitted if they can demonstrate good connectivity to a nearby sustainable settlement with access via public transport. The onus will be applicant to demonstrate that the existing park home and residential caravan site has good connectivity to nearby sustainable settlement, with access to non-motorised transport.

## Question 57

### Consultation Questions

- a) Do you agree with draft Policy HO16 Park Homes and Residential Caravan Sites?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Replacement Dwellings in the Countryside

**8.140** The NPPF is clear that new houses should be provided in sustainable locations and in areas that will enhance or maintain the vitality of rural communities. However, there is also a need to consider the specific requirements of those who already live in the countryside who may wish to replace their current dwelling to better suit their needs. Whilst the construction of a new building in the countryside is not generally permitted, where a property is in disrepair or is not appropriate for current needs by way of size or design, replacement dwellings can assist to maintain the existing housing stock and can reduce the need for new residential development

on greenfield sites by providing a dwelling on a site that is considered as previously developed land.

**8.141** Policy HO17 outlines the criteria in relation to proposals for the replacement of dwellings outside of development boundaries in Wealden District.

### Policy HO17: Replacement Dwellings in the Countryside

1. The replacement of an existing dwelling in the countryside will be permitted subject to all of the below criteria being met:
  - a) The existing individual dwelling benefits from a lawful residential use and this use has not been 'abandoned';
  - b) The existing dwelling cannot meet the needs of occupiers by way of extensions or alterations to the existing dwelling;
  - c) The replacement dwelling is of a comparable size and scale to the original dwelling and is located within the footprint of, or as close as practical to the existing dwelling within the residential curtilage, unless an alternative position would result in clear landscape, heritage, access or local amenity benefits;
  - d) The form, external appearance, height and massing of the replacement dwelling and any associated development and works, shall be no more visually obtrusive in the landscape than the original dwelling;
  - e) The proposed replacement dwelling is designed to ensure it does not result in adverse harm to the overall character and appearance of the area taking into account the surrounding landscape, heritage assets, built form and existing street scene;
  - f) The proposed replacement dwelling can be suitably accessed and can provide sufficient parking and adequate private amenity space within the curtilage of the dwelling; and
  - g) The proposal would not materially harm any neighbouring uses including the living conditions of nearby residents, particularly in relation to a loss of privacy or daylight.
2. Where replacement dwellings are permitted, planning conditions may apply to:
  - a) Remove permitted development rights where the replacement dwelling has increased its overall floorspace from the existing dwelling and where further increases may result in an unacceptable development as per the criteria above; and / or
  - b) Require the removal of the existing dwelling where an alternative location is proposed to prevent the development of isolated homes in the countryside.

### Supporting Text

**8.142** In principle, a proposal for the replacement of an existing dwelling in the countryside will only be supported where the existing dwelling is of a permanent and of substantial

construction<sup>166</sup> and only on a 'one for one' basis. The term 'abandonment' in planning is not defined either within the NPPF or in statute and will be judged on a case-by case basis. Whether the use can be resumed can be the determining factor in terms of whether the use has been 'abandoned', rather than the building being empty.

**8.143** In relation to criteria 1e), where a proposal for the replacement of a dwelling sits within the High Weald National Landscape, or within its setting, then it should be noted that Policy NE7: The High Weald National Landscape of this Local Plan will concurrently apply and that such development would only be permitted where it conserves and enhances natural beauty, having regard to the character of the landscape.

**8.144** Upon the attainment of planning permission, in some circumstances, the Council will consider attaching a planning condition(s) to that approved planning permission to remove permitted development rights where it is considered that extension/alterations to the dwelling, or the provision of other ancillary buildings will harm the setting of the building or the rural landscape it is situated within. In determining the scale of the replacement dwelling, the Council will consider whether the resultant replacement dwelling is of a comparable size and scale to the original dwelling. In such cases, the Council will consider historical records on extensions to the original dwelling that have been constructed and whether a further increase in floorspace is appropriate, given the criteria listed within this policy.

## Question 58

### Consultation Questions

- a) Do you agree with draft Policy HO17 Replacement Dwellings in the Countryside?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes

**8.145** The Council is aware that homeowners may desire to extend or make alterations to their existing dwelling or to construct an outbuilding and/or annex in order to meet their housing needs. The ability to extend and make alterations to existing dwellings or construct an outbuilding or annex can greatly improve the existing housing stock available within the district, particularly for older people who may require more space for a disability, or annex accommodation at a family home. Furthermore, our latest economic evidence shows that there has been a substantial change in working place practices towards greater home working and there will be a greater need for this type of development in the district.

**8.146** Planning permission is not always required for extensions and alterations to dwellings due to permitted development rights as set out in the Town and Country Planning (General

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166 This policy does not apply to derelict buildings where the residential use is considered to be 'abandoned'.

Permitted Development) (England) Order 2015 (as amended). However, where an extension, alteration, annex or outbuilding does require planning permission, this policy and other relevant policies within the Local Plan shall apply.

### Policy HO18: Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes

1. Proposals for extensions and alterations to existing residential dwellings and for proposals for outbuildings and annexes within their curtilages will be permitted where:
  - a) it is designed to respect the scale, form, proportions, materials, height and massing of the existing dwelling;
  - b) it is designed to be in keeping with the appearance and general design of the original dwelling;
  - c) the design of the extension, alteration, outbuilding or annex leaves sufficient external private space for the occupiers of the dwelling, including a sufficient level of parking;
  - d) in the case of extensions and alterations, they are physically and visually subservient to the dwelling, including its roof form, taking into account its original form and the cumulative impacts of existing extensions on the property;
  - e) in the case of subsequent extensions and alterations to converted rural buildings, this should not detract from the original form and character of the building;
  - f) in the case of outbuildings, they respect and respond positively to the character, appearance and setting of the main dwelling within its plot and the surrounding area, through their siting, scale and massing, design and materials; and
  - g) in the case of an annexe, the proposal should normally be physically attached to the dwelling and not lend itself to future subdivision to form a new dwelling. In cases where a detached annexe is required, this annexe accommodation should be sited in close proximity to and have a clear functional relationship with the existing dwelling, with the applicant first considering existing buildings in the curtilage of the dwelling that are capable of conversion.
2. Where an annexe is permitted, the Council will consider whether a planning condition or Section 106 Planning Obligation<sup>167</sup> should be applied or signed to ensure that the proposed annexe is tied with the existing host dwelling.
3. In cases where an extension, outbuilding and/or annex is permitted, particularly in rural locations, the Council will consider attaching a planning condition(s) to that approved planning permission to remove permitted development rights where it is considered that subsequent extension to the dwelling will adversely impact the character of the area, or the amenities of neighbouring occupiers.

<sup>167</sup> It should be noted that Wealden District Council will apply planning conditions in most cases, but there may be cases, particularly in remote/isolated locations where a Section 106 Planning Obligation is required.

## Supporting Text

**8.147** The Council's preference is for annexes to be directly attached to the original dwelling. However, in circumstances where this is unachievable, the annex must be carefully situated in close proximity to and can demonstrate a clear functional relationship with the original dwelling. For planning applications relating to annexes, the Council may also consider that a planning condition should be applied, or a planning obligation be entered into in cases where the dwellings is particularly remote/isolated. This will tie the proposed annex to the existing host dwelling, ensuring that it does not become a separate residential unit that could possibly be sold without planning permission in the future.

### Question 59

#### Consultation Questions

- a) Do you agree with draft Policy HO18 Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Extensions to Residential Gardens

**8.148** The Council acknowledges that in rural locations, many homeowners may wish to extend their residential garden curtilage into the surrounding countryside to accommodate outbuildings, for use as a garden or for use as car parking, amongst other uses. Furthermore, due to the district's agricultural heritage, redundant agricultural land surrounds many countryside settlements providing an opportunity for gardens to be extended. Whilst such extensions to residential gardens can be appropriate, it is considered that introduction of domestic paraphernalia, parking etc. into the countryside can be detrimental to the intrinsic value and character of rural areas. This encroachment into agricultural land must be restricted and appropriately managed to best protect the idyllic landscape of Wealden's countryside, particularly within the setting of the SDNP and within/adjacent to the High Weald National Landscape.

**8.149** Proposals for the extension of residential gardens in the countryside should be modest and not detrimentally harm the local character of the surrounding area or landscape. They should be a logical extension, taking into consideration the form of the locality and existing landscape features, such as hedgerows, watercourses or woodlands or otherwise constitute a 'rounding off' of an existing residential garden.



## Policy HO19: Extensions to Residential Gardens

1. Extensions to the gardens of existing dwellings in the countryside will only be supported where the proposal:
  - a) is modest in area and the change of use and potential domestic paraphernalia will not harm the rural character of the area;
  - b) is a logical extension of the residential garden, in that it matches the existing pattern of surrounding residential development, or the presence of landscape features such as a hedgerow, watercourse or woodland;
  - c) does not have a detrimental impact on the visual amenity or privacy of neighbouring dwellings; and
  - d) does not have a detrimental impact on the rural character of the countryside.
2. Where a proposal is located within the High Weald AONB or affects the setting of the SDNP, the proposal will also need to demonstrate that it is justifiable within the context of this national level of landscape protection, particularly in terms of visual amenity.
3. Where an extension to a residential garden is permitted, the removal of permitted development rights for the erection of outbuildings and provision of hard surfaces may be applied.

### Supporting Text

**8.150** Upon the attainment of planning permission, in some circumstances it may be required for permitted development rights for the erection of outbuildings and provision of hard surfaces to be removed. This will ensure that inappropriate development does not come forward within extended garden curtilages that may otherwise further detrimentally impact the surrounding area. This will be achieved by virtue of a planning condition attached to the approved planning permission, in accordance with Article 3(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and will be determined on a case-by-case basis.

### Question 60

#### Consultation Questions

- a) Do you agree with draft Policy HO19 Extensions to Residential Gardens?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?



# 09

## Infrastructure





# Infrastructure

## Introduction

**9.1** The Council recognises that the growth aspirations set out in this local plan cannot take place without the delivery of transport improvements and other new or improved infrastructure and service provision. The provision of infrastructure in the right location, right scale and at the right time is therefore essential and is a strategic objective of this local plan.

**9.2** Through partnership working with infrastructure providers and organisations we have identified that infrastructure and service improvements are required within the district. We also understand how important it is that future development is supported by an appropriate level and type of infrastructure to ensure sustainable development and that our communities are supported by infrastructure.

**9.3** The delivery of infrastructure is very much dependent on partnership working and a key part of our plan-making process is to work with those responsible for infrastructure delivery to assess the quality and capacity of infrastructure and its ability to meet forecast demands. The Council will continue this process to inform the Local Plan at its next stage.

**9.4** The Council has published alongside this plan an Interim Infrastructure Delivery Plan (IDP) which sets out our understanding of the quality and capacity of our existing infrastructure, our infrastructure deficiencies as well as the infrastructure that will be required to support the delivery of development during the plan period. The Interim IDP has been informed through discussions with relevant infrastructure and service providers operating in the district and will be updated as the plan progresses. There are numerous partners involved in this process some are private sector partners, such as those associated with utilities and others are public sector providers such as East Sussex County Council (ESCC) or National Highways. They help us to identify what is needed to support development as well as the funding required and the timescales for when infrastructure is required to be delivered.

**9.5** The Infrastructure Delivery Schedules (IDS) are sections of the Interim IDP that provide a database of infrastructure projects identified by the Council to support growth within the District. The projects have been put forward by stakeholders, internal and external infrastructure providers, parish councils, Councillors and members of the public.

**9.6** As a live document the IDS is reviewed regularly but remains the first port of call in determining the direction of what may be funded. It will also act as a guide for developers, indicating the infrastructure that a development may be required to provide.

**9.7** Not all infrastructure requirements in the district are due to new development and its associated population growth. Certain infrastructure may become tired or may just be outdated. We can only ask developers to provide for new or improved infrastructure that is associated with the impacts of the development, either alone or cumulatively.

**Figure 25 Three Main Types of Infrastructure**



## What you have previously told us

**9.8** As part of our Direction of Travel consultation you told us that we should ensure that all infrastructure to support development is delivered in advance of completion of a scheme; the timing of which is controlled by condition or legal agreement. You also said that development could also be delivered where the existing infrastructure was available and had capacity to support new growth. These suggestions related to both residential and commercial development to ensure that appropriate facilities were available in both working and home locations and the transition between both was easy.

**9.9** You asked us to make better use of and improve the monitoring of S106 Legal Obligations ensuring that non-delivery of schedules was an exception and their implementation enforced in a timely and professional manner.

**9.10** The provision of a variety of improved active and sustainable travel options received a high number of comments. These suggested that there is a need for improved connectivity through improving rail links and the bus network including supporting travel hubs and improving the coordination of bus and rail timetables. The comments included asking the Council to reaffirm their commitment to restoring rail links between Lewes and Uckfield. The delivery of this type of change would encourage a modal shift from using cars to other forms of transport.

**9.11** Other comments focussed on the provision and expansion of a safe and accessible walking, wheeling and cycling networks to achieve better connectivity throughout the entire district. This integrated active travel network was proposed alongside the provision of higher quality roads that ensure safe and accessible options for travel by people walking, wheeling and cycling for everyday journeys.

**9.12** You also raised concerns regarding the adequate provision of health and social care services, the availability and location of emergency services, improved broadband and mobile phone coverage as well as improved sewage capacity and the upgrading of fresh water and foul water pipework.

## Infrastructure contributions and provision

**9.13** The funding and delivery of infrastructure is complex, often requiring funding from different sources to enable the delivery of necessary infrastructure. Funding may take the form of in-kind physical infrastructure or a financial contribution depending on the needs of the development. The following are the key funding delivery mechanisms available to the Council.

### Community Infrastructure Levy (CIL)

**9.14** The Community Infrastructure Levy (CIL) is the principal mechanism for collecting development contributions for the delivery of infrastructure throughout the district.

**9.15** The Council implemented CIL on 1<sup>st</sup> April 2016, charging the levy on residential and retail development in accordance with the adopted CIL Charging Schedule<sup>168</sup>. CIL is a fixed rate charge which varies dependent on development type and is collected at the commencement of a project.

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168 WDC (2015) Community Infrastructure Levy Charging Schedule. Available at [https://www.wealden.gov.uk/UploadedFiles/CIL\\_Adopted\\_Charging\\_Schedule\\_November\\_2015.pdf](https://www.wealden.gov.uk/UploadedFiles/CIL_Adopted_Charging_Schedule_November_2015.pdf)

**9.16** Unlike S106 Planning Obligations, funding from CIL does not have to directly relate to the development from which it is collected and can be used to enhance and deliver infrastructure district wide to offset the cumulative impact of new development.

### **S106 Planning Obligations**

**9.17** Planning Obligations also known as Section 106 development contributions, are private legal agreements made between interested parties, usually the developer/landowner and the Council. They have traditionally been collected towards the provision of infrastructure and facilities to support the community.

**9.18** They differ from funds raised via CIL in that they are directly related to funding infrastructure to mitigate for an adverse impact a specific development may bring to a community or area. Planning Obligations are only sought where all the following tests are met:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

**9.19** S106 obligations can either be in the form of onsite delivery of infrastructure such as a community hall or as a financial contribution that will be utilised by a different service provider including the Council for purposes outside the control of the developer. An example might be a financial contribution for education which is passed to East Sussex County Council for the delivery of new or improved education services that will serve the new community.

### **S278 Agreements**

**9.20** A Section 278 agreement (or S278) is a section of the Highways Act 1980 that allows developers to enter into a legal agreement with the Highway Authority (County Council or National Highways) to make alterations or improvements to a public highway, as part of a planning application. The details of the S278 are set out in the S106 agreement but are monitored by the Highways Authority.

### **Infrastructure Funding Statement**

**9.21** In December each year, the Council publishes an Infrastructure Funding Statement<sup>169</sup> (IFS) which provides information on the developer contributions (CIL / S106) collected within each year. The report also provides information on the types of infrastructure secured and the future plans to which CIL and S106 revenue will be allocated.

**9.22** In liaison with and on the advice of infrastructure providers, the Council will continue to seek funding for infrastructure projects from developers to support development and the local plan will play a key role in securing investment allowing providers to plan for the forecast growth as well as align delivery with growth.

**9.23** The Council will also continue to seek funding through a range of sources including central government, Transport for South East (TfSE), funding bids and other grant funding as available.

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<sup>169</sup> Wealden District Council – Infrastructure Funding Statements. Available at <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/infrastructure-funding-statement/>



## Policy INF1: Infrastructure provision, delivery, and funding

1. New development will be required to consider the capacity of existing infrastructure and consider whether new or improved infrastructure will be required to support development. All types of infrastructure should be considered including whether the scale and location of existing infrastructure, services and facilities would be able to support the development proposal. Early engagement with infrastructure providers is expected.
2. Planning permission will only be granted where it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all necessary infrastructure requirements arising from the proposal.
3. The timing of infrastructure provision will need to be considered and agreed with the Council in liaison with infrastructure providers to ensure that infrastructure is delivered and is operational prior to, or alongside the development it is required to serve. For larger applications, the phasing of development may be appropriate. Where this is the case, the Council will use conditions or planning obligations to secure the phasing arrangement to ensure that infrastructure is delivered at the right phase/time.
4. The delivery of relevant infrastructure will be secured either through direct provision by the developer or financial contributions, such as CIL and / or S106. Contributions towards infrastructure maintenance will also be secured as relevant.
5. The provision of infrastructure facilities such as those relating to healthcare and education should be provided in locations that relate well to both existing and new development. They should also be located in areas well served by existing or new/enhanced public transport services and walking, wheeling and cycling routes. Infrastructure must be designed in a way to ensure accessibility for all.

### Viability

6. Where relevant, a clawback mechanism will be incorporated into any legal agreement to ensure that infrastructure can be provided should viability as set out in viability assessments be better than originally anticipated.
7. If full mitigation measures and contributions are not able to be delivered due to viability, the development will only be permitted where the benefits of the development outweigh the lack of full mitigation for its impacts, having regard to other material considerations.
8. In considering the importance of infrastructure and its role in creating and supporting sustainable communities, viability reasons for non-delivery will only be considered in exceptional circumstances. To demonstrate viability constraints the developer must provide a satisfactory viability assessment (open book) prior to the validation of the planning application in accordance with the terms agreed by the local planning authority. All costs associated with the development will be required to be clearly set out by the developer including any costs that were not anticipated. The assessment will be required to demonstrate how the value of planning obligations have been maximised alongside likely viability. The Council will use an independent consultant to verify the assessment and the costs associated with this will be funded by the developer. All viability assessments will be made publicly available.

## Supporting text

**9.24** When reviewing existing infrastructure provision at the outset of the planning process consideration should be given to the most recent evidence base documents and IDS available on the Council's website in relation to infrastructure provision. These will provide guidance on the shortfalls and deficiencies that may exist as a result of new development and indicate what provision may be necessary for mitigation. Developers will be expected to discuss infrastructure provision at the pre-application stage of the process.

**9.25** In addition to the evidence base documents the Interim IDP will also set out strategic and local infrastructure requirements that should be considered at this same stage.

**9.26** The type of infrastructure identified will determine the type and level of contribution required including ongoing maintenance funding as relevant.

## Viability Reviews

**9.27** A viability review is a mechanism that allows Wealden to require developers to reassess the viability of their scheme at certain stages, such as when planning permission is granted, when construction starts, or when a certain percentage of the units are sold. If the review shows that the scheme is more profitable than expected, the developer will be required to provide additional infrastructure or make a financial contribution to support the provision of infrastructure within the District.

**9.28** Where a viability review is required, the details will be set out as part of the S106 legal agreement and approved by all parties.

**9.29** Clawback on viability is not a substitute for setting and enforcing clear and realistic policies in the first place, but rather a complementary tool that will help Wealden maximise the delivery of infrastructure in the district.

### Question 61

#### Consultation Questions

- a) Do you agree with draft Policy INF1: Infrastructure provision, delivery, and funding?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Active and Sustainable Travel

**9.30** Whilst additional development in the district will likely add pressure onto the existing transport network and will require suitable mitigation to ensure that development will not result in a severe impact on roads, the wider policy agenda for transport now looks beyond the traditional approach of mitigation (referred to as predict and provide or 'planning for vehicles').

**9.31** There is now an expectation to both deliver mitigation as well as contribute to delivering a decarbonised, sustainable transport system using a 'decide and provide' approach or 'planning for people and places'. This new focus is driven by a need to address the climate crisis including delivering a carbon neutral district, by which supporting the delivery of inclusive and sustainable travel modes (walking, wheeling, cycling and public transport) and enabling the adoption of vehicles with cleaner fuels alongside the utilisation of emerging transport technologies will help towards the creation of healthy, inclusive and high-quality places. Decarbonising transport impacts, by reducing the need to travel and prioritising sustainable transport, including more integrated and accessible active travel options alongside improved digital communications for residents and businesses, are important to delivering our carbon neutral targets.

**9.32** The high level of car ownership and car travel, coupled with gaps in sustainable transport infrastructure and poor connectivity within and between rural areas, are key challenges within the district and wider functional geography. This plan will therefore seek to address this by delivering development in sustainable locations therefore reducing the need to travel long distances for key services and ensuring that the connections between people and places can be achieved through the provision of wider sustainable and safer travel options (walking, cycling, wheeling and public transport).

**9.33** The Council has been working with East Sussex County Council and other local authorities in several ways to develop existing strategies and transport mitigation packages supported by transport modelling data. Details of mitigation schemes and transport modelling are provided in the Interim IDP as well as within the Wealden Local Plan Shared Transport Evidence Base (STEB) reports<sup>170</sup>. The Council will continue to work with partners as the plan progresses to the Regulation 19 stage to develop its understanding and policy position to ensure that development can be supported by sustainable transport, accessible and integrated active travel, and can secure appropriate transport mitigation. This work will align with both the emerging East Sussex Local Transport Plan 4<sup>171</sup> which is a partnership plan being developed by East Sussex County Council, outcomes from transport modelling in relation to mitigation required as well as the Transport Strategy for the South East (2020)<sup>172</sup>.

**9.34** Policy INF2 will deliver safer, accessible, inclusive, and sustainable travel infrastructure and highways mitigation to enable people to walk, wheel, cycle and use public transport for both existing and new development throughout the district.

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170 Available at: WDC – Planning Policy Evidence Bases. [Planning Policy Evidence Base - Wealden District Council - Wealden District Council](#)

171 Draft Local Transport Plan 2024 – 2050: <https://www.eastsussex.gov.uk/roads-transport/transport-planning/local-transport-plan/local-transport-plan-4>

172 Transport Strategy for the South East (2020): <https://transportforthesoutheast.org.uk/app/uploads/2020/09/TfSE-transport-strategy.pdf>

## Policy INF2: Active and Sustainable Travel

1. Working with partners, the Council will support proposals that will focus on:
  - a) enabling an integrated and improved transport network for all users;
  - b) reducing car journeys by encouraging and enabling active, inclusive, accessible and sustainable travel(walking, wheeling, cycling and public transport such as rail, bus, and delivering sustainable travel initiatives including car sharing/car clubs/cycle hire); and
  - c) providing greater travel choices.
2. Sustainability, patterns of movement, active travel, parking facilities and public transport connectivity (around 400m from most homes for major / strategic developments) are integral to the design of a scheme and the creation of high quality and healthy places. To ensure appropriate connectivity between people and places, transport design should be an integral and fundamental consideration from the start of the planning process.
3. New development will be supported where it:
  - a) Is situated in sustainable locations with good access to schools, jobs, shops, and key services with travel to these facilitated by sustainable travel modes;
  - b) Maintains, and where required, improves existing transport networks, ensuring that sufficient capacity is available to accommodate the development and that development will not result in a highways safety issue;
  - c) Delivers healthy places and streets contributing to complete, compact and connected neighbourhoods;
  - d) Provides or contributes to the provision of, new and/or improved public transport infrastructure and services proportionate to the projected number of additional trips arising from the development;
  - e) Delivers an inclusive integrated active travel network for people walking, wheeling, and cycling with particular regard to convenient connections, safety and permeability, including provision of new routes / filling in gaps in connectivity;
  - f) Retains and where relevant improves existing public rights of way, including improving local and strategic routes and links;
  - g) Provides for an appropriate level of cycle, car parking and electric vehicle space allocations that takes into consideration the impact of development upon on-street parking, highway safety and accords with East Sussex County Council guidance;
  - h) Provides a Transport Assessment, Transport Statement and Sustainable Travel Plan as relevant to the scale and nature of the development (in line with East Sussex County Council guidance). Where assessments are required, they must cover the extent of transport implications; and
  - i) Provides suitable alternative transport schemes such as Car Clubs, Car Share Schemes and / or Bicycle/Scooter Share Schemes, where appropriate.

4. In terms of design, development will be supported where:
  - a) The nature and level of traffic can be accommodated without adversely impacting upon the safety, amenity or character of the surrounding area;
  - b) Roads and junctions within the development, including those to be altered or added as a result of the development, are designed, and delivered in accordance with the appropriate highway guidance with particular emphasis on safety of all active and motorised vehicle users;
  - c) Suitable and safe vehicle access, turning and access provision for service vehicles e.g. refuse vehicles, emergency service vehicles and deliveries can be made in a forward direction;
  - d) The development provides a design and layout that will deliver and encourage slower driving speeds prioritising non-motorised travel (walking, wheeling and cycling) modes as suitable to the scheme;
5. Any transport improvements required will be secured by planning condition or a Section 106 planning obligation to include an appropriate highway related legal agreement under the Highway Act 1980 [i.e. s278, s171, s38, Traffic Regulation Order]

**9.35** The Council will continue to work closely with ESCC and National Highways, as the respective Highway Authorities in the consideration of impacts from development on the transport network to ensure that development will not have a severe residual impact on the operation of, safety of or accessibility to the local, major or strategic road network.

**9.36** We will also liaise with partners to ensure that the required information needed to support proposals is identified at an early stage in planning as well as working with developers to identify the right opportunities to ensure that a proposal contributes to sustainable development and sustainable travel. New development will be expected to provide mitigation to ensure that it will not result in a severe impact on the transport system.

**9.37** Developers will be required to identify and design active travel infrastructure in accordance with Active Travel England's planning and infrastructure design guidance (including Local Transport Note 1/20).

### **Transport assessment, Transport statement or Travel plan**

**9.38** Developers will need to quantify the transport impacts that a proposed scheme will have and identify the level and type of mitigation required. Where there is a significant increase in the level of transport movements, they will need to provide a transport assessment or transport statement, and potentially also a travel plan, in accordance with National Planning Practice Guidance<sup>173</sup>. These transport assessments, transport statements and travel plans will be expected to comply with the latest ESCC Guidance.

**9.39** A transport assessment provides detailed information on the transport impact of a proposed development, while a transport statement is a lower level of assessment for smaller

173 Department for Levelling Up, Housing and Communities (2014). Travel Plans, Transport Assessments and Statements. Available at <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

developments. Travel plans are long-term management strategies for integrating sustainable travel proposals into the planning process and are required where the proposal is to be supported by a full transport assessment.

**9.40** The implementation of the travel plan will be secured as part of a planning permission and agreed and monitored via a S106 planning obligation.

**9.41** The need for a transport assessment, transport statement, or travel plan will be determined on a case-by-case basis in discussion with the planning case officer. Initial guidance on the need for and scope of transport statements and assessments is available in the Council's planning application validation requirements. Further transport assessment guidance is provided by the ESCC Highway Authority<sup>174</sup>.

**9.42** All transport assessments must consider the cumulative impact of the proposed development with other relevant local plan sites and committed development in order not to prejudice the delivery of development required during the plan period.

**9.43** Prior to submitting any planning application for a development that may have a transport impact, applicants are encouraged to engage with the Council and ESCC Highway Authority to agree the scope of work on transport matters required. Where proposals could potentially impact upon the strategic road network early engagement with National Highways will also be expected.

## Question 62

### Consultation Questions

- a) Do you agree with draft Policy INF2: Active and Sustainable Travel?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Parking Provision

**9.44** The Council supports the appropriate provision of parking in new development and will ensure that such parking is provided and maintained to meet the needs of local communities both now and in the future. This includes parking for vehicles, bikes, powered two-wheel vehicles, for example.

**9.45** The NPPF states that if a local planning authority is to set local parking standards for new development, then the policy should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport provision, local car ownership levels and the need to ensure adequate provision of spaces for

174 ESCC (2009) Transport Assessments, Transport Statements and Transport Reports. Available at <https://www.eastsussex.gov.uk/planning/roads/planning-applications>

charging plug-in and other ultra-low emission vehicles. This is reiterated by East Sussex County Council (ESCC) in its draft Local Transport Plan (LTP) 4.

**9.46** The NPPF also states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network.

**9.47** Currently, for residential development, the Council applies the vehicle and cycle parking standards laid out in ESCC Guidance for Parking at New Residential Development<sup>175</sup> that was published by ESCC in 2017. For non-residential development, the Council applies the parking standards for parking at non-residential development also published by ESCC<sup>176</sup>. These guidelines are due to be updated shortly.

**9.48** There is a need to respond to the challenges of climate change, as well as the need to optimise the density of development in locations that are already well served by public transport provision (see Policy HO2: Density), which may mean that some residential schemes around public transport hubs may require less parking provision. This may also be similar for accessible employment uses. The ESCC vehicular and cycle parking guidelines explain that a degree of flexibility should be applied depending on the local characteristics and other considerations such as the proposed land use, the accessibility of the site for non-car mode users and forecast trip rates. However, as Wealden is largely rural, this is a challenge to move away from the reliance of the private vehicle. Therefore, reducing the carbon impact of existing trips through supporting the roll out of electric vehicles will be important and the provision of adequate and safe car parking that aligns with this will remain.

**9.49** Therefore, Policy IF3 seeks to ensure that any new development is supported by safe, secure, accessible, and adequate parking provision, whilst being fully integrated within the active and alternative travel networks.

**9.50** Planned parking must also be provided at a level that is appropriate for the size and type of development it is to support and, should meet the future demand for electric and hybrid vehicles as well as alternative means of transport such as e-bicycles and e-scooters.

### Policy INF3: Parking Provisions

1. All new development will be required to provide adequate and well-integrated vehicular and cycle parking, taking account of the standards set out in the ESCC Guidance for Parking at New Residential Development (2017) and Non-Residential Development or any subsequent replacement guidance. The guidance must be the starting point for decision-taking on appropriate parking provision for new developments.
2. In considering new parking provision for all types of development, the applicant shall consider:
  - a) The character of the local area;
  - b) The proximity and availability of public transport provision;
  - c) The accessibility of the site for non-car mode users;

175 [Guidance for Parking at New Residential Development Oct 2017 \(ESCC\)](#)

176 [Guidance for Parking at Non-Residential Development \(ESCC\)](#)

- d) Forecast trip rates
  - e) Highway safety and access to and from the development site; and
  - f) The provision of facilities for shared transport schemes (i.e. Car Clubs);
3. In considering new parking provision on residential development schemes, the applicant shall also take account of:
- a) The layout of the new residential development;
  - b) The mix of dwellings in terms of the number of bedrooms and type; and
  - c) Local car ownership levels.
4. All new development shall also deliver an appropriate level of cycle (including E-bikes), car, disabled, and visitor parking including electric vehicle active and passive provision that takes into consideration the impact of development upon on-street parking.

### Supporting text

**9.51** Policy IF3 applies to all applications for new development. This will include, for example, alterations or additions to existing buildings/uses where existing parking provision may be affected.

**9.52** The accessibility and availability of alternative modes of transport should inform the appropriate level of car parking provision for both residential and non-residential development. However, there must be a realistic expectation of the impact that modal shift will have on the level of parking as insufficient parking or reliance on unallocated spaces can lead to drivers parking on roads or in other locations which in turn may impede the flow of traffic or accessibility for service and emergency vehicles.

**9.53** Areas for parking and servicing should be designed to comply with policies CC7: Managing Flood Risk and CC8: Sustainable Drainage of this Local Plan. All parking associated with new development should also be laid out to ensure the relevant requirements of Schedule 1 Part S of the Building Regulations regarding Electric Vehicle Charging are met.

**9.54** Lastly, consideration must also be made for the change in vehicle type with a shift to ultra-low emission vehicles expected with the cessation of the sale of new petrol and diesel cars by 2035. Proposed parking must account for this shift at the outset and include the necessary passive infrastructure such as underground ducting and servicing for future charging points within the development process.



## Question 63

### Consultation Questions

- a) Do you agree with draft Policy INF3 Parking Provision?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Utilities

**9.55** The provision of adequate utilities infrastructure is essential to deliver the planned sustainable growth as set out in this Local Plan. Utilities are defined as services that come to or from your property or place of work and includes the provision of water, sewerage disposal services, digital and communication infrastructure, electricity, gas and oil.

**9.56** The government attaches great importance to ensuring that sufficient infrastructure is in place in the right locations at the right time to support investment and growth. However, as Wealden is a rural district, there are locations within the district that do not benefit from all the services/utilities that are developed within a major town or city. It is commonplace to have properties in Wealden without a direct connection to mains sewage or mains gas for example, or for areas of the district to have slower broadband or poorer quality mobile phone network connections.

**9.57** Policy IF4 seeks to ensure that all areas of the district have equal access to the provision of high-quality utility services. All development proposals should be able to demonstrate that, at a minimum, they can provide for the forecasted needs of their own development and that this should be undertaken in a way that does not prejudice future utility provision coming forward. The applicant/developers should also ensure that the layout of utilities on site allow for the future access to those utilities for their maintenance and/or improvement. These issues should be considered at an early stage in the design of the development, and the Council encourages developers to liaise with utility providers on capacity and design prior to the submission of a planning application.

## Policy INF4: Utilities

### Utilities

1. All development proposals should demonstrate that the infrastructure capacity for surface water disposal, water supply, wastewater treatment, gas, electricity and oil will be sufficient to meet the forecast demands arising from the development over its lifetime and that appropriate connections can be made to the development created.
2. All development proposals should ensure that the layout of the utilities is planned to allow future access to existing water supply, wastewater, gas, electricity and other utilities infrastructure for maintenance and upsizing/upgrading purposes.

3. The utility network should be protected and development proposals that would compromise existing utilities infrastructure, or encroach on future connections for utilities, will be refused. Opportunities should be sought to safeguard the provision of utilities wherever possible.
4. The Council will work with its utilities partners to ensure the necessary physical and environmental infrastructure is provided to support communities. Development that supports or provides carbon neutral utilities schemes that contributes to helping the Council meet its carbon neutral target will be particularly supported.
5. Lastly, new development proposals must take into account the impact of overhead power lines on site and should wherever feasible, aim to provide power cables underground in order to protect residential amenity.

## Supporting Text

**9.58** It is recommended that utility companies are consulted for major development schemes at the pre-application stage to confirm the capacity of the local services at the time of the application and for the duration of the plan. A site wide utilities master plan to establish principles during the construction process and early liaison with infrastructure providers is advised prior to the submission of a planning application for major development.

**9.59** Utilities provision and connections on large sites (particularly those developments that are phased), which will take a number of years to build out, should be planned in a comprehensive way between phases and, where required, between multiple developers. This should be determined at an early stage and should be considered as part of the pre-application process for major development.

**9.60** There are a number of planning policies within the draft Local Plan that should be considered alongside Policy IF4. The provision of water infrastructure is considered specifically under Policy NE13: Water Environment and Water Infrastructure and surface water disposal is considered specifically under Policy CC8: Sustainable Drainage. These policies should be read alongside Policy IF4.

**9.61** Digital infrastructure including, broadband, mobile phone services and fibre networks are covered in detail within Policy IF5: Digital and Communications Infrastructure.

## Question 64

### Consultation Questions

- a) Do you agree with draft Policy INF4 Utilities?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Safeguarding Infrastructure

**9.62** Safeguarding land relates to protecting certain areas which may be required to deliver infrastructure provision in the future, within or beyond the plan-period. The purpose is to protect the land from development as well as potential conflicting uses that could impede infrastructure delivery.

**9.63** There are currently a number of infrastructure projects being considered that would have long term benefits for the district and its residents. Policy INF5 sets out the areas where land will be protected to offer continued opportunity for the infrastructure programmes to come forward as agreed with strategic infrastructure partners. The safeguarded areas are provided on the Council's policies maps.

### Policy INF5: Safeguarding of Infrastructure

1. As defined on the Policies Map, development will not be permitted which would prejudice the reinstatement of the following railway lines:
  - a) Lewes to Uckfield; and
  - b) Eridge to Tunbridge Wells
2. As defined on the Policies Maps, development will also not be permitted which would compromise the delivery of an extension to the Arlington Reservoir.
3. Development will also not be permitted which would compromise the delivery of any offline improvements to the A27 between Lewes and Polegate.

## Supporting text

### Lewes-Uckfield Railway Line

**9.64** The Lewes to Uckfield Line is a former railway line that linked not only the town of Lewes and Uckfield but potentially Brighton Station to London. The reinstatement of this line would provide opportunities to reduce vehicle movements between Mid-Wealden and Lewes/ Brighton but could also assist in dealing with capacity issues at Brighton. The draft East Sussex Local Transport Plan 2024 - 2050 has identified this scheme for delivery in the medium to longer term.

**9.65** East Sussex County Council and Wealden District Council continue to support the reinstatement of the Lewes to Uckfield Railway Line, because this would provide significant additional rail capacity in the county and improve resilience for rail journeys between London and the Sussex Coast. This is in alignment with ESCC Draft Local Transport Plan 4.

### Eridge to Tunbridge Wells

**9.66** The Eridge to Tunbridge Wells rail link would enable, if implemented, the Uckfield service to be extended through to Tunbridge Wells, providing greater accessibility and resilience across the network, especially for rail journeys between London and the Sussex Coast. This would

also form part of long-term mitigation measures to reduce traffic across the district. This rail link is also safeguarded by Tunbridge Wells Borough Council.

### Arlington Reservoir Extension

**9.67** The South East Water (SEW), Water Resource Management Plan (2020 to 2080)<sup>177</sup> identifies the extension of the Arlington Reservoir in the 2025 to 2045 timeframe to assist in addressing the projected increased shortfall for the water supply-demand balance anticipated over the period of the plan. For this reason, the Council will safeguard the land to enable this project to be brought forward.

### Offline A27 project

**9.68** There is congestion, journey time reliability and safety issues on this part of the strategic highways network between Lewes and Polegate and further development will add to the local and strategic connectivity issues. This scheme in combination with other identified schemes will form a key element in the delivery of an integrated transport package for development in the Eastbourne and South Wealden growth area. This project was identified in the Government's Road Investment Strategy (RIS) 2, covering the period 2020 to 2025, as a RIS pipeline scheme for further development and potential delivery in the RIS3 period (2025 – 2030), however has been slipped to a potential scheme for delivery in RIS4 (2030 – 2035). It is therefore essential that the Council safeguard the land that sits within the boundaries of the district to enable the delivery of this scheme.

## **Question 65**

### **Consultation Questions**

- a) Do you agree with draft Policy INF5 - Safeguarding of Infrastructure?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## **Digital and Communication Infrastructure**

**9.69** Digital communications are now an integral part of everyday life. Technologies such as mobile phones and broadband have dramatically changed the way we work, socialise, and conduct our everyday activities and both businesses and domestic users are increasingly reliant on them. The importance of digital communications to the economy, both current and future, is widely accepted. Good telecommunications infrastructure is particularly important in relation to the economy and in attracting new employment opportunities to the area and supporting the high proportion of small and medium enterprises as well as support those who work from home.

<sup>177</sup> SEW Water Resources Management Plan 2020 to 2080. Available at <https://cdn.southeastwater.co.uk/Publications/Water%20resources%20management%20plan%202019/wrmp19-sea-report.pdf>

**9.70** In addition to this, high quality digital and communication infrastructure has the ability to support and improve people's quality of life allowing people to connect despite distance, facilitating social inclusion as well as providing opportunities to access employment, education and services. It can also assist to reduce the need to travel, relieving congestion on our roads as well as assist in reducing carbon emissions through reduced travel.

**9.71** Within the District there is a disparity between the provision of full fibre broadband across the district with the primary issue being provision in rural areas. This is due to provision not being as commercially attractive compared to more densely populated areas.

**9.72** In terms of superfast broadband coverage, the most recent figures published by East Sussex County Council state that as of February 2022 superfast coverage in East Sussex is 98%, compared to 95% in February 2018 against a baseline of 3% in 2012. Take up of these services is 79.4% against a national benchmark of 56%. Mobile phone coverage while near 100% in the district only achieves this percentage of coverage with one provider. Other providers do not currently provide district wide coverage. Therefore, residents of Wealden do not have the opportunity to shop around for suppliers and are restricted in the service levels they can currently utilise.

**9.73** In the last few years, there have been improvements in digital and communications infrastructure across the district, however, we do need to see further improvements to support the decarbonisation agenda as well as support economic prosperity and our communities. However, whilst improved digital and communications infrastructure is essential, we will also need to ensure that the provision of new communications infrastructure has a minimal impact on the natural and built environment, landscapes and residential amenity.

**9.74** The NPPF recognises the importance that high-speed broadband and other communication technologies plays in the delivery of sustainable communities, economic growth and health and wellbeing. The Council supports the delivery of this type of infrastructure, subject to other policies in the local plan, to enable a good quality of life for our residents and to create a work environment that stimulates employment and development opportunities within our commercial, retail and industrial sectors. Policy INF5 seeks to ensure that both new and existing development is supported by a comprehensive digital communication network.

### Policy INF6: Digital and Communication Infrastructures

1. The Council supports the expansion and improvement of digital and communication infrastructure across the district, subject to other policies in this Local Plan.
2. Applicants will be required to actively engage at the earliest opportunity with the Council to discuss deployment plans to minimise costs, time and uncertainty associated with the planning process for the deployment of fixed and mobile infrastructure.
3. Applicants will be required to actively demonstrate that they have considered broadband and mobile connectivity within their proposals for new housing, employment and retail developments and will enable Fibre-to-the-Premises (FTTP) or where it is demonstrated that this is not possible, other satisfactory gigabit-capable wireless solutions.

4. All new dwellings, including those provided via building conversions must be designed and constructed in a way that enables them to meet or exceed the Government's Building Regulations relating to the provision of high speed FTTP infrastructure in the home or any subsequent national equivalent standard should the Building Regulations and/or national policy be reviewed in the future.
5. Where FTTP is not possible, infrastructure for the FTTP in the future should be provided where this is practicable.

#### Existing Telecommunications Infrastructure

6. Residential developments of ten or more units and all new employment generating development should demonstrate that there is sufficient mobile telecommunications coverage.

#### New Telecommunications Infrastructure

7. Telecommunications infrastructure proposals should demonstrate that they are required considering other sites available, considering the opportunity of mast sharing and using existing buildings or structures and that the installation exceeds the minimum required for the efficient operation of the network.
8. All relevant proposals (including prior approvals) will need to demonstrate that:
  - a) the proposal is the least environmentally harmful option;
  - b) Pre-application consultation has taken place with the community, local groups and organisations who may be affected by the proposal;
  - c) the cumulative exposure will not exceed the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP);
  - d) the location and design of the proposed apparatus and associated structures will minimise any adverse visual impacts on visual amenity or the character and appearance of the surrounding area / host building; and
  - e) The location and design will have no significant adverse impact on the historic environment, on sensitive sites including areas of ecological interest, areas of landscape importance or sensitive landscape areas.

### **Supporting text**

**9.75** Policy INF5 applies to all major development for new residential sites and all public and business premises. It does not apply to householder development such as extensions to existing dwellings.

**9.76** Due to the rural nature of the district, digital connections are mainly but not always, delivered by full fibre connections but can also be delivered via technologies such as cable and fixed wireless access.

**9.77** At submission stage applicants should provide a Digital Infrastructure Statement which outlines how digital communication technology, will be delivered through the development.

**9.78** The Digital Infrastructure statement should include the following information for full and reserved matters applications:

- That discussion has been undertaken with the providers in relation to serving the proposed development.
- The method of delivery either by connecting to existing infrastructure or by providing additional infrastructure if needed.
- Is provided and delivered in such a way that provides competitive choice;
- Confirmation that the provision of digital communication infrastructure will be available and in place prior to occupation,
- For both full and reserved matter applications, how the proposed infrastructure will be delivered in terms of the layout. Connectivity should be provided on an indicative drawings and diagrams which set out full details.

**9.79** In exceptional circumstances this policy requirement may not be achievable, for example in very isolated locations which are not close to an existing fibre network, or in cases of new properties coming forward in existing structures such as sensitive heritage assets. In these circumstances alternative solutions such as fixed wireless may be considered acceptable. These circumstances must be evidenced within the Digital Infrastructure Statement in order to justify a departure from the policy.

**9.80** For both pre-application discussions and outline applications a statement must be provided that indicates that the requirements for connectivity and delivery can be met, or that non-compliance is justified.

## Question 66

### Consultation Questions

- Do you agree with draft Policy INF6 - Digital and Communication Infrastructure?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

## Local services and Community Facilities

**9.81** Community facilities play an essential role in supporting health and well-being, as well as the social, educational, spiritual, recreational, leisure and cultural needs of the community. They also contribute to community cohesion and social interaction.

**9.82** The NPPF sets out that we should plan positively for the provision and use of shared spaces, community facilities and local services to enhance sustainability and guard against unnecessary loss.

**9.83** There is a range of community facilities across the district including community centres and village halls, local shops, places of worship, education facilities, healthcare facilities, libraries, public houses and cultural venues and these are important to both urban and rural areas.

## Policy INF7: Local services and Community Facilities

### New and Additional Provision

1. Development proposals for the provision of new or improved local services and community facilities will be supported.
2. The Council will work with developers and relevant organisations to ensure that appropriate local services and community facilities, including new provision and enhancements to existing facilities, or shared provision of facilities are provided in the most appropriate locations to facilitate the needs of development as well as those of existing communities.
3. Development of new community facilities should:
  - a) Be located within development boundaries, unless it can be demonstrated that the proposed location is the only suitable option and is well-related to the community it will serve;
  - b) Be of an appropriate scale and intensity of use, without negatively impacting upon adjoining or nearby uses or the vitality or viability of existing facilities in the area;
  - c) Be accessible to the community it serves by public transport, walking, wheeling or cycling.
  - d) Be designed for flexible use to encourage the sharing of facilities by different organisations and services, and to ensure adaptability if the demand for the facility changes;
  - e) Be designed to ensure all potential users can access the services/ community facility;
  - f) Provide accessible public toilets for community facility users and the public as appropriate, including suitable toilet facilities for childcare and disabled users;
  - g) Provide adequate car parking including electric vehicle parking charge points (active and passive provision), to allow for the use of the facility including for those with disabilities;
  - h) Seek to minimise light pollution; and
  - i) Be designed in a way that will reduce the potential for crime and nuisance.
4. New or enhanced local service or community provision will be delivered via a combination of on-site measures and / or through off-site financial contributions, secured through planning obligations.

### Retention of Local Services and Community Facilities

5. Development proposals that will result in the loss or partial loss of local services and / or community facilities will be required to provide appropriate evidence to justify their loss and will not be supported unless:
  - a) It is no longer needed or viable and suitable alternative provision that is of a suitable size, scale, use and capacity would be developed nearby in a location that is accessible to the community the existing facility serves;



b) The partial loss contributes to the continuation of the existing local service or community use (should the existing use require less floorspace) and it can be demonstrated that the existing use would otherwise be unviable but can be retained by cross-subsidy;

c) A robust case can be demonstrated that the property has been vacant for at least a period of 18 months, and it can be demonstrated that there is no current or future need or demand for the local service or community facility, either as its current use or an alternative service/community use;

6. The approach set out in Policy EC8: The Retention of Sites in Economic or Tourism Uses and Community Facilities should also be applied.
7. In the case of public facilities, proposals will not be supported unless the demand within the locality no longer exists and the building(s) is no longer suitable to accommodate the existing use and there are clear operational reasons for closing or moving the facility. In such cases where this is proven, it should be explored whether the site could reasonably be adapted to provide an alternative local service or community use prior to the consideration of any other uses.
8. Proposals that would result in the loss of a local service or community facility, or features associated with them, that may undermine a sites viability such as, but not limited to car parks, gardens and function rooms, will be refused planning permission, unless there are exceptional circumstances for such a proposal to proceed and this meets all other policy provisions in this Local Plan.
9. The Council may require the review of any submitted information by an independent consultant, and it would be expected that the applicant will cover the cost of this.

## Supporting text

**9.84** Where there is a proposal for the redevelopment or the reuse of a building that would lead to the loss of an existing community service or facility, developers will be required to provide detailed evidence to show that the service or building is no longer required and is no longer viable. The type of evidence that will need to be provided for a planning application involving the loss of a local service (i.e. public house or local shop) and / or community facilities is established under Policy EC8: The Retention of Sites in Economic or Tourism Use and Community Facilities. Ordinarily, the marketing period should run for a period of at least 18-months before a planning application is to be submitted to the Council, with the premises being offered for sale or let both locally and regionally.

**9.85** The Council will support development where there is loss of a community facility or local service as part of a wider development scheme, which would, in turn, provide new or improved services or community facilities within the local area. The delivery of these new services and community facilities must ensure that the existing community is not adversely impacted by the new development and be provided and completed prior to the occupation of the development. This may be secured through a planning condition or planning obligation.

## Question 67

### Consultation Questions

- a) Do you agree with draft Policy INF7: Local services and Community Facilities?
- b) Should policy EC8 apply to all local services and community facilities including publicly owned services and facilities (such as public schools, public libraries, public medical facilities or should Policy EC8 just apply to commercial local services and facilities, such as public houses and shops?
- c) Should we change anything? if so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Open space, sports and recreation provision

**9.86** Attractive, safe, accessible, and well-maintained open space, sports and recreation facilities are essential to support the council's active and healthy lifestyles ambitions and are critical in ensuring opportunities at all levels for sport and recreation.

**9.87** Open spaces, sports and recreation provision not only contribute to our sports and recreation pastimes, but they also promote positive mental and physical behaviours, helping to reduce health inequalities in all ages, by providing opportunities to improve our physical and mental wellbeing while supporting social interaction and community engagement. In addition, open space provision can also contribute to our cultural heritage, landscape, education, help address the climate crisis and can provide places for nature.

**9.88** Within our Health and Wellbeing Strategy<sup>178</sup> the Council describes health and well-being as "Leading a healthy lifestyle through good health choices, physical fitness and mental resilience".

**9.89** The population of Wealden is due to grow during the plan period and new residential development will create additional demand on open space, sports and recreation facilities. Therefore, new residential development will be required to deliver new provision to meet the needs of the development.

**9.90** To understand current provision and identify future needs for open space, sports and recreation provision the Council commissioned an Open Space Report (2022)<sup>179</sup>, a Playing Pitch and Outdoor Sport Strategy (2022)<sup>180</sup> and a Playing Pitch Action Plan (2023)<sup>181</sup>. The studies have identified a need to protect all forms of provision, improve the quality and value of existing provision, improve the maintenance of provision as well as a need to provide additional provision and associated facilities to support the development in the local plan. In

178 [Wealden Health and Wellbeing Strategy 2022 - 2025](#)

179 WDC (2022) Open Space Report. Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

180 WDC (2022) Playing Pitch and Outdoor Sports Strategy – Assessment Report. Available at <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/open-space/>

181 [1] WDC (2023) Playing Pitch & Outdoor Sport Strategy & Action Plan. Available at: <https://www.wealden.gov.uk/UploadedFiles/FINAL-Wealden-PPOSS-Strategy-and-Action-Plan-18.12.23.pdf>

relation to open space and recreation provision all types of provision will be required, however the type of provision will need to be determined on a case-by-case basis, ideally at the pre-application stage.

**9.91** For sports provision, additional facilities required to facilitate forecast population growth include adult, youth and mini football pitches, rugby pitches, netball courts, hockey pitches, badminton courts and cricket pitches and also 3G / 4G pitches as identified within the PPOSS Action Plan<sup>4</sup>.

**9.92** The open space report identifies those areas in Wealden that have an open space deficiency in relation to the differing types of open space. These deficiencies are identified in terms of quantity, quality and accessibility. This is also provided on a parish-by-parish basis in the Open Space Parish Area Summary<sup>182</sup>.

**9.93** The Playing Pitch and Outdoor Strategy presents a supply and demand assessment of all formal playing pitch and outdoor sport facilities across the district to assist planning for the future and to ensure that the provision of facilities meets local community needs of both existing and future residents.

**9.94** The facilities referred to in this policy include:

- Parks and Gardens including urban parks, country parks and formal gardens
- Natural and semi-natural greenspaces including woodlands, scrubland, orchards, grasslands (e.g., meadows and non-amenity grassland), wetlands and river corridors, nature reserves and brownfield land
- Amenity greenspaces including village greens and greenspaces within development.
- Children's, youth and adult play and activity spaces including playgrounds, outdoor gyms, bowling greens, BMX tracks, pump tracks and skate parks
- Allotments and community growing spaces
- Cemeteries and Churchyards
- Sports facilities including grass and artificial pitches and associated infrastructure including changing rooms, pavilions, and other buildings and indoor sports facilities.

### Policy INF8: Open Space, sports and recreation provisions

1. The Council will seek to increase the availability and accessibility to high quality and high value open space, sports, and recreation provision by protecting and enhancing existing provision including ancillary facilities, improving the management of provision, as well as through the delivery of new open space, sports and recreation provision, including within sites allocated in this Local Plan.

#### Protecting existing open space, sports and recreation provision

2. Existing open space, sports and recreation provision, including lapsed provision, should not be built on unless:

<sup>182</sup> WDC (2022) Open Spaces Study: Parish Area Summary. Available at <https://www.wealden.gov.uk/UploadedFiles/Final-Wealden-Parish-Areas-Summary.pdf>

- a) A robust assessment has been undertaken which has clearly shown the provision is surplus to requirements in relation to quantity, quality, and accessibility standards as relevant to its catchment area; or
  - b) It is demonstrated that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality as well as being located in a suitable location, including with good accessibility.
  - c) The development is for alternative provision at the site, the benefits of which clearly outweigh the loss of the current or former use.
3. Open space, sports and recreation provision can have multi-functional benefits. Proposals will therefore only be supported where alternative provision does not adversely impact on other benefits or functions or can sufficiently mitigate any adverse impacts.
  4. In addition to (1) and (2) above, proposals relating to sports provision or their associated facilities will only be supported where:
    - a) The proposed development is for ancillary facilities that will support the principal use of the site and does not affect the quantity and quality of existing playing pitches or otherwise adversely affect their use; and
    - b) The proposed development affects only land incapable of forming part of a playing pitch and does not affect the use.
  5. Proposals that would result in the loss of playing pitches will only be supported where the site has no special significance to the interests of sport to the satisfaction of both the Council and Sports England.

#### New or enhanced open space and recreation provision

6. Residential development\* of 10 or more dwellings (net) will be required to provide either new and / or enhanced publicly accessible open space and recreation provision to meet the needs of their occupants. Provision should be provided based on the size of the dwellings proposed and in accordance with Table 27 in appendix 1.
7. The expectation is for development to deliver provision on-site in accordance with appendix 1 unless exceptional circumstances where off-site provision would better facilitate the needs of the development or where provision may not be suitable onsite due to either the nature / size of the site or specific constraints.
8. Where off-site provision is required developer contributions for the enhancement and maintenance of existing open space and recreation provision will be sought with contributions secured through a S106 legal agreement.
9. Where on-site provision is required, the type of on-site open space provision to be delivered will be discussed with the applicant at the pre-application stage and will be dependent on the suitability of the site to accommodate different types of open space provision as well as the quantity and type of provision needed in the local area. Proposals should have regard to the findings of the Wealden Open Space Report (or any future updated studies) to inform the provision required, as well as consider any updates to provision that may change requirements. In all cases, the starting point for the consideration of provision should be based on the Council's open space evidence base.

### Sports provision (including indoor sports facilities, playing pitches and ancillary facilities)

10. Proposals for sports provision will be supported where they meet the needs of the local community and/or unmet need within the district and where they meet the requirements of other relevant policies in the development plan.
11. Residential development\* of 10 or more dwellings will be required to contribute to the provision or enhancement of sports provision (in addition to open space and recreation provision) to meet the needs and demand of its future occupants. Where shortfalls are identified but do not require the provision of new facilities or provision on site, the Council will seek developer contributions for the enhancement and maintenance of existing sports provision secured through a S106 legal agreement.
12. The requirement for new or enhanced sports provision will be informed by the Playing Pitch and Outdoor Sport Strategy and Playing Pitch Action Plan and the Indoor Sports facilities Assessment (2022) (or any updates to this) and the distance and capacity of existing facilities. The scale of development and the site-specific context will inform whether provision should be made on site or through contributions towards existing sites. New provision will need to include appropriate ancillary facilities and parking.
13. Where new schools are provided in major new residential developments, they should be designed to facilitate community access, with opportunities for meeting the community's outdoor sports needs explored at the outset to maximise the potential for facility provision to be made within the developments.

### Design of open space, sports and recreation provision

14. In accordance with other policies in this plan and in particular Policy DE3, the provision and design of new open space, sports and recreation provision will be expected to:
  - a) Meet the required quality standards;
  - b) Provide safe facilities sited in a location that can benefit both new and existing residents;
  - c) provide accessible and inclusive facilities for all potential users that benefit healthy living;
  - d) be sustainably located, accessible by a range of transport modes including active travel (walking, wheeling, and cycling) and public transport;
  - e) maximise opportunities to deliver benefits for nature, support efforts to address climate change and strengthen the existing network of multi-functional green space; and
  - f) provide adequate funding towards the long-term maintenance of new provision. A management plan for the on-site provision will also be required as relevant to the proposal; and
  - g) provide adequate funding towards the long-term maintenance of new provision. A management plan for the on-site provision will also be required as relevant to the proposal; and
  - h) provide sufficient developer contributions towards the long-term maintenance of new provision

15. On-site provision will be required to be completed prior to the first occupation of the development. Developer contributions towards maintenance of the site will be secured through a section 106 agreement.

#### Consultation

16. Where relevant consultation on the proposal for open space, sports and recreation provision will be required with the parish/town council and / or local communities. Advice on consultation recommendations will be provided at the pre-application stage. In relation to sports provision consultation with Sport England will be required also.

\*This includes both market and affordable housing, older persons housing (where occupants are active) and permanent mobile homes.

### Supporting text

**9.95** The basic principle is that a development should provide for the open space, sports and recreation needs that they generate. All new developments should therefore contribute to adequate open space, sports, and recreation provision, alongside other requirements such as playing pitches.

**9.96** The open space and playing pitch studies provide information to help applicants determine the requirements for proposed development. Details relating to thresholds and standards taken from the Council's open space, sports and recreation evidence base are provided in Appendix 1.

**9.97** Appendix 1 sets out the standards for on-site provision for open space including amenity green space, natural green space and parks. It also sets out calculations for the provision of equipped children's play provision and allotments / community gardens.

### Off Site Contributions

**9.98** If new facilities cannot be sufficiently provided on-site it may be possible to seek to enhance the quality and accessibility of existing provision. Investment in the quality and robustness of open space can often help to improve the capacity of an open space to accommodate more people. In some instances, a development may have specific site constraints that would impede delivery on site, or a site may be located within proximity to an existing site. In such cases, it may be more beneficial for an off-site contribution to be made to improve or enhance existing open space and to avoid the creation of small incremental spaces so close to existing sites. This will be a matter for the Council to consider as relevant and on a 'case by case' basis.

**9.99** Comprehensive information on how to calculate financial contributions are set out in Part 13 – Approach to Contributions within the Open Space Report<sup>183</sup>.

### Development contributions

**9.100** Both on and off-site contributions will be secured through a S106 legal obligation and at a level that is proportionally commensurate with the proposed development or cumulative

183 WDC (2022) Open Space Report. Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

growth from multiple developments. Sites that are too small to deliver provision i.e. sites of 10-15 dwellings will also be required to contribute to off-site provision.

**9.101** Where a development is for 100% affordable housing and qualifies for a regulation 49 exemption (Community Infrastructure Levy Regulations 2010 (as amended)<sup>184</sup>, financial contributions, where required, for offsite provision and / or maintenance contributions will be secured via S106 Legal Agreement.

### Indoor Sports Facility Provision

**9.102** The Indoor Sports Facilities<sup>185</sup> assessment has identified a need to optimise the use of existing informal community halls and/or centres or where new development indicates a requirement to provide new opportunities for purpose-built community facilities.

**9.103** Major strategic development, if requested to provide indoor sports facilities, will be required to ensure that community buildings are delivered with appropriate facilities suitable for multiple indoor sports and daytime activities in line with Sport England guidance<sup>186</sup>.

**9.104** Smaller scale development, where it is not feasible or viable to provide an entire new indoor sports / community facility, may be required to contribute to the upgrading or improvement of existing indoor sports / community facilities to ensure sufficient capacity and provision of facilities to meet the needs of the development. The Sport England Indoor Sports Facility calculator will be used by the Council to help determine whether a development will be required to provide new provision or contribute to existing provision.

### Sport Related Contributions

**9.105** Sport England provide comprehensive guidance on the costs and delivery of recreational and sports facilities<sup>187</sup>. The guidance is based on good practice and experience. It sets out the minimum standards you should aim for to produce acceptable and best practice solutions.

**9.106** The Council will use the Sport England playing pitch calculator (or any subsequent update to this) to determine financial contributions for both the provision and long-term maintenance of recreational and sports facilities. The playing pitch calculator reflects the recommendations set out in the Design and Cost guidance and is regularly updated to market conditions.

### Maintenance Contributions

**9.107** There will be a requirement on developers to demonstrate that where, on-site provision is to be provided, it will be managed and maintained accordingly. The procedure for the adoption of new sites may include:

- The developer being responsible for maintenance of the site for an initial agreed establishment period.
- Sums to cover the maintenance costs of a site (once transferred to the relevant body) intended to cover an agreed set period.

184 DLHUC (2010) Community Infrastructure Levy Regulations (2010) (as amended). Available at <https://www.legislation.gov.uk/ukxi/2010/948/contents>

185 WDC (2022) Indoor Sports Facility Needs Assessment (March 2022). Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-IFS-FINAL-02.10.22.V1-SDS-Checked-FINAL.pdf>

186 Sport England Design and Guidance – Sports Halls (Webpage with multiple links). Available at <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/sports-halls>

187 Sport England – Design and Cost Guidance. Available at <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance>

**9.108** To facilitate the provision of new or the enhancement of open space, sports, and recreation facilities and to align with the Council's evidence base, the Council will provide a guidance note for developers and / or an SPD (as relevant) to support the application of this policy once adopted.

## **Question 68**

### Consultation Questions

- a) Do you agree with draft Policy INF 8 – Open Space, sports and recreation provision?
- b) Should we change anything? if so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?



# 10

Design





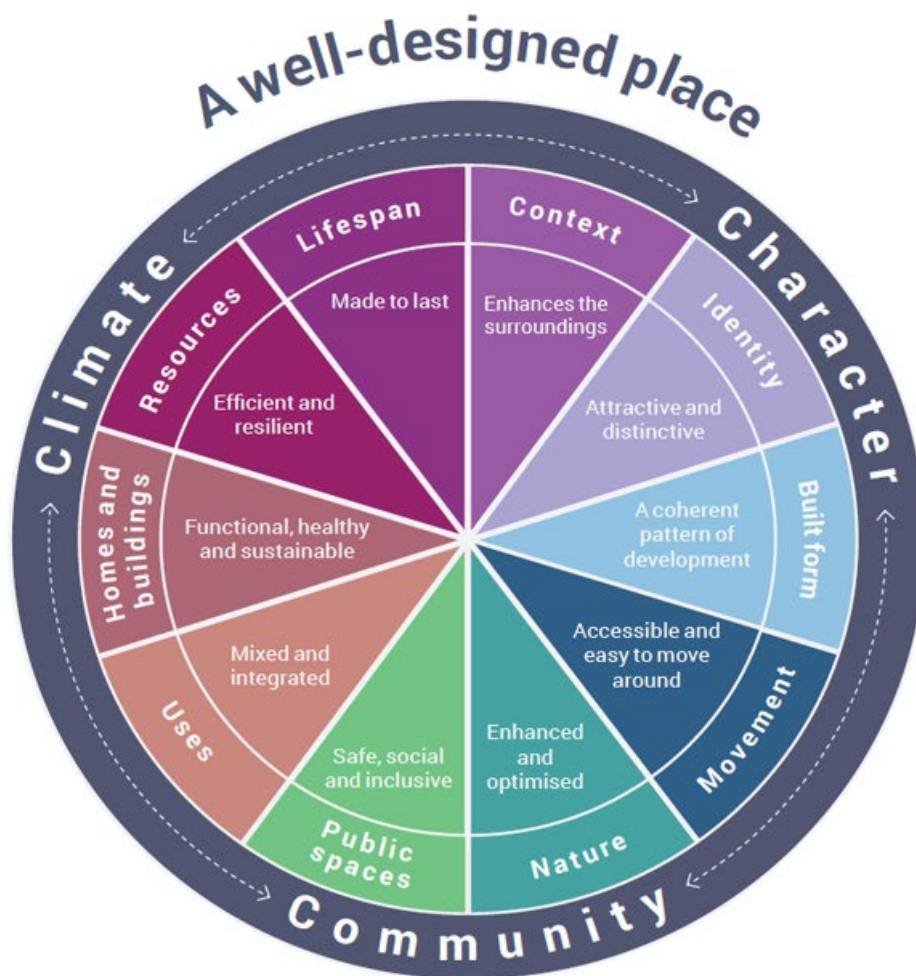
## Design

### Introduction

**10.1** Good design is a key element to achieving sustainable development and is fundamental to the successful delivery of the local plan. Good design is not just about aesthetic appearance. It is about how a building or place functions, how buildings or places can improve quality of life and how buildings and places can contribute to environmental sustainability as well as economic growth<sup>188</sup>. The NPPF attaches great importance to creating better places in which to live and work by achieving high quality, inclusive and beautiful design and sets out how this can be achieved through both plan-making as well as through the evolution and assessment of individual proposals.

**10.2** In 2019 the Government published its National Design Guide<sup>189</sup> which provides an expanded definition of a well-designed place. It sets out ten characteristics of a well-designed place under the three themes of character, climate and community. The ten characteristics reflect the Government's priorities and provide a common overarching national framework for design. This is shown below.

**Figure 26 A Well Designed Place**



188 CABE (N.D.G) The Value of Good Design. How Buildings and Spaces Create Economic and Social Value. Available at: [www.designcouncil.org.uk/fileadmin/uploads/dc/Documents/the-value-of-good-design.pdf](http://www.designcouncil.org.uk/fileadmin/uploads/dc/Documents/the-value-of-good-design.pdf)

189 Ministry of Housing Communities and Local Government (January 2021) National Design Guide Available at: [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/962113/National\\_design\\_guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf)

**10.3** At a local level, the Council adopted the Wealden Design Guide Supplementary Planning Document (SPD) in 2008<sup>190</sup>. The Design SPD covers a wide range of topic areas and is a reference to establish local design principles considered appropriate for use in the district. An updated Wealden Design Code will be prepared which will include more guidance on the requirements of the design principles and design related policies within this local plan. Until this is adopted, developers should use both the National Design Guide and our adopted Wealden Design Guide (2008).

**10.4** Other sources of local design guidance are also relevant. These include design policies, design guides and codes provided within or as part of 'made' (adopted) Neighbourhood Plans, for example Herstmonceux have produced a Design Guide for the Parish. A number of other Neighbourhood Plans which are currently in production are also preparing design guides or codes such as Horam, Ninfield and Wadhurst.

**10.5** The High Weald AONB partnership have produced a High Weald Housing Design Guide<sup>191</sup> as well as guidance on the selection and use of colour in development within the AONB<sup>192</sup>, with the aim of decreasing the sense of urbanisation in the countryside.

**10.6** In recent years new development across the country has often tended towards the use of standard house and development types that do not reflect local context, for example in the use of materials, site layout or building design. The overall aim of our design policies is to facilitate the achievement of sustainable development and encourage high quality, attractive design, but also to create vibrant, safe and functional communities with a distinctive sense of place that respect their local context (including historic character), without resulting in 'pastiche' development<sup>193</sup>. Mitigating and adapting to climate change is also an integral design consideration alongside planning for the natural environment.

### What you have previously told us?

**10.7** As part of the Direction of Travel Consultation<sup>194</sup> you told us that you felt that design was not provided sufficient prominence in planning decisions and that the existing Design Guide was not always applied. Many respondents felt that design quality should be insisted upon and applications should be refused if design quality is not met. You told us that planning applications should be refused where proposals do not comply with either the AONB or Wealden Design Guide. Thus, the issue was perceived to be not necessarily a lack of design guidance, but a failure of developers to use that guidance and the Council then not upholding design standards.

**10.8** The issue of the use of generic designs in new housing developments was raised and it was argued that the Local Plan should address this, as well as the need to prevent coalescence of settlements. There was support for maintaining local design guidance (the need to update the Wealden Design Guide was mentioned) and the need for locally specific design guidance as opposed to more general national guidance was stressed. The desire to protect local identity

190 Wealden District Council (November 2008) Wealden Design Guide. Available at: [www.wealden.gov.uk/UploadedFiles/DGpart1.pdf](http://www.wealden.gov.uk/UploadedFiles/DGpart1.pdf)

191 High Weald AONB JAC (November 2019) High Weald Housing Design Guide. Available at: [highweald.org/~documents/publications/legislation-and-planning/high-weald-design-guide-final/?layout=default](http://highweald.org/~documents/publications/legislation-and-planning/high-weald-design-guide-final/?layout=default)

192 The High Weald JAC (September 2017) High Weald AONB Guidance on the Selection and Use of Colour in Development. Available at: [highweald.org/~documents/publications/legislation-and-planning/high-weald-aonb-colour-study/?layout=default](http://highweald.org/~documents/publications/legislation-and-planning/high-weald-aonb-colour-study/?layout=default)

193 i.e., poor quality imitations of past styles

194 Direction of Travel Consultation Local Plan Sub Committee Report (11<sup>th</sup> March 2021). Available at: [council.wealden.gov.uk/documents/s73242/Direction%20of%20Travel%20Consultation.pdf](http://council.wealden.gov.uk/documents/s73242/Direction%20of%20Travel%20Consultation.pdf)

through design was a common theme running through the responses. However, there were a number of responses from house builders and others who stressed the need for flexibility in design expectations to allow for variety across the district and fluctuations in market preferences. Thus, there is a fine balance to tread between providing locally specific design guidance to try and protect local identity and drive up the quality of design in the district and preventing variety and innovation in design, including the use of contemporary architecture.

**10.9** There was a focus on how smaller scale development might deliver better design outcomes in Wealden, either through the use of SME house builders who, it was argued, could respond appropriately to sensitive sites or by using a self-build/ custom build model where the owner is highly motivated to ensure good design. The integration of new development into existing settlements was raised, in particular how new development can best be integrated into historic parts of towns and villages.

**10.10** The role of the public in design decisions was a common theme running through responses and some respondents suggested a more collaborative approach on strategic housing sites using design codes and masterplans. Respondents highlighted the need for sustainable construction techniques and the need for policy options for climate change mitigation, including support for incorporating renewable energy generation. There was also a call for appropriate consideration to the topic of the Circular Economy and minimising waste within the sustainable design and sustainable construction policies as well as including reference to high quality landscape design within the design policies. Similarly, the protection of sensitive sites such as Ancient Woodland and the setting of the South Downs National Park was raised by other respondents.

**10.11** We have addressed these issues in the draft policies set out in this chapter as well as other chapters, as relevant, where issues overlap with other key policy areas.

### **Achieving well-designed and high-quality places**

**10.12** Development in Wealden has been influenced over the years by the diverse character of the natural environment and the availability of local materials. For example, the use of timber framing in the High Weald, or the use of flint in parts of the Low Weald. The character of individual buildings, streets, the location, types and layout of settlements, which are characterised by Wealden's unique history are all elements that contribute to the 'local distinctiveness' which helps to differentiate Wealden's different character areas and settlements from those found elsewhere in the country. It is important that this distinctiveness is protected and maintained and is not diluted through new development. The National Planning Policy Framework requires that Local Plans set out a clear design vision and expectations, for design policies to reflect local aspirations and for these to be grounded in an understanding and evaluation of each area's defining characteristics.

**10.13** The pattern and style of development varies across the district. In urban areas there is often a discernible pattern of development of modern estates often focused around a historic core. In rural villages there is often a much stronger historic pattern with some periphery modern development. Overall, the district has some well-designed and successfully designed buildings and places at a range of scales. A key objective of this plan is to ensure that all future development is designed in a way that responds to the character and distinctiveness of our towns and villages through high quality design.

**10.14** Delivering high quality design is not just about how a building or development looks. It is about delivering places that provide social, economic and environmental benefits to the community. A well-designed place can provide social benefits, creating spaces where people can meet and interact whilst carrying out a wide range of activities. Well-designed places can also benefit from lower crime rates. People experience the built environment in different ways according to different factors such as gender, age or mobility and inclusive design can make a big difference to people's lives, for example creating new developments that are easy to understand and navigate for all groups in society. Developments can promote healthier lifestyles by prioritising sustainable travel and providing public realm, encouraging play and physical activity. Well-designed places can also help to create a positive sense of place and reinforce local identity, giving residents a sense of pride and belonging.

**10.15** The economic benefits of good design range from the benefits to the individual of a well-designed building such as reduced heating bills, to the economic benefits to the whole community of a well-designed redevelopment scheme or increased property values. In terms of the environment, good design will promote sustainable design and the use of sustainable materials thereby reducing the effects of climate change. It can also enhance the natural environment in many different ways, such as increasing biodiversity levels on site and beyond.

**10.16** Policy DE1 sets out a set of design principles that must be considered as part of any new development. The design principles seek to ensure that development contributes positively to people, places, the natural environment and the economic vitality of the district.

### Policy DE1: Achieving well designed and high quality places

1. All development must be beautiful, achieve a high quality of architectural design and contribute positively to user experience, sustainability and a sense of place. Innovative and contemporary architecture will be supported where it is of high quality design, responds to its context in the local area and does not negatively impact on the existing character, particularly where it delivers overall design excellence.
2. Design must be considered at the earliest opportunity having regard to national and local design guidance, relevant design guides and design codes.
3. Development proposals will be supported where they:

#### Context and identity

a) Are locally distinctive, relate well to, and positively contribute to the character and topography of the surrounding built and natural environment (including its overall setting, townscape features, landscape, skyline, heritage, important views and green corridors). Proposals should create a positive sense of place by responding to the features of the site and the surrounding context;

b) Relate sympathetically to the local landscape, retaining existing important landscape, historic and natural features and incorporating high quality landscape design, mitigating against any detrimental harm to the landscape and / or its features. This includes (where applicable) providing an appropriately sized and designed landscape buffer to the open countryside. As relevant to the site, the use of native hedges comprising native species is preferable to man-made boundary treatments;

- c) Provide a strong, attractive and positive identity contributing to health and well-being, inclusion and cohesion by ensuring that new developments integrate well, both physically and visually, with the existing built form and existing communities;
- d) Use high quality local materials, adopt traditional typical local building forms and use architectural detailing and planting that will ultimately complement the local area and surroundings, helping to establish a strong sense of place. A consistent high level of design and material quality should be used across different tenures;
- e) Enhance either the existing character or achieve a new positive character;

#### Built Form

- f) Make efficient use of land and, where appropriate, prioritise the use of previously developed land and buildings whilst respecting any constraints that exist;
- g) Ensure that the siting, scale, massing, density, orientation and appearance of the development will lead to a high standard of design and layout;
- h) Ensure that all proposal elements relate well to each other;
- i) Provide and incorporate a sufficient amount of accessible and unobtrusive areas for the storage of refuse and recycling bins without dominating the street scene;
- j) Are designed to avoid unacceptable adverse impacts or harm to the amenities of neighbouring properties and their users / occupants, in terms of privacy, sunlight and daylight, overbearing, noise, odour, traffic, vibration or other microclimatic effects or result in a poor standard of amenity for the existing and future users of the development itself.

#### Movement

- k) Deliver compact forms of development that prioritise safe and sustainable travel choices including delivering inclusive walkable neighbourhoods providing good and safe accessibility for all (including those with disabilities and people with particular access needs, such as the elderly or people with pushchairs) to public transport, employment, services and facilities and the rights of way network;
- l) Are designed to encourage slower driving speeds;
- m) Ensure a clear layout and hierarchy of streets that are of a width suitable for their function and purpose (including access for services) and will ensure that the development is easy to understand and navigate for all groups in society;
- n) Achieve the site's vehicle and cycle parking requirements in an attractive and sensitively integrated way, including electric vehicle spaces and charging points and in accordance with East Sussex County Council standards;

#### Mixed and integrated uses as relevant to large major developments

- o) Will provide an accessible, socially inclusive, integrated and suitable mix of uses that meet the housing, employment, service and facility needs of the local community to support daily life;

## Lifespan

- p) Are flexible in their design to provide acceptable living conditions and adapt to any changing needs of the user, such as health or mobility issues or to incorporate future technologies (such as high speed internet) to allow for remote working; and
  - q) Are designed to last, including a consideration of management and maintenance of both private and public spaces.
4. Applications will be expected to demonstrate early, proactive and effective engagement with the community on design issues, where appropriate.

## Supporting Text

**10.17** A high standard of design will be required in all new developments, whether it is an extension or alteration to an existing building, change of use of existing buildings, or new housing or business development. The NPPF is clear that ‘development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance on design’. Applicants will be expected to demonstrate how a high quality design has been achieved and how national and local design guidance has been considered.

**10.18** Proposals for innovative and contemporary architecture will be expected to demonstrate in their submission how a scheme responds to the context of the site, for example through contemporary use of form and materials, and that there is no negative impact on the existing character of the area.

**10.19** Early consultation with Planning Officers (and specialists where appropriate) via the pre-application advice service is encouraged to establish requirements and expectations prior to the submission of a planning application.

**10.20** Where appropriate, applications will be expected to demonstrate early, proactive and effective engagement with the community on issues including design, as required by the NPPF. Certain applications, as detailed in the Council’s validation criteria<sup>195</sup>, will be required to provide a Statement of Community Involvement. This should demonstrate how the applicant has complied with the requirements for pre-application consultation advocated in the Council’s own adopted Statement of Community Involvement and demonstrate that the views of the local community have been sought and taken into account in the formulation of development proposals.

**10.21** Design and Access Statements are required to accompany certain applications<sup>196</sup> for planning permission and applications for listed building consent. The Council expects applicants to use Design and Access Statements to explain how their proposals are a suitable response to the site and its setting (context appraisal) and to provide further information on how the design of development responds to both national and local policy and guidance. The assessment should be proportionate to the scale and context of the development. Where Design and Access Statements are not required, the design requirements as set out in the local plan and the

195 Wealden District Council (reviewed January 2023) Planning Validation Guide. Available at: [www.wealden.gov.uk/UploadedFiles/Wealden-District-Council-Validation-Requirements-February-2023.pdf](http://www.wealden.gov.uk/UploadedFiles/Wealden-District-Council-Validation-Requirements-February-2023.pdf)

196 DLUHC (2014) Planning Practice Guidance Paragraph: 030 Reference ID: 14-030-20140306 Available at: [www.gov.uk/guidance/making-an-application](http://www.gov.uk/guidance/making-an-application)



national and local design guidance available should still inform the design of new developments and be visible in the finished drawings.

## Question 69

### Consultation Questions

- a) Do you agree with the Council's draft Policy DE1 Achieving well designed and high quality places?
- b) Have we missed anything that we should include in this policy, if so, what have we missed?
- c) Should we make changes to this policy? If so, what changes should we make?

## Masterplans and Design Codes

**10.22** New developments should create high quality environments in which residents can live and work and also deliver benefits for existing communities, where relevant. A well-designed scheme will result in sustainable places which help to meet the development needs of the area whilst integrating well with existing settlements and also helping to meet economic, social and environmental objectives. The requirement for a masterplan on sites that deliver 100 plus dwellings and on significant non-residential sites, will help to drive up design quality and ensure the creation of sustainable places. Masterplans will also provide further certainty about design expectations from an early stage. Design codes are also encouraged for developments of 100 or more dwellings. As the NPPF explains, 'design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places'<sup>197</sup>.

**10.23** Large scale strategic sites of over 500 dwellings will require the use of design codes, as well as masterplans, to provide a more detailed framework for creating high quality, sustainable and locally distinctive places. On these large sites there is more likely to be a number of different development phases and design codes will help to deliver consistency in design across the site (and where appropriate differentiation), from materials to building form. Design codes can also offer greater certainty to developers and communities over what is likely to be acceptable on a site. Where design codes are received and approved at the outline application stage, they can also help to speed up the subsequent reserved matters application.

**10.24** Sometimes there can be a disconnect between existing local residents and developers over the design of new large-scale schemes and what the priorities are. The requirement for masterplans and design codes will require a more collaborative approach to the design of these sites from an early stage. Ultimately this may lead to less objections once a scheme is submitted but also a more integrated, inclusive scheme that better reflects the views and priorities of the local community.

<sup>197</sup> DLUHC (2023) NPPF, Paragraph 125. Available at: [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1182995/NPPF\\_Sept\\_23.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf)

## Policy DE2: Masterplans and Design Codes

### Masterplans

1. For all developments of 100 or more dwellings the Council will require the submission of a masterplan. The Council will also require masterplans for significant non-residential development or where there are site specific complexities or sensitivities that require a masterplan led approach. This will be considered on a case-by-case basis and discussed with the applicant as part of pre-application discussions.
2. The scope and content of masterplans will depend on the scale and complexity of the proposed development and the site constraints.. As a minimum they should:
  - a) include a site context analysis;
  - b) include an analysis of the issues and constraints that need to be addressed;
  - c) provide a vision and development objectives;
  - d) provide a masterplan framework for new development e.g., in terms of built form, density, land use, public spaces, movement, transport, nature, landscaping, sustainability, safety. This should include an illustrative masterplan layout plan;
  - e) provide a phasing plan, where relevant; and
  - f) be informed by technical and design evidence.
3. Masterplans will be required to accompany either the outline or full planning application and adherence to the masterplan will be secured through planning conditions and / or a legal agreement, particularly on outline planning applications where subsequent reserved matters will be expected to adhere to the agreed masterplan vision.

### Design Codes

4. On large scale strategic sites of 500 or more dwellings the council will require design codes (in addition to masterplans). Design codes are encouraged for developments of 100 or more dwellings or in relation to specific development types. Design Codes will specifically be required for self-build or custom build projects.
5. When preparing a Design Code the National Design Guide and the National Model Design Code should be used as a guide for how it should be developed and the coding process it needs to follow.
6. Design codes will be required to accompany either the outline or full planning application and adherence to the codes will be secured through planning conditions and / or a legal agreement, particularly on outline planning applications where subsequent reserved matters will be expected to demonstrate compliance to the agreed codes.

### Pre-application discussions

7. Masterplans and Design Codes are encouraged to be submitted for the Council's consideration and agreement before the submission of a planning application and should be produced as early as possible to help inform pre-application discussions.

## Supporting Text

### Masterplans

**10.25** Masterplans set out a framework for the development of large sites. It is not just one plan but a series of plans and supporting evidence (including written evidence, drawings and photographs) that describe the design concept and vision for the whole site and the rationale behind it. It is expected that it will provide site and context analysis as well as an analysis of the issues and constraints that need to be addressed on the site such as drainage, ecology, archaeology, trees etc. The masterplan will ultimately provide a framework for new development on the site. The level of detail in the masterplan will depend on the complexity of the site and the proposed development.

**10.26** It will be for the applicant/developer to provide the masterplan, but it is expected that a wide range of people will be involved in preparing a masterplan, from the local community to the District Council, as well as other organisations. The expectation is that there will be a pre-application advice meeting with the District Council to discuss the masterplan prior to an application being made and to agree the scope and contents.

**10.27** The Council encourages applicants to discuss masterplans with the Council before submitting a planning application, however it will be crucial to have a masterplan submitted alongside the planning application, either at outline or full application stage. This will ensure the site is thought about as a whole and that there is continuity across the site, which will result in a more sustainable and cohesive development. This is particularly the case where sites are in multiple ownership, where they are being brought forward in different phases or where they are likely to be developed by different developers. If the scheme is a phased development that is developed over a number of years, we may require a more detailed and/or updated masterplan in the later phases.

### Design Codes

**10.28** Strategic sites are those sites which have been identified in this local plan for either housing and/ or other non-residential uses, for example, retail, employment or leisure uses. It is intended that only the largest of these residential sites of 500 or more dwellings will need to provide a design code for the site (although their use is encouraged on developments of 100 or more dwellings or in relation to specific development types). Design Codes will also be required for self-build or custom build projects regardless of the size of the development. A design code is 'a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area'<sup>198</sup>. The design codes for the strategic sites should use the National Design Guide and the National Model Design Code as a guide for how they should be developed and the seven step coding process they need to follow.

**10.29** The content and level of detail of the design code will be agreed at pre application discussions. Design Codes are encouraged to be submitted for the Council's consideration and agreement before the submission of a planning application and should be produced as early as possible to help inform pre-application discussions.

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198 MHCLG (June 2021) National Model Design Code Part 1: The Coding Process. Available at: [assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1009793/NMDC\\_Part\\_1\\_The\\_Coding\\_Process.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009793/NMDC_Part_1_The_Coding_Process.pdf)

**10.30** As with the masterplanning process, public engagement and involvement in the creation of the design codes is critical and should take place throughout the process, as outlined in the National Model Design Code.

## Question 70

### Consultation Questions

- a) Do you agree with the Council's draft Policy DE2 Achieving well designed and high quality places?
- b) Do you agree with the size of development on which we are requiring the use of Design Codes and Masterplans?
- c) Have we missed anything that we should include in this policy, if so, what have we missed?
- d) Should we make changes to this policy? If so, what changes should we make?

## Spaces for people, nature and the public realm

**10.31** Public space is defined in the National Design Guide as 'streets, squares, and other spaces that are open to all'. Providing attractive spaces is an important part of this policy and the attractiveness of the public realm in towns and villages is a key factor in their appeal to residents and visitors, creating spaces where people want to spend time interacting and relaxing. But these spaces can and should also fulfil a number of other functions. Other policies within the plan deal with the amount of public space and play space that needs to be provided on new developments, however, there is a danger that public space is provided because it has to be provided, with little thought given to its use or function. There is also a danger that the design of the public realm occurs in a piecemeal fashion and that streets and other public spaces become cluttered and difficult to navigate for pedestrians. As the Chartered Association of Building Engineers (CABE) have highlighted 'having access to space is not all that matters- just as important are the planning, design and management of that space'.

**10.32** The key purpose of this policy is to promote the public realm as well-designed, multi-functional spaces for use by everyone, to highlight the different uses to which they can be put and to maximise the benefits that a successful public realm can provide. The safety of the users of public realm also needs to be considered when designing public space. Well-designed public space should feel safe and secure for the people that use it, helping to overcome crime and the fear of crime.

**10.33** The value of public space to residents' well-being and physical and mental health has been highlighted during the recent pandemic. Well-designed public spaces are designed to be used by everyone and should therefore be accessible to all and meet the needs of all, young and old, and regardless of gender or physical ability. The space should be used to promote social interaction and inclusion. This could include spaces that encourage physical activity, such as play, sport, walking and cycling, thus promoting health and well-being. Public space

is precious and should be designed to benefit the maximum number of people, hence the requirement to deliver versatile, multi-functional public realm.

**10.34** Public spaces can also be used to tackle climate change, both by providing climate change mitigation and resilience measures but also by encouraging the incorporation of existing natural features and delivering new ones. The NPPF requires policies to ensure that new streets are tree lined and that opportunities are taken to incorporate trees elsewhere in developments. Trees and other planting in public spaces and along roads not only provide shading and help to improve air quality but also play a part in climate change mitigation, helping to combat the heat island effect<sup>199</sup>.

### Policy DE3: Spaces for people, nature and the public realm

1. Public spaces and the public realm must be considered as an integral part of design. Public spaces should be available for use by all members of society and designed in a way to promote nature, health and well-being.
2. Development proposals will be supported where they:
  - a) Incorporate existing natural features and high-quality landscape design;
  - b) Deliver new natural features that support and enhance the quality of place, local distinctiveness, biodiversity, water management and climate change mitigation and resilience;
  - c) Deliver tree-lined streets and incorporate trees and other planting into the public realm;
  - d) Take a coordinated approach to design, the siting of street furniture, public toilets where applicable, art work, boundary treatments, lighting and signage including providing a clear distinction between public and private spaces, avoiding unnecessary street clutter;
  - e) Deliver safe and attractive, open and versatile public and green spaces with a variety of landscapes and activities to:
    - i. encourage physical activity and promote health and well-being;
    - ii. promote social interaction and inclusion;
    - iii. be accessible by and meet the needs of all including the most vulnerable users, both young and old and those with disabilities;
    - iv. encourage the active use of public spaces at different times of the day.
  - f) Will incorporate measures to ensure that people feel safe by:
    - i. considering safety and security early in the design process;
    - ii. reducing any actual or perceived opportunities for crime or antisocial behaviour, in accordance with 'Secured by Design' principles of designing out crime;
    - iii. ensuring active frontages face public streets and public spaces to provide natural surveillance;

<sup>199</sup> The heat island effect describes the way an urban or built up area has a higher temperature than that of the surrounding rural land. It is caused by dense concentrations of hard surfaces and buildings that absorb and retain heat.

- iv. avoiding the creation of dark or secluded areas;
- v. the use of appropriate lighting, whilst minimising light pollution;
- vi. providing clear, unobstructed sightlines where possible; and
- vii. ensuring safety and opportunity for crime prevention is considered when considering the position and design of public transport interchanges and cycle and pedestrian routes.

## Supporting Text

**10.35** The opportunity should be taken when planning public space to use elements of the public realm such as street furniture or natural features such as planting, to reflect local distinctiveness and character. The Policy requires a coordinated approach to the design of the public realm e.g., the siting of street furniture, public toilets where applicable, artwork, boundary treatments, lighting and signage. The consideration of these elements should take place early in the design process and information demonstrating that this has been carried out should be submitted with any planning application which includes an element of public realm.

**10.36** The Policy explains the simple measures that can be incorporated into the public realm to reduce crime and ensure that people feel safe using it. One of the key factors is ensuring that safety is considered early in the design process, when it is easier to make changes. Other factors include the use of active frontages, natural surveillance and providing clear sightlines. Secured by Design is a police security initiative that attempts to improve the security of buildings and their surroundings. As well as providing an accreditation scheme for products they provide advice and an array of guides. They also run a certification scheme for developments which recognises the crime prevention measures that have been put into place. When designing new developments, including the public realm, applicants should make every endeavour to reach secure by design standards and use the advice available from Secured by Design to reduce opportunities for crime.

**10.37** Applicants will be expected to use a Design and Access Statement, when required, to demonstrate that the design considerations in policy DE3, including the safety measures in part f have been considered and designed into the new proposal. Even where a Design and Access Statement is not required, the design requirements in the policy should inform the design process and should be demonstrable in the landscaping and layout plans submitted with the application from the outset.

## Question 71

### Consultation Questions

- a) Do you agree with draft Policy DE3: Spaces for people, nature and the public realm?
- b) Is there anything we have missed that we should include in this policy? If so, what have we missed?
- c) Should we make changes to this policy? If so, what changes should we make?

## Shop Fronts and Advertisements

**10.38** Shopfronts and their associated signage are an important feature of many of Wealden's towns and villages and help to contribute to their individual characters. This relates not only to commercial shops but also buildings such as Banks, Estate Agents, Public Houses and Restaurants i.e., any building that has a window display and/or signage. Shopfront design therefore has the potential to have a big impact on the visual character of the townscape and village centres. Many of Wealden's settlements are historic in character, especially those with Conservation Areas and/or a high number of Listed Buildings and there is a danger of a loss of historic character and fabric through the installation of inappropriate shopfronts.

**10.39** Advertisements, by their very nature, are expected to be visible and attract attention. However, if poorly designed, with no thought given to the context or siting, they can result in over-dominant signage that is detrimental to the built environment and in particular the historic environment. A proliferation of signage can also appear out of place in rural settings.

**10.40** Policy DE4 sets out the policy approach in design terms for shopfronts and advertisements, particularly within Conservation Areas and on Listed Buildings. There is an economic benefit from having town centres and villages of positive local character and distinctiveness, creating places people want to visit. This policy provides guidance on how to conserve and enhance this local character with respect to shop fronts and advertisements. Further guidance will be provided within an updated Design Code for the district which will support the policies contained in the local plan.

### Policy DE4: Shop Fronts and Advertisements

1. Applications for new, replacement and temporary shop fronts, including fascias, will be supported where the proposal:
  - a) Is based on an approach to shop front design that respects the architectural style, character and form of the buildings or location to which they relate, including appropriate use of architectural style, materials, colours and illuminations and having regard to upper floors in terms of scale, proportion, and vertical alignment;
  - b) Within Conservation Areas or on Listed Buildings, retains and restores existing traditional shop fronts and/or features of architectural or historic interest. This will include the use of traditional materials, traditionally painted fascias and hanging signs with muted colours. Where two shop frontages are to be combined into a single unit, the design should reflect the original divisions that existed and employ correct historic shop front architectural detailing. There will be a presumption against the loss of traditional and historic shop fronts;
  - c) Within Conservation Areas or on Listed Buildings, new and replacement shop fronts should take account of the traditional architectural detailing of adjacent and nearby historic shop fronts to ensure that the character and appearance of the heritage asset is conserved and enhanced;
  - d) Within Conservation Areas and on Listed Buildings, where new canopies or blinds are proposed as part of a shop front, these should normally have historic precedent so as not to detract from the heritage significance of the building or Conservation Area, be of the traditional retractable type and be located within the architecturally

appropriate location on the shop front. If historic blinds survive in situ, they should be refurbished, and their mechanisms restored to full functionality where/if feasible;

e) Where there is an evidenced security need, within Conservation Areas or on Listed Buildings, the use of modern external security shutters will not normally be supported, nor the retrofitting of roller shutters requiring the introduction of large projecting boxes above a shop window. Consideration should be given to the provision of openwork shutters to the inside of the window. Where external shutters are unavoidable, open mesh is preferable to solid variants.

### Advertisements

2. Applications for advertisements, including hoardings, fascia signs and illumination will be supported where the proposal is sensitively designed and not detrimental to the visual amenity of the buildings or area by reason of its scale, location, detail, character, design or illumination, impair on pedestrian or highway safety or result in, or compound, the perception of clutter on the street scene.
3. Applications for advertisements, including hoardings and fascia signs in Conservation Areas or on Listed Buildings should respect the character and design of the building on which it is displayed and the identified significance of the historic street scene and use traditional materials and techniques.
4. Within Conservation Areas, or where there is an effect on a heritage asset, there will be a presumption against internally illuminated signage / logos. In some cases, discreet externally illuminated signs may be acceptable but will generally only be permitted in exceptional circumstances.
5. The cumulative impact of advertisements on the character and appearance of the surrounding townscape and landscape, and impact on any heritage asset, will be considered as part of any application.

## Supporting Text

**10.41** The Council will seek to ensure that proposals for new and replacement shopfronts are based on an approach to shop front design that respects the architectural style, heritage, character and form of the buildings or location to which they relate. The Policy lists some of the important considerations that will be assessed when an application is submitted. All proposals for new, replacement or temporary shop fronts will be expected to demonstrate that they have considered and met these criteria within their submissions.

**10.42** The policy sets out that within Conservation Areas or on Listed Buildings emphasis should be put on retaining and restoring existing traditional shopfronts and features of architectural or historic interest rather than replacement. Applications in these areas for new and replacement shop fronts will have to provide robust justification due to the presumption against the loss of historic shopfronts. When justified, proposals for new and replacement shopfronts in Conservation Areas or on Listed Buildings will need to demonstrate that they have taken account of the traditional architectural detailing of adjacent and nearby historic shop fronts to ensure that the character and appearance of heritage assets are conserved and enhanced.



**10.43** The use of canopies and blinds will only normally be accepted on those heritage assets where a historic precedent exists, they are on the shopfront, and they are of the traditional retractable type. Any application would need to demonstrate that it meets these criteria. As part e outlines, the use of modern external security shutters, nor the retrofitting of roller shutters requiring the introduction of large projecting boxes above a shop window will not normally be supported in Conservation Areas or on Listed Buildings. Some possible alternatives are provided at 1e) of the policy.

**10.44** Any application for advertisements would need to demonstrate that it meets the criteria in policy DE4. Within Conservation Areas or where there is an effect on a Heritage Asset, discreet externally illuminated signs may be acceptable but will generally only be permitted in exceptional circumstances, such as dispensing pharmacies for example.

**10.45** Where there are already existing signs or more than one sign is proposed, then the cumulative impact of advertisements on the surrounding landscape and any heritage assets will also be considered as part of any determination. The applicant will be required to demonstrate as part of their submission that they have considered the individual and cumulative impact of the proposed signage, and that design meets the policy requirements.

## Question 72

### Consultation Questions

- a) Do you agree with draft Policy DE4 Shop Fronts and Advertisements?
- b) Have we missed anything that we should include in this policy? If so, what have we missed?
- c) Should we make changes to this policy? If so, what changes should we make?



# 11

## Economy





# Economy

## Introduction

**11.1** This chapter sets out the strategy for the local economy in Wealden. There have been several events/trends that have changed the role of the economy in recent years, including the rise of internet shopping and the associated requirement for warehouse and distribution uses, the recent Covid-19 pandemic and its impact on the ways people work (i.e. homeworking) and on tourism uses specifically, that have declined considerably during that period. There has also been the relaxation of planning regulations, with ‘main town centre uses’ (such as offices) being able to change to other uses without planning permission, including the introduction of residential uses. Conversely, our evidence shows that demand for industrial property has been (and will continue to be) extremely high and is not matched by supply.

**11.2** Another key issue is where this employment floorspace can be accommodated within the district, given that many of Wealden’s existing industrial estates are older/outdated and situated within the main towns and villages of the district with limited room to intensify and/or expand. National planning policy does not specify exactly where employment development should go, with the exception of ‘offices’ that are considered ‘main town centre uses’ and are therefore directed towards town centres first. However, it notes that local planning policies should recognise and address the specific locational requirements of different sectors, such as storage and distribution uses being in suitably accessible locations (i.e. on trunk roads). National planning policy also supports a prosperous rural economy subject to constraints. This Local Plan will support employment in all areas subject to their accessibility and type and provides both specific employment allocations and criteria for employment land in both urban and rural areas.

**11.3** The other key issue is tourism uses and this has been significantly impacted by the Covid-19 pandemic and the loss of trade during this period that has forced tourist facilities and visitor accommodation to close. A key aim of the Wealden Economic Development Strategy (2023) is to develop Wealden as a visitor destination within East Sussex and to increase tourism spend year on year. It is evident from the Wealden Visitor Accommodation Study (2024) that the district needs to retain its visitor accommodation during the plan period (for all accommodation types). There are concerns that some visitor accommodation types (specifically caravan sites) are being converted to permanent homes that are of poor quality and would negatively impact the level of visitor accommodation needed to support the tourism industry. The Council wishes to support the tourism industry in Wealden and will seek to safeguard visitor accommodation and support the expansion of tourist attractions/visitor accommodation in sustainable locations.

## What have you previously told us?

**11.4** The Council previously consulted on a Direction of Travel document<sup>200</sup> in support of the emerging Wealden Local Plan and this had two chapters that are relevant to the economy, which includes the Local Economy and Tourism. The feedback provided on these issues is outlined below.

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200 [Wealden Local Plan – Direction of Travel consultation document – November 2020](#)

## Local Economy

**11.5** As part of the Direction of Travel consultation, you raised with us the importance of considering climate change and sustainability when planning for the economy, including opportunities for renewables, green space, biodiversity and tree planting to be incorporated into new employment developments. You also told us that due to the rural nature of the district, respondents highlighted the importance of agriculture, forestry and farming in relation to the services it provides and its contribution to the provision of jobs and the district's economy. It was also stated that there are opportunities relating to rural diversification particularly in relation to changing working practices. You have asked us to set out how jobs associated with the rural/agricultural economy can be supported. The diversification of farming enterprises and the conversion of redundant buildings was also largely supported by respondents to the consultation, albeit other respondents did have concerns around amenity issues for neighbouring occupiers and the nature of the diversification (would it encourage traffic or heavy goods vehicles on rural roads).

**11.6** There was a general consensus that new planning policies need to balance both housing and employment growth and therefore identify sufficient land for employment provision. A number of respondents stated that mixed-use developments are a potential way forward to provide an improved relationship between home and different types of workspaces, which may in turn reduce out commuting. In relation to education, skills and wages, you told us that we need to attract a higher skilled workforce and larger businesses to the district. It was noted that the main sectors prevalent in Wealden are lower paid sectors than those outside the district which is attracting out commuting. Along similar lines, you told us that there needs to be more business opportunities for the 16-24 age group to resolve out migration of skilled younger people in the district.

**11.7** A number of respondents to the Direction of Travel consultation also commented on the need for new office floorspace in the district and whether as much office space is required in the future owing to the Covid-19 pandemic and the changes to working patterns (particularly, the prevalence of homeworking). Infrastructure was also a key issue for respondents and particularly improving transport and access links, as well as infrastructure to support broadband and mobile coverage. Public transport and sustainable transport were also identified as key issues in relation to providing genuine travel to work choices, as well as linking housing development to main employment centres within the district.

## Tourism

**11.8** As part of the Direction of Travel consultation, you raised most frequently the importance of protecting Wealden's environmental assets and secondly the negative impact that the construction of new homes may have on the tourism industry. You also told us that transport is a key issue, and that support should be given to the development of sustainable transport links to tourist attractions that would help reduce car travel. A smaller number of respondents highlighted conversely, the adverse impacts that tourism might have on road congestion, parking and emissions, so there was mixture of views on this issue.

**11.9** There was strong support for facilitating high quality tourist experiences and increasing the length of stays, while also encouraging year-round visiting. It was suggested that Wealden's tourist offer was well placed to meet the demand for 'staycations' given the recent Covid-19 pandemic and the largely rural and in part, coastal nature of the district. There was also strong support for rural diversification schemes that included tourism uses (attractions or visitor

accommodation), albeit that there were some respondents that stated that agriculture should continue to be retained for food production.

**11.10** In terms of the location and design of tourism related development, the principle of minimising the need to travel by car and promoting sustainable modes of travel was supported. However, it was noted that existing tourist attractions can be located in rural areas, or less accessible locations (i.e. historic or natural assets) and can therefore be dependent on dispersed transport models, including the private motor vehicle. It was suggested by some respondents that new technologies, such as electric vehicles, may help to reduce environmental impacts in the future.

**11.11** Lastly, there were several comments received on what types of visitor accommodation is required to support the tourism sector in Wealden. There was strong support for an evidence-based approach, but in general, commentators were supportive of new visitor accommodation, including serviced accommodation and B & Bs, provided that amenity issues were appropriately safeguarded. There was also a general view that caravan and camping facilities should be promoted. However, there were also concerns that some caravan sites were being converted to permanent homes that are of poor quality and would negatively impact the level of visitor accommodation needed to support the tourism industry.

## Economic Policies

### Sustainable Economic Prosperity and Investment

**11.12** The Wealden Local Plan has been developed in the context of the Council's aspiration for sustainable economic prosperity and indeed a key objective of the Wealden District Council Strategy (2023-2027) is the Local Economy.

**11.13** The local plan will help meet the Council's aspirations by contributing towards enhancing the prosperity of Wealden District, and through the delivery of new jobs in the locality, will provide opportunities for residents of Wealden to work locally and reduce the need to commute out of the district, which is shown as a key issue for Wealden's economy.

**11.14** The Wealden Local Plan reflects the main requirements of the NPPF at paragraph 86, which states that local planning authorities should set out a clear economic vision and strategy, identifying strategic sites or setting criteria for supporting local and inward investment to anticipated need, whilst seeking to address potential barriers to investment which might exist, such as inadequate housing or infrastructure. It also suggests that planning policies should be flexible enough to accommodate needs not anticipated for in the plan.

**11.15** The Council's Economic Development Strategy (2023) sets out the Council's vision for the economy more widely and this states the vision for Wealden's economy is:

*An economy that is successful and provides skilled job opportunities and progression and is also balanced in terms of achieving climate change objectives, sustainably revitalising and maintaining town centres, and protecting the unique built and natural heritage that makes Wealden an attractive place to live and visit.*

**11.16** This document sets out the context, main priorities and actions for the Wealden economy in a ten-year strategy and sets out this strategy according to five priority aims as set out in the figure below.

Figure 27 Economic Development Strategy 2023 - 2033 - Priority Aims





**11.17** For each of the five priority themes, there are both objectives and actions to deliver on these strategic priorities. Policy EC1 below will assist in the delivery of the Council's wider Economic Development Strategy, alongside other initiatives and work streams undertaken by the Council or infrastructure providers to support our local economy. This includes attracting and promoting inward investment, facilitating higher value employment development, helping to support the existing and future workforce with their skills and education, effective partnership working to secure key supporting infrastructure including rolling out full fibre and 5G infrastructure, ensuring our town centres and visitor offer align with its target markets and can be maintained, and to support existing businesses to become Net Zero.

**11.18** The Council aims to support prosperity in all forms, and it is crucial that existing businesses within the district are retained and supported where further floorspace is needed to support and/or expand that business. Policy SS5: Strategic Employment Allocations of this Local Plan identifies the strategic employment sites (and existing commitments) that are expected to come forward over the plan period.

**11.19** The Employment and Economic Study for Eastbourne and Wealden (April 2022) confirms that labour and skills shortages are a real risk for the economy, compounded by the fact that Wealden is near other employment centres that already provide jobs for a significant number of commuters. It notes that manufacturing has maintained a presence in Wealden, and in particular, has had a recent high demand for premises. However, the general trend is towards higher capital intensity and lower employment in this sector. The study identifies the following priorities for the Economic Development Strategy for Wealden:

- Low carbon and sustainability;
- Quality of place and place identity;
- Business support and advice – supply chains, continuity, human resources, skills;
- Digital business and technology investment;
- Encouraging skilled commuters to locate business or jobs in the district;
- Youth and adult training and job entry;
- Employment land provision;
- Construction innovation and sustainability;
- Flexible toolkit and funds for Town Centre Futures; and
- Data connectivity.

**11.20** These issues have been considered for the Council's Economic Development Strategy (2023) and have been identified below within Policy EC1 and will be encouraged through the planning application process for all economic development proposals.

## Policy EC1: Sustainable Economic Prosperity and Investment

The Council will support economic development proposals, growth in high-skilled jobs, and tourism that contributes towards the delivery of economic prosperity in the district.

Sustainable economic development will be achieved by:

- a) Ensuring that major economic development proposals, including those strategic employment allocations identified at Policy SS5 (Strategic Employment Allocations) demonstrate how they will contribute to addressing identified local skills shortages and support local employment, skills and education;
- b) Supporting proposals for new employment premises/floorspace or the redevelopment, conversion, upgrading, intensification or reconfiguration of employment premises or floorspace on existing business sites, where this will lead to an improvement of employment provision, jobs and/or assist to meet the needs of modern business standards;
- c) Ensuring that economic development is well-designed, suitable for incorporating a range of unit sizes and flexible in terms of its operation and use;
- d) Ensuring that major economic development proposals, including those strategic employment allocations identified at Policy SS6 (Strategic Employment Allocations) deliver environmental and climate change policy requirements. This will include a positive approach to a Net Zero Wealden, opportunities to deliver sustainably constructed business premises that operate efficiently, as well as providing for sustainable modes of travel wherever possible;
- e) Supporting the creation of a safe, attractive, accessible and high-quality environment, taking opportunities to improve connectivity within settlements through cycle/pedestrian infrastructure improvements;
- f) Providing the appropriate infrastructure to support business growth and particularly seek to include EV charging points and support digital infrastructure improvements, including fibre broadband and 5G;
- g) Taking a positive approach to the formation of small start-up businesses, as well as supporting new ways of working following the Covid-19 pandemic, such as homeworking; and
- h) Delivering tourism facilities and visitor accommodation that enhances the attractiveness of the district and contributes to Wealden remaining a high-quality destination to stay and visit.

### Supporting Text

**11.21** Where there will be a requirement to secure additional infrastructure to support proposals then the Council will consider the use of either planning obligations or planning conditions. Where relevant, the Council will also use planning obligations to secure support for local employment, skills and education.

**11.22** Other policies within the local plan will also apply to economic development for example, those relating to design, the natural environment, infrastructure and climate change. This policy also relates to tourism proposals.

## Question 73

### Consultation Questions

- a) Do you agree with draft Policy EC1 Sustainable Economic Prosperity and Investment?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Strategic Employment Sites

**11.23** The NPPF confirms at paragraph 85 that planning policies should help create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity, taking into account both business needs and wider opportunities for development.

**11.24** The improvement, expansion, intensification, reconfiguration and most importantly, retention of existing employment sites across the district will be integral to the delivery of the Council's Economic Development Strategy (2023) and ensuring that employment needs are met during the plan period.

**11.25** It is noted at the County level that Locate East Sussex undertook a Land & Premises Supply Study for East Sussex (May, 2020) that assessed the commercial market for employment premises at that time. In short, it noted that the markets within East Sussex are closely linked to centres of population, including Eastbourne/Polegate/Hailsham, but that North Wealden is separate in commercial market terms to most other East Sussex markets. It's location between the coast and Crawley/Gatwick has allowed it to become a 'staging post' for business. It is also noted that in general, existing stock within the industrial market in East Sussex is considered old and in poor condition and, that there is high demand for such uses in locations along the A22 corridor, but that the key barrier is the undersupply of quality space which is fit for purpose.

**11.26** The strategic employment sites to be retained have been identified through the Employment and Economic Study for Eastbourne and Wealden (April 2022) and include all suitable existing employment sites within the district. Uses falling within Use Class E(g), B2 and B8 will be supported at these sites where they are unlikely to cause significant harm to the living conditions of neighbouring occupiers of land or buildings. The evidence base shows that there were 19 existing strategic employment sites that are suitable for protection for employment uses that are located in various parts of the district, but predominantly within or adjacent to the district's main towns, including Uckfield, Polegate, Crowborough, Uckfield and Heathfield.

**11.27** The retention of employment sites in the district during the plan period is crucial given our substantial employment need.

## Policy EC2: Existing Strategic Employment Sites

- Existing strategic employment sites, premises and floorspace will be safeguarded against loss to other non-employment uses. The loss of employment uses on strategic employment sites will need to be justified and comply with the requirements of Policy EC8: The Retention of Sites in Economic or Tourism Uses of this Local Plan.
- To maintain and assist in meeting the employment needs of the district during the plan period, the Council will safeguard and restrict uses at the following existing strategic employment sites to use classes E(g)<sup>201</sup>, B2 and B8. The boundaries for these sites are shown on the Policies Map.

**Table 13**

<b>Strategic Employment Sites</b>
Ashdown Business Park, Michael Way, Maresfield
Bellbrook Industrial Estate, Bell Lane, Uckfield
Chaucer Business Park, Dittons Road, Polegate
Diplocks Way Industrial Estate, Diplocks Way, Hailsham
Durgates Industrial Estate, Durgates, Wadhurst
Farningham Road Industrial Estate, Farningham Road, Crowborough
Ghyll Road Industrial Estate, Heathfield
Hackhurst Lane Industrial Estate, Lower Dicker
Lexden Lodge Industrial Estate, Crowborough Hill, Jarvis Brook, Crowborough
Milbrook Industrial Estate, Sybron Way, Crowborough
Mountney Bridge Business Park, Eastbourne Road, Westham
Park Lane Industrial Estate, Park Road, Crowborough
Ridgewood Industrial Park, New Road, Ridgewood, Uckfield
Squires Farm Industrial Estate, Easons Green, Framfield
Station Road Industrial Estate, Station Road, Forest Row
Station Road Industrial Estate, Station Road, Hailsham
Station Road Industrial Estate, Browning Road, Heathfield
Swallow Business Park, Diamond Drive, Lower Dicker
Wadhurst Business Park, Faircrouch Lane, Wadhurst

201 This would include offices, the research and development of products or processes, or any industrial process appropriate for a residential area; formerly known as B1 Class (business).

### Intensification

3. Proposals for the intensification of employment uses (i.e. E(g), B2 and B8) within the boundary of these Strategic Employment Sites, as shown in the Policies Map, will be supported providing it is in accordance with other development plan policies.

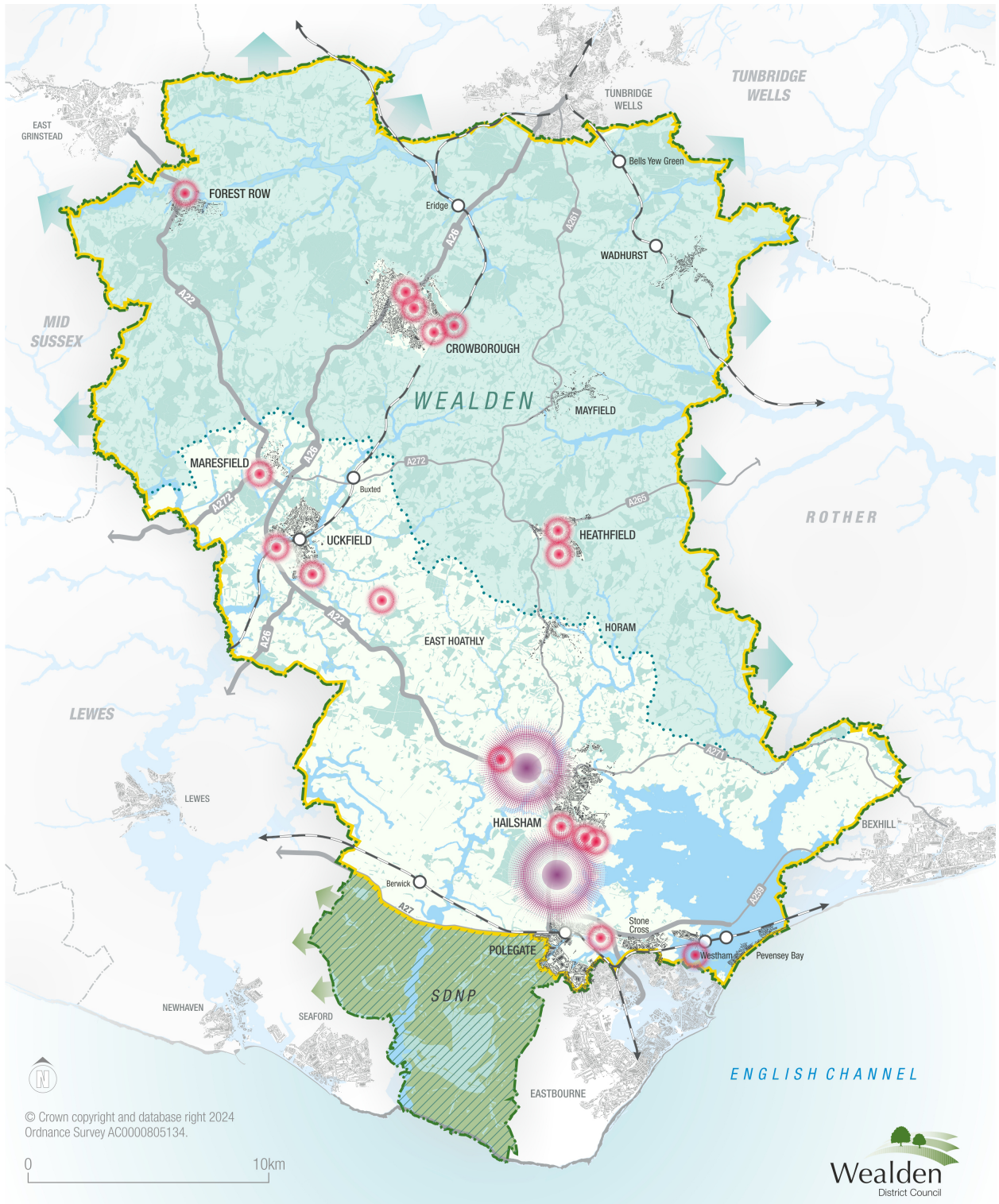
### Redevelopment

4. Proposals for the redevelopment of a site/building/premises for an employment use (i.e. E(g), B2 and B8) within Strategic Employment Sites will be supported where it does not result in the overall loss of employment floorspace, or where the loss leads to an improvement of employment provision, jobs and/or assist to meet the needs of modern business standards.
5. Proposals for alternative non-employment uses (including sui generis uses) will only be supported where it meets the requirements of Policy EC8: The Retention of Sites in Economic and Tourism Uses of this Local Plan, and the alternative use supports the integrity and function of the employment site.

### Trade Counters

6. Trade counters in strategic employment sites will only be supported where they are clearly subsidiary and a 'de-minimus' feature of the primary use of the unit, where only a small quantum of trade counter use is proposed and where there is no adverse effect on the employment and / or neighbouring area, as a consequence of the trade counter.

**Figure 28 Wealden District Strategic Employment Sites**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)
- Woodland
- Water
- High Weald National Landscape

**Employment Sites**

- Strategic Employment Allocations
- Strategic Employment Sites

## Supporting Text

**11.28** The main aim of Policy EC2 is to retain and protect the Council's main industrial estates for their core purpose (i.e. employment uses). It should be noted that proposals for 'main town centre use', including offices, will still need to comply with Policy TC2 (Sequential and Local Impact Test). In addition, proposals for other employment generating uses that fall under the 'sui generis' use class (that in effect, do not fall into any specific category in the Use Class Order) will not be supported in these defined strategic employment areas. Only the defined employment uses (i.e. E(g), B2 and B8) will be supported on these existing strategic employment sites, subject to other planning policy considerations within this Local Plan.

**11.29** Trade counters appear on several of our strategic employment sites and such uses do have the ability to impact the operation of other neighbouring employment uses in terms of parking and highway congestion specifically. In cases where trade counters are a significant proportion of the unit, they can act as 'retail' uses and account for significant vehicular movements within an existing employment site. However, where trade counters are clearly subsidiary and a 'de-minimus' feature of the primary use of the unit, proposals will continue to be supported on strategic employment sites subject to the criteria listed.

**11.30** It is noted that all defined employment uses (i.e. E(g), B2 and B8) within the strategic employment sites listed above will be safeguarded from loss through Policy EC8: The Retention of Sites in Economic or Tourism uses. Further details on what is required are detailed within that policy, but in short, it will be expected that any planning application involving the loss of employment uses on the sites listed above will need to be accompanied by details of comprehensive marketing strategy (over an 18-month period) and a financial appraisal of the site which demonstrates the continued use of the site for employment uses is no longer viable. The marketing strategy/financial appraisal will need to confirm not only that the existing site is unviable for that employment use, but also that any redevelopment for the continued use or an alternative employment use is unviable.

### Question 74

#### Consultation Questions

- a) Do you agree with draft Policy EC2 Existing Strategic Employment Sites?
- b) Do you agree with the list of existing strategic employment sites defined in this policy? Are there any missing, or are there any others that should be included?
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Retention and/or Loss of Existing Non-Strategic Employment Sites, Premises or Floorspace

**11.31** Existing employment sites are located throughout the district and offer a wide variety of employment stock, employment uses and opportunities, which in turn demand different rental values and help to support balanced and sustainable communities and provide employment opportunities to a range of skill levels. The Employment and Economic Study (April 2022) provides strong justification to retain and protect the district's supply of employment sites, both urban and rural. Retaining employment sites and supporting their growth will ensure we meet our economic objectives by supporting job provision that includes the retention of local jobs. This will also help support other objectives of this Local Plan, such as reducing car travel and out commuting from the district. This applies to all business uses and types of employment across the district, including small-scale enterprises within rural areas.

**11.32** The demand for offices and other uses under Use Class E(g) is expected to fluctuate over the plan period and will accord with changes in economic and market conditions. The Covid-19 pandemic and the resultant continuation of homeworking has resulted in uncertainty across this sector of the local economy. The changes to the GDPO, which has enabled the change of use of Use Class E(g) uses (formerly known as Use Class B1), such as offices to residential use has also had a significant impact on office stock, particularly in relation to Wealden's town centres and on strategic employment sites.

**11.33** The table below demonstrates the year-on-year losses in office floorspace within Wealden District (the only exception being the 2022/23 period). It also shows that office floorspace losses in Wealden District have been occurring prior to the onset of the Covid-19 pandemic in 2020.

**Table 14 Floorspace Completions in Use Class E(g)**

	Offices (net) sqm	Research and Development (net) sqm	Light Industrial (net) sqm
2022/23	536	0	-931
2021/22	-1,581	0	-791
2020/21	-1,521	0	-1,863
2019/20	-1,861	0	553
2018/19	-3,034	96	1,527
2017/18	-1,791	0	586
Total	-9,252	96	-919

**11.34** Given the above, the Council's preferred approach is to retain employment uses in all parts of the district. Only where it is sufficiently evidenced that a site is no longer viable or suitable for economic uses under Policy EC8: The Retention of Sites in Economic or Tourism Uses, will alternative non-employment uses be considered.



## Policy EC3: Retention and / or Loss of Non-Strategic Employment Sites, Premises or Floorspace

### Non-Strategic Employment Sites

1. Existing employment sites, premises, buildings and floorspace currently used for employment purposes (use classes E(g), B2 and B8) will be protected against loss to non-employment uses.
2. Where planning permission is required, proposals that will result in the loss of employment use will only be permitted where:
  - a) There are no strong economic reasons to retain the site, premises or floorspace;
  - b) The proposal would result in economic benefits including generating an equivalent number of, or an increase in jobs;
  - c) The site is not appropriate for the continuation of its present use, or any other employment use, due to a significant detriment to the environment or amenity of the area;
  - d) The new proposal would not be detrimental to the function or operation of the wider site; and
  - e) Sufficient parking is provided.
3. Proposals for the loss of a business use under use classes E(g), B2 and B8 that will not generate an alternative employment use will be considered in accordance with Policy EC8: The Retention of Sites in Economic or Tourism Uses.

### Supporting Text

**11.35** The loss of employment floorspace to an alternative non-employment use will not normally be supported and would need to be justified and comply with the requirements of Policy EC8: The Retention of Sites in Economic or Tourism uses of this Local Plan in the first instance.

**11.36** The criteria set out in Policy EC3 above provides the basis for pre-application discussions with Council officers and for the determination of planning applications for all proposals that involve the loss or redevelopment of non-strategic employment sites and premises. All proposals for the loss or redevelopment of non-strategic employment sites and premises should therefore accord with the criteria set out in this policy. The level and scale of evidence required will depend upon the scale and location of the proposal.

**11.37** In some circumstances, it is known that the continuation of an employment use on a site may be inappropriate due, for example, to an existing conflict with or affecting a neighbouring use (i.e. residential amenity), an unsafe vehicle access for the existing employment use, and/or increased HGV usage along the rural road network. The onus will be with the applicant to demonstrate that the loss of employment land is justified for those reasons. The judgement on these issues will be based upon the impact of a range of potential employment generating uses (under Use Classes E(g), B2 and B8) on the site, premises or building and not solely that of the previous or most recent operation.

## Question 75

### Consultation Questions

- a) Do you agree with draft Policy EC3 Retention and/or Loss of Non-Strategic Employment Sites, Premises or Floorspace?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## The Rural Economy

**11.38** The NPPF confirms that planning policies should support sustainable growth and expansion of all types of business in rural areas by taking a positive approach to new development and by supporting growth and expansion of all types of business and enterprise in rural areas. The Employment and Economic Study (April 2022) shows that Wealden has a strong rural economy, providing a range of economic uses and jobs and confirms the importance of the rural economy for our district.

**11.39** There are many ways in which we can support the rural economy including rural diversification schemes, the conversion of rural buildings to alternative uses and through supporting development associated with agriculture and forestry. Certain works associated with agricultural and forestry development, as well as the conversion of agricultural barns to alternative uses are permitted development. However, permitted development does not always apply in the High Weald AONB for these types of proposals.

**11.40** Whilst recognising that supporting the rural economy is important, there are other considerations in relation to the suitability of development. For example, development should not impact upon the natural environment, landscape character or the function of the countryside. There are also factors to consider such as the impact of the economic use on our rural roads as well as sustainability.

**11.41** Policy EC4 below therefore provides a criteria-based policy that supports the growth of our rural economy whilst also ensuring that development is appropriate in relation to its location, scale and design.

### Policy EC4: Rural Economy

#### Part 1: Economic development uses outside of development boundaries

1. Proposals for economic development outside development boundaries, as defined on the Policies Map, will be supported where:
  - a) The rural location for the business is justified to sustain, expand or enhance the rural economy;
  - b) It enhances local employment opportunities;

- c) The location is considered sustainable in terms of accessibility;
- d) The proposal delivers new EV charging points at the premises;
- e) The proposal would not prejudice existing uses or require further rural buildings to facilitate the existing use;
- f) The proposal is of a scale that is consistent with the proposed use and its rural character and location; and
- g) The proposal would not generate traffic of a type or amount inappropriate for the rural roads affected by the proposal and the site's existing vehicular access is suitable or can be made suitable for the proposed use.

#### Part 2: Conversion, re-use and adaptation of existing rural buildings for business use

2. Proposals will only be supported outside of development boundaries where:
  - a) The building is structurally sound and of a permanent and substantial construction capable of conversion without significant new build, extension or alteration;
  - b) The proposal makes an efficient and viable use of a redundant or disused building, including the optimal viable use of a heritage asset where applicable;
  - c) There is no impact on local amenity, landscape character or heritage assets;
  - d) There is an enhancement to the immediate setting; and
  - e) The curtilage of the building is restricted to facilitate the requirements of the employment use only.

#### Part 3: Agricultural, forestry, horticultural and other rural based land development

3. Where a proposal for agricultural, forestry, horticultural and other rural based land use cannot be accommodated within an existing building, proposals will only be supported where:
  - a) There is a justified business case that demonstrates that development is necessary at the scale proposed to sustain and meet the reasonable needs of the existing rural use;
  - b) Previously developed land is considered in the first instance for the new building;
  - c) The siting, design and external appearance of the development is designed to meet the needs of the rural business, respecting local rural distinctiveness, traditional farmstead groupings and is appropriately located to existing buildings;
  - d) The design and location of the building relates well to the intended rural use and reflects the functional need of the rural use; and
  - e) The development does not have an intrusive impact on the wider landscape it sits within, particularly where a new building is sited within or adjoining designated landscapes.
4. Proposals that are for the purpose of assisting farms to modernise and/or adapt to funding changes or climate change will be supported in principle subject to other policies within this local plan.

## Supporting Text

**11.42** Policy EC4 above outlines the criteria that should be complied with where there are proposals for economic development schemes in rural areas, the conversion of rural buildings to alternative employment/business uses and proposals for new rural buildings.

**11.43** Under Part 1 criteria (iv), it is anticipated that the proposed development should not prejudice the continued, principal rural use of the holding and this should be demonstrated through the submission of a diversification/farm business plan as part of the planning application to outline the business plan for the farm/rural use in the short to longer term.

**11.44** In relation to the conversion or re-use of existing rural buildings, under Part 2, criteria (i) evidence may need to be submitted in the form of an independent structural survey and additional drawings if this is not immediately evident that the building is structurally sound. The Council may require the review of the survey programme of works for the conversion by an independent consultant, and in those cases, the applicant would be expected to cover the costs of this.

**11.45** The Council will also consider removing permitted development rights for any new buildings brought forward through rural diversification schemes, in order to protect against subsequent changes to the building (in terms of its use or scale) that may result in negative impacts for the agricultural holding/rural enterprise. Where appropriate, planning conditions will be imposed to remove permitted development rights for alterations and/or extensions to the building and the erection of other ancillary buildings, fencing within the curtilage of the building. Where a converted building is permitted for tourism accommodation, a holiday occupancy condition will be attached preventing the use of the building as a sole or main residence.

**11.46** Where a new agricultural building is proposed, the Council would expect that the applicant will consider the entirety of their holding and locate the building in an area that is not prominent within the landscape (particularly in the High Weald AONB) to ensure landscape character is conserved where possible. If a suitable location can be found then it should avoid, or where necessary, minimise the installation of external lighting.

**11.47** Lastly, in cases where the proposal involves the removal of derelict/vacant building on site, where a new building is proposed, then the local planning authority may consider the use of planning conditions attached to that planning permission to remove those buildings (or as last resort, a legal agreement).

### Question 76

#### Consultation Questions

- a) Do you agree with draft Policy EC4 Rural Economy?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Equestrian Development

**11.48** The Council recognises the role that the countryside can play in providing opportunities for the riding and keeping of horses, which proves to be a popular pursuit in the district. Wealden provides an attractive natural environment for horse riders, as well as providing an extensive bridleway network. The riding and keeping of horses can provide jobs within the rural economy and supports some commercial equestrian operations in rural areas. Paragraph 102 of the NPPF also confirms that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

**11.49** However, planning controls are required to prevent harm to the character of the rural area through the subdivision of fields and the proliferation of buildings and ancillary features within a rural landscape. Typically, proposals for stables will include a tack room, as well as external hard standing, but may also include a sand school, fencing and jumps, as well as potentially a new vehicular access from the highway. For commercial and/or larger equestrian operations, proposals may include floodlighting (although this will be rarely supported for private/domestic use in the countryside) and/or car parking, all of which are likely to require planning permission.

**11.50** Policy EC5 below sets out the criteria which will be considered when determining planning applications for new equestrian development. This should be read in conjunction with other planning policies contained within the Local Plan particularly in relation to conserving landscape character, highways and design.

### Policy EC5: Equestrian Development

1. Proposals for equestrian facilities, including any ancillary buildings or structures, will be supported provided that the following criteria is met:
  - a) the proposal is not sited in a particularly prominent or isolated location where new development of this nature would be considered inappropriate to its rural setting;
  - b) it can be demonstrated that the re-use of existing buildings on sites for equestrian use are inappropriate before new or replacement buildings are considered;
  - c) if new buildings/facilities are required, that they are of an appropriate scale to their landscape setting and, where feasible, closely related to existing buildings;
  - d) the design of the development incorporates a drainage system that provides for the suitable disposal of foul and surface water drainage, including animal waste;
  - e) sufficient grazing land for horses is available;
  - f) the proposal should, where possible, be well related to the existing bridleway network;
  - g) that any outdoor lighting/floodlighting is designed to avoid a detrimental impact on visual or residential amenity, wildlife or highway safety, but allows the safe operation of activities on site;

h) car parking requirements can be accommodated satisfactorily within the immediate surrounds of the buildings, or where this is not suitable due to highway safety concerns, an alternative solution is agreed; and

i) the proposal does not generate traffic of a type or amount inappropriate for the rural roads affected by the proposal or require improvements or alterations to these roads, which would be detrimental to the rural character of the area.

2. Where the above requirements are met, the Council may also find it appropriate to consider the following restrictions through planning conditions:

a) the removal of permitted development rights for fencing, hardstanding and external storage, where it is considered that there is the need to control potential adverse landscape impacts which can arise from the poor management of the site or the excessive sub-division of the land.

## Supporting Text

**11.51** Policy EC5 confirms the criteria for all equestrian developments that require planning permission. In terms of criteria e) and f) of this policy, and in assessing planning applications for this use, adequate provision should be made for the safety and comfort of the horses in terms of the land needed for grazing and exercising. It is considered that sufficient grazing land for each horse is vital for their long-term health and can address the issue of subdividing fields and creating fences that can cause harm to the rural character of the area. While there is no common standard applicable for minimum land requirements and this would depend on the breed and size of the horse, how many horses are kept and the nature of land for grazing, a desirable guideline from the British Horse Society is between 0.4 and 0.6 hectares per horse (1 to 1.5 acres per horse).

**11.52** With respect to criteria (g) outdoor lighting or floodlighting will rarely be acceptable in the open countryside or for private/domestic stables for private use, where the lighting will have a detrimental impact on visual or residential amenity, wildlife or highway safety. This is of particular importance within or adjacent to the High Weald AONB or adjacent to the SDNP, or in areas identified as having 'dark skies'. Any lighting necessary for commercial equestrian uses will need to be carefully sited and designed to alleviate the impact on the landscape and kept to the minimum needed for that commercial use. Proposals for outdoor lighting schemes will need to consider Policy NE10: Light Pollution and Dark Skies of this Local Plan.

**11.53** Upon the attainment of planning permission for equestrian uses, in some circumstances, it may be required for permitted development rights for the erection of fencing or the creation of hardstanding and/or external storage to be removed. This is to ensure that the inappropriate subdivision of fields does not come forward, that may otherwise detrimentally impact the character of the surrounding landscape. This will be achieved by virtue of a planning condition attached to the approved planning permission, in accordance with Article 3(4) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and will be determined on a case-by-case basis.

## Question 77

### Consultation Questions

- a) Do you agree with draft Policy EC5 Equestrian Development?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Tourism Policies

### Tourism Facilities and Attractions

**11.54** Tourism makes a significant and important contribution to the economy of Wealden District and is an important part of the wider economy. As of 2019 (pre-Covid-19 pandemic), there was approximately 5.97 million trips undertaken within Wealden District with a total spend of £301.1 million spent by tourists during those visits. The Council has published a Wealden Visitor Accommodation Study (2024) that states the market for tourism post Covid-19 will be to maintain a steady volume of trips and associated demand for visitor accommodation in all markets, and that this is likely to grow over the lifetime of the Local Plan.

**11.55** One of the five priority themes of the Wealden Economic Development Strategy (2023) is the visitor and cultural economy, with the aim being to:

*support the recovery of Wealden tourism sector and seek to increase spend above pre-pandemic levels by encouraging visitors to stay longer all year round. It also encourages the development and promotion of Wealden as a high-quality destination, whilst seeking to protect and enhance its special qualities.*

**11.56** The document also supports the development of low-carbon, eco-friendly, non-serviced accommodation in rural areas and serviced accommodation throughout the district, as well as supporting accommodation providers in providing EV charging points.

**11.57** There are a number of significant tourist attractions within the district that includes Pevensey Castle, Herstmonceux Castle, the Ashdown Forest and Pooh Corner, the Lavender Railway Line, Bewl Water and Sheffield Park and Gardens to name a few, many of which are situated in rural locations. Our market towns have relatively limited tourism attractions and accommodation. Wealden's larger budget hotels are also located alongside the A22 between Polegate and Uckfield, rather than in the town centres themselves.

**11.58** The NPPF confirms under its glossary that art, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities) are 'main town centre uses' and should therefore be directed to town centres first, before edge of centre and out of centre locations are considered. However, the NPPF at paragraph 93 confirms that the sequential approach should not be applied to applications for small scale rural development, albeit that national policy does not provide a definition for small-scale in terms

of floorspace. In terms of rural economic development, national planning policy also confirms that local planning authorities should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.

**11.59** Policy EC6 below provides criteria for both new tourism facilities and attractions, as well as improvements to existing facilities and attractions. In line with national planning policy, new tourism facilities or attractions that are well related to a sustainable settlement (as defined in the settlement hierarchy), which has links to sustainable modes of transport will be supported. The policy also provides support for tourism in rural locations where a robust business plan is provided and it relates to an existing attraction, which relies upon a geographically fixed resource (be it an historic building or natural landform), which justifies the development.

**11.60** It is equally important to protect and retain existing, well located, and suitable tourist facilities and attractions across the district, to maintain a healthy tourism sector that continues to contribute towards Wealden's economy in the future. Policy EC6 confirms that the loss of tourism facilities and attractions to alternative uses will not be supported unless it is demonstrated that the business is no longer viable and has no reasonable prospect of continuing.

## Policy EC6: Tourism Facilities and Attractions

### Provision of New, Improved, Upgraded or Extended Tourism Facilities and Attractions

1. The Council supports new development to advance the visitor economy for both tourism, leisure and business purposes where a proposal demonstrates that it:
  - a) is of an appropriate scale, nature and appearance, relating well to its surroundings;
  - b) is located within the development boundary, as defined on the Policies Map, and is easily accessible by sustainable modes of transport, including walking and cycling;
  - c) assists in town / village regeneration, contributing to the local economy;
  - d) benefits both existing residents and visitors;
  - e) provides for high quality and sustainable tourism facilities on a year-round basis; and
  - f) contributes to the retention and enhancement of existing facilities.
2. Proposals for tourism facilities and attractions in the countryside will only be supported where:
  - a) it relates to an existing tourism facility or attraction that is seeking to expand and is of a scale, form and design suitable to its location; or
  - b) where sustainable settlements would not be suitable for the scale and nature of the facility or attraction, for example where an existing attraction relies on a geographically fixed resource; or
  - c) where there will be an overriding benefit for locating away from a sustainable settlement and the proposal can be accessed by public transport. An overriding benefit could relate to the economy, community or environment.



3. Proposals for tourism facilities and attractions outside development boundaries, as defined on the Policies Map, will require a robust case to be made as part of its business plan and will also need to meet the criteria under Part 1 of Policy EC4: Rural Economy of this Local Plan.

#### Protection of Existing Tourism Uses

4. Development resulting in the loss of tourism facilities and attractions to alternative uses will need to be considered in line with Policy EC8: The Retention of Sites in Economic or Tourism uses.

### Supporting Text

**11.61** The criteria set out in Policy EC6 will be the basis for pre-application discussions with Council Officers and for the determination of planning applications for all proposals for tourism facilities and attractions. The Council largely supports new development to advance the visitor economy. However, proposals for tourism facilities that do not relate well to an existing sustainable settlement will only be supported where a robust case is made for a countryside location as part of any business plan. The business case will need to fully justify why that location is needed to deliver a tourist facility/attraction, and how the business expects to be profitable over a 3-year period. The review of the submitted information may be required by an independent consultant, and it is expected that the applicant will cover the cost of this.

### Question 78

#### Consultation Questions

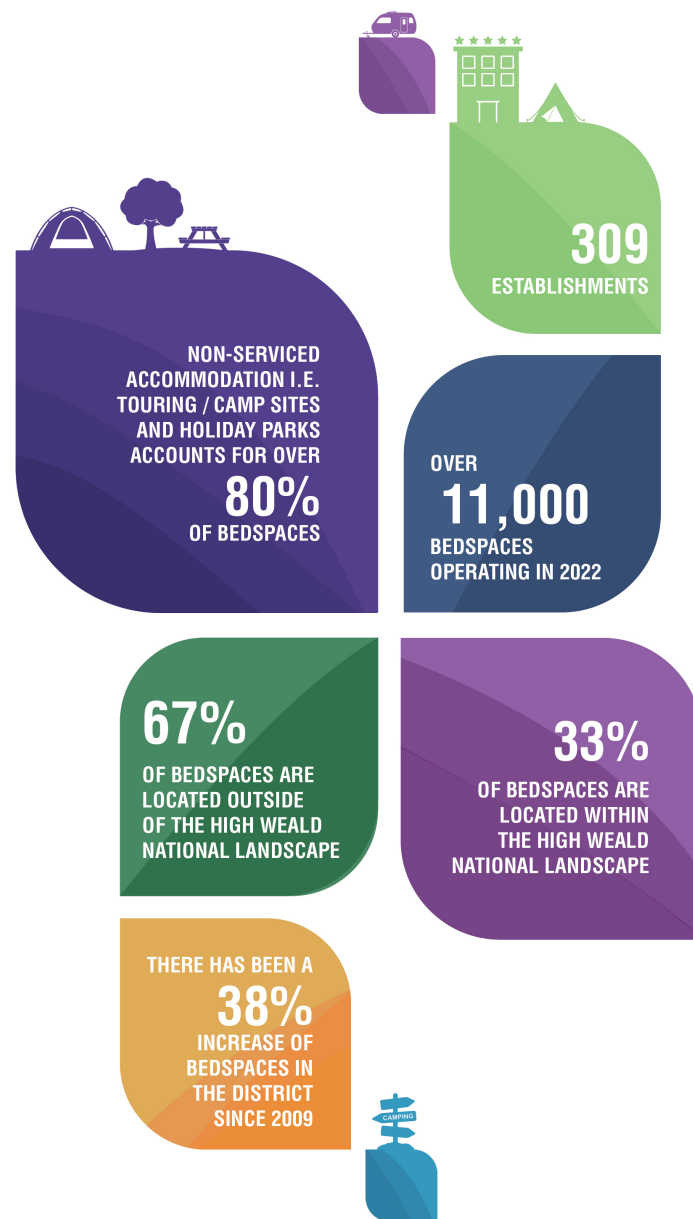
- a) Do you agree with draft Policy EC6 Tourism Facilities and Attractions?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

### Visitor Accommodation

**11.62** The Visitor Accommodation Study (2024) provides an independent assessment of the current status of visitor accommodation provision in Wealden District and its potential for future development over the plan period. Within Wealden's administrative area (excluding the SDNP), there is a total of 309 establishments with just over 11,000 bedspaces operating in 2022. Non-serviced accommodation accounts for over 80% of bedspaces and this is largely dominated by traditional touring and camping sites, followed by holiday parks. In terms of their location, the areas outside of the High Weald National Landscape account for 67% of bedspaces, with the remainder inside the High Weald National Landscape (or in the towns surrounded by it, i.e.

Heathfield and Crowborough). The supply of visitor accommodation has increased significantly since the time of the last study (undertaken in 2009), with a 38% increase in bedspaces. The supply of hotels, touring caravan and camping sites and self-catering accommodation has increased, whereas pub accommodation and guesthouse/bed & breakfast accommodation has reduced. Demand for visitor accommodation is still significant and the Visitor Accommodation Study (2024) recommends the development of additional visitor accommodation in all sectors including both serviced and self-catering accommodation to meet the tourism requirements in sustainable locations.

**Figure 29 Visitor Accommodation within Wealden District (excluding the South Downs National Park)**



**11.63** A key element of Wealden's Economic Development Strategy (2023) is to increase overnight stays, with around half of visitors to Wealden coming from the local area, the number of overnight stays is limited. Just 8% of all visits are by overnight visitors, but these make up 30% of spend. Day visitors spend less but have a disproportionately higher impact. One of the main challenges for the visitor economy in Wealden is the lack of serviced accommodation and accommodation with green tourism accreditation that limits the scope of the tourism market.

**11.64** The retention of existing visitor accommodation types across a variety of economic groups, helps to attract a mixture of visitors at all values and provides support to other associated businesses within the district (i.e. food, hospitality and leisure specifically). It is important to control the loss of visitor accommodation to prevent the threat to the quality, quantum and choice of accommodation on offer across the district. Higher value uses such as residential development, and changes of uses of existing holiday parks (with static caravans in situ) to permanent residential accommodation have already taken place across the district, which will, if not intervened, harm the tourism sector in the longer term.

**11.65** The use of land for touring caravans and camping sites can assist in the rural economy through rural diversification and help support the provision of services in rural areas (such as Public Houses). However, such sites can be visually intrusive particularly in the open countryside or on designated landscapes, such as the High Weald AONB. They usually also require some permanent buildings, if built at scale, such as a reception area and/or a toilet/shower block. Where possible, it is expected that any associated facilities should be contained within existing buildings on site. Although the Council will be cautious in terms of allowing new caravan and camping sites in rural areas, the Council does recognise that with care, it is possible to design and locate new sites at the edge of sustainable settlements that have a limited impact on townscape and respect the landscape and amenity.

**11.66** As is highlighted above, visitor accommodation in the district has historically been and is continuing to be dominated by the self-catering market in rural areas and the Council is aiming to provide for all sectors, but this should include the provision of serviced visitor accommodation in Wealden's town and village centres. Policy EC7 below provides the criteria in which the provision of new visitor accommodation of all types will be assessed.

### Policy EC7: Visitor Accommodation

1. The Council supports new development for visitor accommodation in both attracting visitors to the district and supporting local jobs within Wealden. The Council will seek to retain and provide a broad range of visitor accommodation.
2. Development proposals for new visitor accommodation, including extensions and improvements to existing accommodation, will be supported where proposals can satisfy the following criteria:
  - a) it increases the range and/or quality of visitor accommodation;
  - b) in the case of new serviced tourist accommodation, the proposal is located within the development boundary of a sustainable settlement (as defined in the settlement hierarchy) and is easily accessible by sustainable modes of transport, including walking, wheeling and cycling;

- c) in the case of non-serviced tourist accommodation, this will be supported across the district (subject to other policies in this Local Plan) where the proposal seeks to improve the provision of sustainable transport options to the site to ensure that the site is accessible from a sustainable settlement;
- d) opportunities are taken to use existing buildings on site where possible. Where new buildings are essential, they must be designed sensitively and to a high standard;
- e) the proposed development has no significant adverse impact on the landscape, ecological and historic characteristics of the site;
- f) the proposed development is of an appropriate scale to its immediate surroundings and would not detrimentally impact the character of the area;
- g) there would be no harm on highway safety or a severe impact on the immediate highway network;
- h) the car parking requirements for the proposal can be accommodated satisfactorily within the immediate surrounds of the buildings, or where this is not suitable due to highway safety concerns, an alternative solution is agreed.

3. Where planning permission is granted for caravan and camping sites, it will normally be subject to a planning condition restricting the use to holiday/leisure accommodation only and the site may also be subject to a seasonal occupancy condition in limited circumstances.

#### Retention of Visitor Accommodation

4. Development resulting in the loss of sites or premises used, or last in (lawful) use, as visitor accommodation<sup>202</sup> to alternative uses will need to be considered in line with Policy EC8: The Retention of Sites in Economic or Tourism uses.

## Supporting Text

**11.67** The NPPF under its glossary confirms states that art, culture and tourism development including hotels are ‘main town centre uses’ and should therefore be directed to town centres first, before edge of centre and out of centre locations are considered. As noted elsewhere, unless the local planning authority considers a proposal for serviced accommodation to be ‘small-scale’, it may be subject to the sequential test under Policy TC2: Sequential and Local Impact Test, if located outside of a defined town centre. This could include any significant extensions to existing hotels and other serviced-visitor accommodation located outside of town centres.

**11.68** Where proposals for new, permanent serviced accommodation are located within the 7km buffer zone of the Ashdown Forest Special Protection Area (SPA) then contributions towards appropriate mitigation measures to deal with any increases in recreational pressure emanating from the development will be required in accordance with Policy NE5: Ashdown Forest SPA. This may include contributions towards Strategic Access Management and Monitoring Strategy (SAMMS) and may also require contributions to SANGs provision depending

<sup>202</sup> Tourism accommodation includes hotels, guesthouses, bed and breakfast establishments, self-catering accommodation and outdoor accommodation such as caravan, camping sites and glamping sites (including yurts, log cabins and pods).

on the scale, location and nature of the development in accordance with a Habitats Regulations Assessment.

**11.69** All proposals for caravan and camping sites (including extensions to existing sites) must accord with the criteria above. In terms of landscape impact, a comprehensive landscaping scheme and management plan is fundamental to ensure no detrimental impact on the surrounding landscape, including the consideration of boundary treatment to the site that will need to utilise native species. To reduce the visual impact of new touring caravan and camping sites and to prevent them being used throughout the year, the Council Officer may consider the use of a seasonal occupancy condition in limited circumstances.

**11.70** Touring caravan sites are not suitable for permanent occupation and their use will be restricted to holiday accommodation only. This would be secured through a planning condition and may be checked on individual sites via the planning enforcement team on an ad hoc basis.

**11.71** Where a development proposal would result in the loss of existing visitor accommodation to an alternative use, this will only be considered acceptable where a) it can be demonstrated that the business is no longer viable and has no reasonable prospect of continuing and b) alternative visitor accommodation businesses have been fully explored. With respect to the first issue, the evidence required for this is outlined within Policy EC8: The Retention of Sites in Economic or Tourism uses and will be scrutinised through the planning application process.

**11.72** In terms of exploring alternative visitor accommodation businesses, the applicant will be expected to show that all reasonable alternatives to the existing type of visitor accommodation on site have been fully considered before the site is to be released to a non-tourism related use. The marketing period for site will need to be at least 18-months prior to the submission of a planning application and it is therefore expected that the marketing of site would include all reasonable visitor accommodation uses.

**11.73** Lastly, Council officers for any planning application for the loss of tourism (uses) will only consider the last 'lawful' use of the site prior to the submission of a planning application proposing an alternative use (even if that alternative use is ongoing unlawfully). This means that any marketing information or viability information submitted to the local planning authority should only consider the last 'lawful' use of the site for tourism uses.

## Question 79

### Consultation Questions

- a) Do you agree with draft Policy EC7 Visitor Accommodation?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## The Retention of Sites in Economic or Tourism Use and Commercial Community Facilities

**11.74** Employment sites and premises, commercial community facilities, tourist attractions and facilities, as well as visitor accommodation all play an important social and economic role within the district and help to maintain and support sustainable communities, particularly in rural areas, which assists with preventing out commuting from the district.

**11.75** However, it is known from the Council's Viability Assessment (2024) that the commercial pressure on such sites and premises in these uses is to change their use to an alternative higher value land use, most notably, housing, which is strong. This has meant that many locations within the district and particularly rural settlements have been losing commercial uses and facilities, which has meant a lack of sufficient job opportunities especially for younger people, where such sites are converted to non-employment uses.

**11.76** It is therefore vital that there is framework for commercial community facilities, as well as economic and tourism uses to be retained where at all possible, and for their loss to be resisted unless it is demonstrated that the business is no longer viable and has no reasonable prospect of continuing in its current use. The general justification for the protection and retention of economic uses, commercial community facilities, tourism attractions and facilities, as well as visitor accommodation is dealt with under Policy EC3: Retention and / or Loss of Existing Employment Sites, Premises or Floorspace; Policy EC6: Tourism Facilities and Attractions and Policy and Policy EC7: Visitor Accommodation, as set out in this chapter, as well as Policy INF7: Local Services and Community Facilities.

**11.77** Policy EC8 below deals with specific requirements for proposals that involve the loss or deterioration of a site/premises that is a commercial community facility, or is in a tourism or economic use, including those sites that were last in such a (lawful) use. This includes what evidence is required to demonstrate that a site is redundant and what should be included in a marketing campaign over an 18-month period to demonstrate that a site has remained unlet or for sale, despite genuine attempts to let or sale on reasonable terms. This policy also deals with proposals that would result in the loss of facilities or features that may undermine the viability of the existing commercial community facility, tourism use or economic use.

### Policy EC8: The Retention of Sites in Economic or Tourism Use and Commercial Community Facilities

1. In accordance with policies set out in this Local Plan, proposals that involve the loss or deterioration of sites/premises in a tourism or economic use\*, including those sites that were last in such a (lawful) use, as well as commercial community facilities\*\* must demonstrate that the site is genuinely redundant and there is no reasonable prospect of a continued use, as well as being supported by the following:
  - a) evidence of an active and effective marketing campaign that will be expected to cover a period, normally of 18 months, with written confirmation from a specialist commercial agent(s) that clearly indicates a lack of demand for the existing use (or an alternative use where this applicable). This marketing process would also need to demonstrate that the site/premises has remained unlet or for sale for the 18-month

period, despite genuine and sustained attempts to let or sell on reasonable terms; and

b) evidence that demonstrates that the site/premises is not or is unable to be financially viable for its current use (or last lawful use), including alternative uses where applicable.

2. Proposals that would result in the loss of facilities or features that may undermine the viability of the existing commercial community facility, tourism use, or economic use would normally be refused planning permission unless there are exceptional circumstances for such a proposal to proceed and this meets all other policy provisions in this Local Plan.
3. Where the review of submitted information by an independent consultant is considered necessary, the applicant will be required to cover such costs as part of the planning application process.

## Supporting Text

**11.78** Where a development proposal would result in the loss of existing commercial community facility, tourist facilities/accommodation or economic use (those within use class E(g), B2 and B8) for an alternative use, the planning application should be supported by the following:

- a viability report, prepared by a relevant professional, that includes both financial accounts and marketing information. The Council will require the submission of trading accounts, normally for a period of three years for an existing business. The marketing information will need to illustrate that sustained efforts to promote, improve, and market the use, for sale or let, at a reasonable value which reflects the existing use and condition of the building at that time (this would require a minimum of two independent valuations of the building) have not been successful, and the use is no longer viable;
- in terms of the evidence required in the viability assessment, this should include as a minimum; a history of previous uses and the period(s) of vacancy of the property/premises; details of the agent(s) used in the viability report/marketing process; the dates that the property was marketed for, including any visible evidence of this, be it advertisements in print or online; the records of any responses and interest shown in the use; and any offers received for either sale or let, with justified reasons for those offers being rejected (i.e. the offer received fell well below the marketed price).

**11.79** Ordinarily, the marketing period should run for a period of at least 18-months before a planning application is to be submitted to the Council, with the premises being offered for sale or let both locally and regionally. As discussed within Policy EC8, a review of the submitted information may be required by an independent consultant during the planning application process and the applicant will be required to cover such costs as part of the planning application process.

**11.80** Lastly, Policy EC8 confirms that proposals that would result in the loss of facilities or features that may undermine the viability of the existing commercial community facility, tourism use, or economic use would normally be refused planning permission unless there are exceptional circumstances for such a proposal to proceed and this meets all other policy

provisions in this Local Plan. In short, proposals will have to consider the need to retain adequate amenity space (internal and external) and parking, where their loss may undermine the viability of an existing commercial community facility, economic use, or tourism use. It is likely, for example, that the loss of car parking for rural visitor accommodation will lead to lower occupancies, as many visitors would need alternative methods of getting to the visitor accommodation. Such ancillary features are vulnerable to planning applications for housing development and the Council will consider through this policy whether their loss could undermine the existing use.

## **Question 80**

### **Consultation Questions**

- a) Do you agree with draft Policy EC8 The Retention of Sites in Economic or Tourism Use and Commercial Community Facilities?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?



# 12

## Town Centres

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## Town Centres

### Introduction

**12.1** This chapter sets out the strategy for how our town and local centres can develop, as well as where new town centre uses should be brought forward. The Employment and Economic Study for Eastbourne and Wealden (April 2022) confirms that the largest employment sector in Wealden is wholesale and retail trade in 2019 at approximately 9,000 employees (16.7%), albeit that this is similar in percentage terms to other parts of the southeast. Employment within the retail trade for Wealden District has also grown by approximately 1,000 people between 2001 and 2019. However, there has been a number of events/trends that has changed the role of town centres nationally, including the rise of internet shopping, the recent Covid-19 pandemic and its impact that forced non-essential stores to close temporarily. There has also been the relaxation of planning regulations for town centre uses, which has allowed for certain town centre uses to interchange without planning permission, including the introduction of residential uses.

**12.2** A key priority for the Council is to ensure that Wealden contains ‘vibrant places’ and for our town centres to adapt to contemporary needs, whilst providing a place for residents and visitors to enjoy. It is considered that the quality of places within Wealden, along with the right town centre offer (night-time economy and diverse shopping) will attract footfall and increase expenditure within the district’s towns and villages which is also another key priority. This would include preserving the heritage of our town and villages for visitors, whilst ensuring that there are viable town centre units catering for the retail and leisure needs of the modern consumer. Over the lifetime of the Local Plan, there may also be opportunities to consider enhancements to community facilities in those centres, as well as planning for climate change (i.e. the provision of EV charging points in town centre car parks).

**12.3** The role and purpose of town and local centres is an issue nationally, as is the decline of physical retail stores on our high streets. Locally, Wealden’s town and local centres have fared reasonably well over the period 2016-2021 including through the Covid-19 pandemic, with the district having retained its market share of comparison goods over the period, even in light of sizable regional competitors, with minimal internal competition from out-of-centre destinations within Wealden. Nonetheless, Wealden’s centres do not provide significant comparison goods destinations in their own right and it is acknowledged that alternative uses will be required to support our centres to ensure they remain vibrant and viable in the future. Our strategy therefore is to be more flexible in our town and local centres, whilst still endeavouring to retain the core retail areas in our market towns and to improve the character of our centres.

### What you have previously told us?

**12.4** As part of the ‘Direction of Travel’ consultation, you told us that a key issue was to focus on transport and access to existing town centres. As part of this, respondents emphasised the importance of free car parking in supporting town centres as well as the need for better cycling, walking and public transport routes to our town centres. In addition, you considered the implications of the Covid-19 pandemic on town centres, as well as the influence of online shopping, and how physical retail floorspace can be re-utilised, with a potential repurposing of town centres to be service, leisure and community hubs. It was further suggested that this

would need to be aligned with the Council's evidence base for town centres and particularly an assessment of retail capacity in the future.

**12.5** You told us that there should be a diversity and mix of uses within town centres, including post offices, the provision of services and community space and space for social activities, leisure services and cafes, as well as other parts of the hospitality sector such as restaurants and public houses. There was support for the repurposing of unused space above shops for example, where the introduction of residential uses could increase footfall within town centres. Conversely, there was also support for the continuation of retail frontages at ground floor level to prevent residential schemes being introduced into core retail areas.

**12.6** Respondents to the consultation also commented on the town centre environment and particularly retaining and preserving the character of our town centres (many of which are historic), the provision of additional space for pedestrian and leisure uses (including public realm improvements) and the provision of green space and/or green routes through our town centres. Lastly, a number of respondents suggested that the Council should reconsider the role that garden centres play in the district and particularly their impact of taking footfall away from town centres.

## Policies

### District, Service and Local Centre Hierarchy and 'Town Centre' First Principles

**12.7** The NPPF confirms that local planning policies should define a network and hierarchy of town centres to promote their long-term vitality and viability.

**12.8** As part of the Wealden Town Centre Study (July 2022), and based on the definitions of town centres included in the NPPF, this study recommended the following Town Centre Hierarchy for our seven main centres in the district and also suggested several examples for local centres that are listed as follows:

- **District centres:** Uckfield, Hailsham, Crowborough and Heathfield all of which have a good level of retail provision (100 plus units) with a wide range of shops (supermarkets and some comparison retailing including that provided by national retailers). The centres also provide hubs for public transport and offer a good level of car parking. District centres provide jobs, services and offer a range of community facilities for the population of the town as well as surrounding settlements.
- **Service centres:** Polegate, Forest Row, Wadhurst all have a good level of retail provision (40-60 units) to cater for everyday needs but have significantly less provision than District centres, including a more limited comparison goods offer. These centres are less likely to attract national retailers, however, they do attract local businesses providing for special interests.
- **Local centres:** Pevensey Bay, Mayfield, Horam, Herstmonceux, Rotherfield and Jarvis Brook (Crowborough) are smaller centres providing a range of retail and service facilities catering for local needs. These centres have 10 or more units.

**12.9** Policy TC1 sets the hierarchy of Wealden's defined centres and their protection. The hierarchy is based on their current position and function and seeks to both protect the position of each centre whilst also improving their viability and vitality.

**12.10** The Wealden Town Centre Study (July 2022) has recommended several other policy considerations for our town centres. This includes encouraging flexible working practices and

new formats for 'main town centre uses' through supporting the amalgamation or subdivision of existing town centre units, providing it only results in a minimal net loss of floorspace, and delivers a better standard of retail/leisure floorspace.

**12.11** The Wealden Town Centre Study also confirms that policies should seek to support 'meanwhile' uses to temporarily occupy vacant units through occupiers seeking to test new business concepts, pop-up stores and event spaces where they support the vitality and viability of designated centres. The government's most recent consultation on this issue (named, High Street Rental Auctions<sup>203</sup>) intends to permit the change of use of an existing high street premises to another suitable high street use as determined by the local authority. This is supported in principle through this policy and the Council will consider any changes introduced through these proposed permitted development right changes. Support will also be given to other complimentary uses in town centres, including the construction of click and collect 'hubs', or delivery lockers that provide reasons to visit designated centres and provide opportunities for dwell time and linked trips to the centre.

**12.12** The Council's Economic Development Strategy (2023) confirms that the quality of place is a fundamental strength of Wealden that along with the right town centre offer will attract footfall and spending. The 'greening' of centres, the provision of public realm features and support for the provision and connection of improved walking and cycling links and measures integrated with public transport are key to improving our centres. Applicants for new town centre development should consider Policy DE1: Achieving well-designed and high-quality places and Policy DE3: Spaces for people, nature and public realm of this Local Plan to ensure that opportunities to address the issues identified above are realised within new development of this nature.

**12.13** In relation to residential development, the Council would not normally support the change of use of existing ground floor premises in a 'main town centre use' to residential development within defined centres. It is considered that residential uses on the ground floor level are unlikely to support 'active frontages' within our centres or the vitality and viability of those centres.

### Policy TC1: District, Service and Local Centre Hierarchy and 'Town Centre' First Principles

1. Development proposals for main town centre uses will be expected to take a 'town centre first' approach and be located within district, service and local centres, as defined on the Policies Map. Main town centre uses should be located within these boundaries unless the proposal complies with the sequential test under Policy TC2 (Sequential and Local Impact Test).

The defined centres hierarchy for the district is as follows:

- a) District Centres: Uckfield, Hailsham, Crowborough; and Heathfield;
- b) Service Centres: Polegate, Forest Row; and Wadhurst;

203 Department for Levelling Up, Housing and Communities (June 2023) 'High Street Rental Auctions'. Available at: <https://www.gov.uk/government/consultations/high-street-rental-auctions/high-street-rental-auctions> (Accessed: 21 November 2023).

- c) Local Centres: Pevensey Bay, Mayfield, Horam, Herstmonceux, Rotherfield; and Jarvis Brook (Crowborough).
2. Within the district, service and local centres, as defined on the Policies Map, proposals for 'main town centre uses' will be supported where they:
- a) Seek to maintain or enhance the role, character, overall mix and diverse offer of uses ensuring a range of main town centre uses to support local communities, without the over concentration of any one use;
  - b) Develop and enhance the evening and night-time economy without resulting in adverse impacts on residential amenity and daytime footfall and can demonstrate that such uses will add to the vitality and viability of the centre;
  - c) Are of an appropriate scale to the centre and reflect its function and position within the defined town centre hierarchy;
  - d) Support the creation of a safe, attractive, accessible and high-quality environment, taking into account the identity of centres, their heritage as well as their connections with other towns, attractions and accommodation. This will include taking opportunities to improve sustainable travel connectivity within the centres and adjoining areas where possible; and
  - e) Retain an active ground floor frontage.
3. Support will also be given, within district, service and local centre boundaries, as defined on the Policies Map, for:
- a) The amalgamation or subdivision of existing units that contain 'main town centre uses', providing it only results in a minimal loss of floorspace, but leads to an overall improvement to the format of the unit, an increase in jobs or meets the needs of a modern retail/leisure business;
  - b) Temporary 'meanwhile' uses to occupy vacant units where they support the vitality and viability of designated centres and do not compromise the future redevelopment of the unit/site;
  - c) Proposals for upper floor uses that contribute to the centres vitality and viability, including residential uses, subject to conformity with other policies in the Local Plan. The redevelopment of upper floor uses should not result in the loss of ancillary storage space or other beneficial uses to the extent that it would make a ground floor unit unviable; and
  - d) Delivery lockers, where it can be demonstrated that their installation would enhance the vitality and viability of the designated centre and would not restrict accessibility for pedestrians or harm the public realm.
4. The change of use of existing ground floor premises, that is defined as a 'main town centre use' to residential will not be supported within a defined centre.

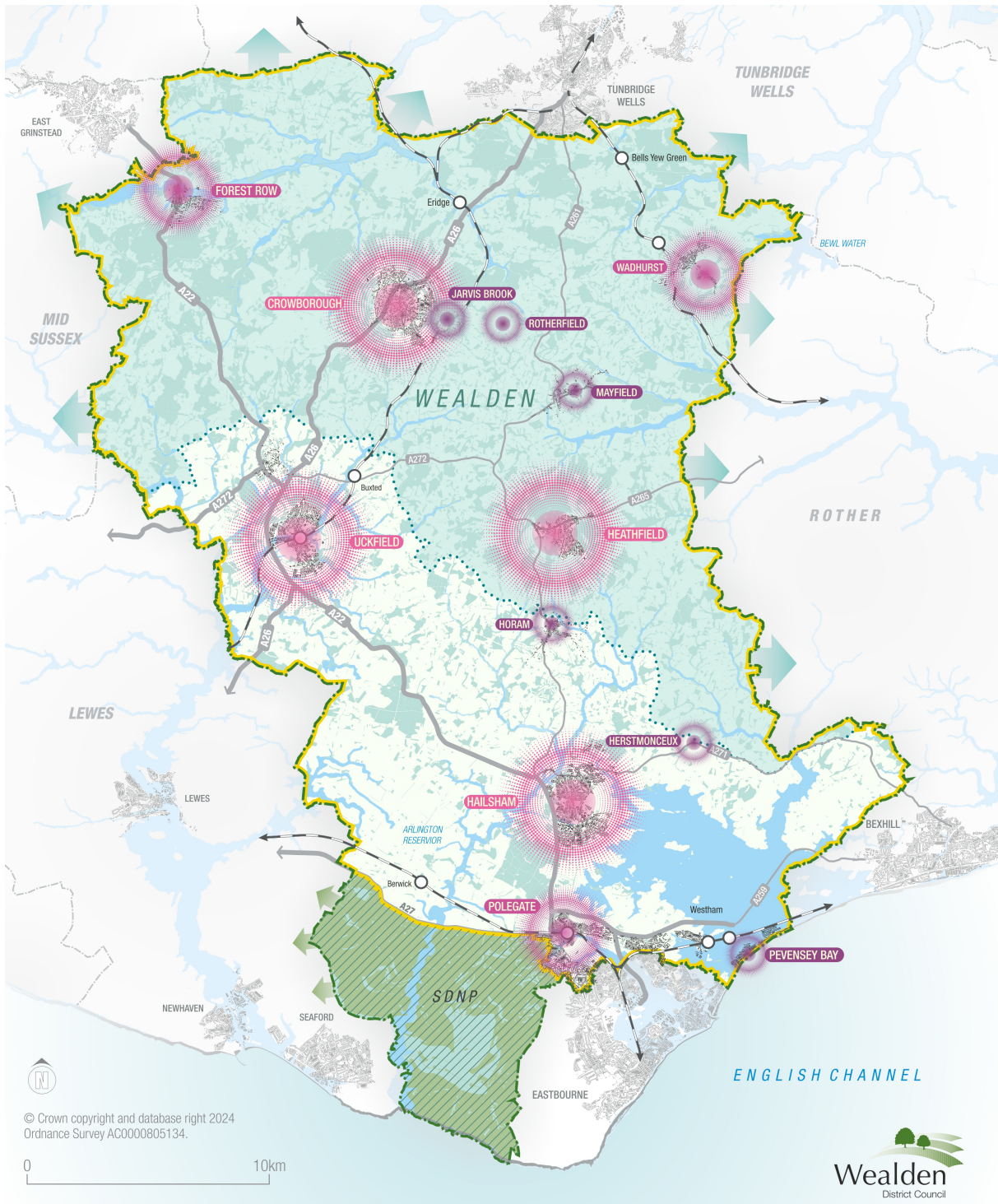
## Supporting Text

**12.14** Policy TC1 confirms that proposals for ‘main town centre uses’ should be of an appropriate scale to the centre and reflect its function and position within the District, Service and Local Centre Hierarchy. For example, the Council would not normally consider proposals for major retail development to be appropriate in Local Centres. It is expected that most new retail floorspace will be met within the District Centres. However, this ‘hierarchy’ only demonstrates an understanding of how the centres interact with each other, and it is not designed to favour one centre over another (particularly when in the same category) or to direct investment decisions.

**12.15** All proposals for ‘main town centre uses’ should seek to enhance the role, character and overall mix and diverse offer of uses in individual town and local centres, without the over concentration of any particular use. For example, although sui generis uses are supported in town centres to enhance the evening and night-time economy (i.e. bars, public houses, venues for live music performances), the applicant would need to demonstrate that the location of that use would not result in either an over concentration of the use, an adverse impact on daytime footfall or an adverse impact on residential amenity.

**12.16** It is noted that ‘meanwhile’ uses to occupy vacant units will be supported in principle to ensure the vitality, vibrancy and viability of existing centres. Where required, the Council may choose to apply planning conditions to such uses (if they require planning permission) to safeguard neighbouring occupiers (i.e. opening times), as well as a time limit for the use.

**Figure 30 Wealden District Town Centre Hierarchy**



**Existing Assets**

- Wealden District Boundary
- Local Plan Area
- Major A Roads
- Minor A Roads
- Rail
- Rail Stations
- Settlements
- South Downs National Park (SDNP)
- Woodland
- Water
- High Weald National Landscape

**Thriving Centres**

- Town Centres
- District Centres
- Local Centres



## Question 81

### Consultation Questions

- a) Do you agree with draft Policy TC1 District, Service and Local Centre Hierarchy and 'Town Centre' First Principles
- b) Do you agree with the 'centres' included with the District, Service and Local Centre Hierarchy and their position within the hierarchy? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Sequential and Local Impact Test

### Sequential Test

**12.17** A key issue for our defined centres is the provision of both edge of town and 'out-of-town' retailing in the district. National planning policy supports a 'town centre' first approach, in that all new town centre uses should seek to locate themselves within designated district, service and local centres, before considering other locations outside of those centres. Our local plan supports this principle to ensure that 'out-of-town' retail is only delivered where there is no viable alternative within existing centres, and where it is shown demonstrably that there is no detrimental impact on existing nearby centres.

**12.18** The NPPF confirms that local planning authorities should apply a sequential test to planning applications for main town centre uses<sup>204</sup>, which are neither in an existing centre nor in accordance with an up-to-date plan. National planning policy on this matter confirms that main town centre uses should be in town centres first before edge of centre locations<sup>205</sup> can be considered. Only if suitable sites are not available within town centres or edge of centre locations (or are expected to become available within a reasonable period) should out of centre sites be considered. Given the evidence within the Wealden Town Centre Study (July 2022), which confirms that there is a limited quantitative need for either retail or leisure floorspace until 2039, coupled with vacancies within Wealden's town centres, the Council's preferred approach is to direct such development towards the defined centres first and apply the sequential approach for main town centre uses proposed outside of these boundaries.

### Local Impact Test

**12.19** The NPPF confirms that retail and leisure developments greater than 2,500 sqm (gross) floorspace, proposed either in edge of centre or out-of-centre locations will be subject to the assessment of the impact criteria. It also notes that local planning authorities are able to set

204 This is defined in the NPPF at Annex 2: Glossary and includes retail development; leisure, entertainment and more intensive sport and recreation uses; offices; and arts, culture and tourism development.

205 This term is defined in the NPPF at Annex 2 for retail development, main town centres uses and offices. In determining whether a site falls within the definition of edge of centre, the Council will take account of local circumstances, as well as guidance in the NPPF.

local impact thresholds which are lower than 2,500 sqm (gross), after consideration of the criteria in the PPG<sup>206</sup>.

**12.20** The Wealden Town Centre Study (July 2022) confirms that the average size of occupied town centre units in the district is 174 sqm, with the median size being 90 sqm. The average retail unit across the district (including vacancies) is slightly larger, measuring 239 sqm. Notwithstanding that Wealden's centres have been relatively resilient to losses during the Covid-19 period, the evidence base confirms the potential draw of regional centres on the edge of the district to continue to cumulatively impact the vitality and viability of Wealden's centres. In considering the evidence it was recommended that retail developments falling below the current national threshold have the potential to impact the health of all town, service, and local centres within Wealden and that a locally set impact threshold is justified.

**12.21** Given the existing scale of retail units in Wealden and noting that relatively small retail units located in out-of-centre locations do have the potential to cause harm to existing town centres, the local impact threshold recommended within the Wealden Town Centre Study (July 2022) is 350 sqm (gross). It is considered that this threshold would capture larger convenience retailers, whilst avoiding placing an undue burden on small new stores and extensions, as well as most comparison goods retailers on edge of centre or out-of-centre retail parks. This will ensure that the impact of proposals for retail development outside of town centres can be fully considered and will ensure that existing town centres are not harmed through reduced footfall/expenditure. The evidence base does not recommend a locally set impact threshold for leisure uses.

### Policy TC2: Sequential and Local Impact Test

1. To support the vitality and viability of town, service and local centres as defined on the Policies Map, the sequential approach as set out in the NPPF will be applied where main town centre uses are proposed on the edge of or outside of centres.
2. Where the sequential test is met for proposals at the edge of an existing centre or in out-of-centre locations, these are expected to provide specific measures that will, where appropriate, establish new or improve the quality and function of, sustainable connections to the centre, in particular walking/cycling routes and public transport links. The nature and extent of the measures should be directly related to the scale of the proposal.
3. Proposals should demonstrate flexibility on issues such as the format and scale of the development, so that opportunities to utilise suitable town centre or edge of centre sites are explored first before out-of-town locations are considered.
4. Applications for developments outside of defined centres above the following thresholds will be expected to be accompanied by an impact assessment:
  - a) Over 350 square metres (gross) for retail proposals
  - b) Over 2,500 square metres (gross) for leisure proposals

206 [PPG – Paragraph: 015 Reference ID: 2b-015-20190722](#)

5. In both cases, the impact assessment must sufficiently demonstrate that it will not have a significant adverse impact on the district's defined centres, either on their own or cumulatively in consideration of other commitments in the area.
6. Where necessary, planning conditions and/or legal agreements will be applied to any new planning permission outside of defined centres, including defining the nature and extent of the proposed use to ensure no future adverse impacts on existing defined centres.

## Supporting Text

**12.22** In relation to the sequential test, the NPPF confirms that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural development, albeit that national policy does not provide a definition for small-scale in terms of floorspace. Small scale rural offices, retail development and other 'main town centre uses' within rural areas will therefore be considered on a case-by-case basis and the Council will take a proportionate view of the requirements for the sequential test in such cases. However, in line with the Wealden Town Centre Study (July 2022) small scale rural office, retail development and other 'main town centre uses', to be defined as small-scale in the context of the sequential test, would normally be smaller than the recommended local impact threshold of 350 sqm and closer to the median unit size in Wealden's centres of 90 sqm.

**12.23** In relation to the Local Impact Test, although all planning applications for retail development of over 350 sqm (gross) outside of defined centres will be expected to submit an impact assessment, national guidance indicates that the impact test should be undertaken in a proportionate and locally appropriate way. The level of detail for the submission of an impact assessment would typically be agreed with Council officers during the pre-application process, but this will need to ensure, at a minimum, an assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on vitality and viability of the defined centre, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

**12.24** Lastly, the introduction of Use Class E will enable retail uses to occupy non-retail premises (in Use Class E) in out of centre locations, thereby circumventing the 'town centre first' principle. Where this could impact on the health of district, service or local centres, the Council may attach a planning condition in out of centre locations to restrict the use applied for.

## Question 82

### Consultation Questions

- a) Do you agree with draft Policy TC2 Sequential and Local Impact Test?
- b) Is the Local Impact Test threshold for retail of 350 sqm correct in the Wealden context? Please explain your answer.
- c) Should we change anything? If so, what should we change and why?
- d) Have we missed anything? If so, what have we missed and how should it be included?

## Primary Shopping Areas

**12.25** The NPPF confirms that planning policies should define the extent of defined centres and primary shopping areas, and then make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre. Primary Shopping Areas are defined in the NPPF as ‘defined areas where retail development is concentrated’.

**12.26** The Wealden Town Centre Study (July 2022) focused on our seven main district/service centres that are included within the District, Service and Local Centre Hierarchy (namely Uckfield, Hailsham, Crowborough, Heathfield, Polegate, Forest Row and Wadhurst) and all these centres have recommendations within the evidence base for both a wider defined centre boundary<sup>207</sup> and primary shopping area boundary. In general, areas that are isolated, or operate as a distinct separate parade of shops, or where they do not function as part of the collective retail, leisure, commercial and service offering of ‘main town centre uses’ have not been included within the relevant defined centre boundaries.

**12.27** Wealden’s defined centres are comprised of close groupings of shops, cafes and other businesses selling a relatively wide range of products and services. For convenience goods and day-to-day services, customers can fulfil the majority of their day-to-day needs in our centres (and some comparison purchases) in one trip. The presence of non-retail uses in primary shopping areas can dilute the core purpose of our centres and may disincentivise shoppers to come into those centres, thereby reducing their vitality and viability.

**12.28** Although Wealden recognises the role that residential development has to play in centres, particularly in terms of delivering footfall to these centres, it is considered that this will need to be balanced with protecting our defined centres, including the possibility that such uses will erode some of the characteristics of our centres that supports their vitality and vibrancy, through the removal of active frontages. Residential uses at ground floor level in primary shopping areas can also give rise to practical issues, such as the creation of incompatible living conditions for potential occupiers and the conversion of traditional shop frontages (particularly in conservation areas) to residential frontages that can cause detrimental impacts to the character of the area. For these reasons, the Council’s preferred approach is to only support

<sup>207</sup> The NPPF defines a town centre boundary as an ‘area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area’.

residential uses outside of primary shopping areas (unless residential use is on the upper floors).

**12.29** The Council recognises the introduction of Use Class E<sup>208</sup> in September 2020 that combined a number of town centre uses (shops, cafes, restaurants, offices, fitness and gyms, creches, estate agents etc.) into one use class. The Council also notes changes to permitted development rights that were introduced in August 2021<sup>209</sup> that allows for uses falling within Use Class E to be dwelling houses without planning permission (but subject to a prior approval process). It is noted that several of our centres (Forest Row, Wadhurst, Mayfield etc.) are washed by the High Weald AONB designation and therefore do not benefit from such permitted development rights. Therefore, where planning permission is required, Policy TC3 will apply.

### Policy TC3: Primary Shopping Areas

1. Retail uses will be encouraged in Primary Shopping Areas, as defined on the Policies Map, to ensure that these central areas retain their role as shopping destinations meeting the shopping needs of the community and generating the required footfall during the day for our centres to continue to be vibrant and viable.
2. Uses that are likely to detract from the overall shopping function and have closed or inactive frontages will be resisted in the Primary Shopping Area, as this will detract from the overall shopping function.

### Supporting Text

**12.30** The overarching purpose of designating Primary Shopping Areas is to ensure that these core areas within our centres retain their role as shopping destinations to meet the needs of the community (and visitors) in order to generate footfall during the day and to ensure that these centres remain vibrant and viable. Uses that would detract from the overall shopping function of these Primary Shopping Areas will be resisted where planning permission is required, including those sui generis uses that mainly relates to the night-time economy (i.e. public houses, bars, takeaways and live music venues) that may reduce daytime footfall, or uses that have closed or inactive frontages (i.e. some professional service uses or offices).

**12.31** The Council recognises that the introduction of various permitted development right changes within the planning system and the implications thereof. However, the loss of an active ground floor frontage to residential use will not be supported within primary shopping areas where planning permission is required, particularly where such proposals would result in a gap between active frontages, where it would be incompatible with existing uses (i.e. the residential amenity of future occupiers would be unsatisfactory) and where conversions of traditional shopfronts to residential harm the existing built form and/or character of the area.

208 Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

209 The Town and Country Planning (General Permitted Development) (England) Order 2015.

## Question 83

### Consultation Questions

- a) Do you agree with draft Policy TC3 Primary Shopping Areas?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?

## Garden Centres

**12.32** Owing to the rural nature of Wealden and the location of some of its countryside on the outskirts of large towns, there has historically been a significant number of horticultural nurseries and garden centres scattered throughout the district, many of which are located outside of existing development boundaries on major road routes or outside of market towns. Traditionally, such garden centres were predominantly businesses selling plants, horticultural products, garden buildings and garden furniture/ornaments, but have over time, been increasingly looking to sell other household goods including comparison goods (clothes, household goods, indoor furniture) and convenience goods (food products) that can be found in many of Wealden's defined centres. This has the potential to have a detrimental impact on the vitality and viability of these existing centres in the district, particularly when selling convenience and comparison goods that can be found on the local high street.

**12.33** To ensure that defined centres are protected, the Council considers it necessary to provide a criteria-based policy for the expansion/extension of existing garden centres that are located in the least sustainable locations (i.e. outside of development boundaries) to ensure that such enterprises do not detrimentally impact the vitality and viability of nearby retail centres.

**12.34** The following policy sets out the criteria which will be considered when determining planning applications for the expansion/extension of existing garden centres outside of development boundaries.

### Policy TC4: Garden Centres

1. Proposals for the expansion/extension of existing garden centres outside of development boundaries as defined on the Policies Map, will be permitted when the following criteria is met:
  - a) the sale of plants, horticultural products, garden buildings, garden furniture and ornaments within the garden centre remains the principal use;
  - b) the additional traffic generated does not have an adverse impact on local roads by reason of their inadequate capacity or rural nature;

- c) it can accommodate the car parking requirements satisfactorily within the immediate surrounds of the building, or where this is not suitable due to highway safety concerns, an alternative solution is agreed; and
  - d) the site has good accessibility to an existing sustainable settlement and is not situated in an isolated location.
2. Where a significant extension to an existing garden centre is permitted, the Council will consider whether a planning condition is necessary to ensure the retail floorspace principally relates to the sale of garden/horticultural products.
  3. It should be noted that all extensions to existing garden centres that are proposed to have retail floorspace above 350 square metres gross will be subject to the Local Impact Test under Policy TC2: Sequential and Local Impact Test of this Local Plan.
  4. All other ancillary uses that defined as 'main town centre uses' within national planning policy (i.e. cafes/restaurants) may also be considered under the sequential test.

### Supporting Text

**12.35** Where a significant extension to an existing garden centre is permitted, the Council will consider whether a planning condition to ensure the retail floorspace of the garden centre principally relates to the sale of garden/horticultural products is required. This will be considered on a case-by-case basis, in line with the NPPF and will only be imposed where they are necessary, relevant to planning and to the development being permitted, enforceable, precise and reasonable in all other respects. Both the scale of the extension and the sustainability of the location are key matters in determining whether the Council will seek to impose a planning condition of this nature, and this will be discussed with applicants at an early stage.

**12.36** It should be noted that all proposals for the expansion/extension of garden centres in all locations (i.e. inside and outside development boundaries) will continue to be subject to the sequential test and local impact assessment if outside of a designated town centre boundary (Policy TC2 – Sequential and Local Impact Test).

### Question 84

#### Consultation Questions

- a) Do you agree with draft Policy TC4 Garden Centres?
- b) Should we change anything? If so, what should we change and why?
- c) Have we missed anything? If so, what have we missed and how should it be included?





# 13

## Site Allocations

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## Site Allocations

### Introduction

**13.1** Allocations proposed within this draft Wealden Local Plan, must be compliant with the development plan when read as a whole; this includes the NPPF and PPG, policies within the Council's statutory development plan, and any relevant policies in a 'made' neighbourhood development plan<sup>210</sup> covering the area that the proposal falls within. It should also be noted that the inclusion of a site as an allocation within this draft Wealden Local Plan does not remove the need to obtain planning permission separately, whereby sites will be considered on their own merits subject to compliance with relevant planning policies and other material considerations.

**13.2** It is impossible to consider every eventuality of an allocated site prior to a planning application being made and the applicants are therefore encouraged to seek pre-application advice on all sites to ensure that all site requirements are covered at that stage, including any information/evidence needed by the local planning authority to determine the planning application. In addition, it is noted that several site allocations within this draft Regulation 18 Local Plan are also the subject of 'live' planning applications and/or planning appeals. Where this is the case, these planning applications/appeals will continue to be considered on their own merits. The Council has sought to allocate land within this draft Local Plan where it is considered appropriate to do so (this may be at a lower capacity to the ongoing planning application or appeal).

**13.3** The following chapter provides general guidance on all principal policy requirements that has the potential to be relevant to allocated sites. Of course, not all of these issues will be raised for each site as each site will have different constraints as well as requirements to be met. However, the text below is provided as a guide to assist applicants, stakeholders and communities referring to other policies within the draft Local Plan that will apply in each case. This supporting text does not replace the need to consider the formal policies within this draft Local Plan. This is not an exhaustive list but does aim to demonstrate the breadth of key headline issues that will need to be considered and addressed when submitting planning applications for sites allocated within the Draft Regulation 18 Local Plan.

### Climate Change

- For new development proposals, it will be expected for applicants to undertake a whole life carbon cycle (WLC) assessment – an assessment of the sum total of all building-related emissions over a building's entire life. This will include both operational carbon emissions from day-to-day energy use and embodied carbon emissions.
- Proposals will need to ensure they follow the energy hierarchy in terms of managing the energy performance of developments, prioritising carbon savings from optimal building fabric efficiency standards, followed by renewable heat supply and on-site renewable energy. This will ensure developments are first and foremost as energy efficient as possible through reducing energy demand and then providing energy through renewable generation.

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210 At the time of writing, this includes the Herstmonceux Neighbourhood Plan, Hailsham Neighbourhood Plan and Hellingly Neighbourhood Plan.

- In terms of building performance for operational energy and emissions, all developments will be required to meet set standards for Total Energy Use Intensity (EUI), space heating demand and embodied carbon.
- For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended)
- Development proposals will need to demonstrate how they have implemented sustainable design and construction principles within their scheme, including the re-use of buildings where appropriate/feasible; using building materials with high environmental performance ratings; conserving natural resources; incorporating green and blue infrastructure; installing low carbon heating technologies or ensuring buildings are constructed and designed to accommodate these at a later date and minimising overheating through measures other than mechanical ventilation.
- Developments will be expected to protect existing carbon sinks and take opportunities to provide nature-based solutions for carbon sequestration.
- All new residential development must be designed and built to achieve the Buildings Regulation mains water consumption standard of 110 litres per person per day. Non-residential development should maximise water efficiencies under the mandatory water credits category in the BREEAM assessment methodology.

**13.4** See Policies: CC1 Net Zero Development Standards; CC2 Reducing Energy Consumption in Existing Buildings; CC3 Sustainable Design and Construction; CC4 Carbon Sequestration and CC6 Water Efficiency. Further policies are also provided in the Climate Change Chapter.

### **Design Principles (including Masterplans)**

- Strategic developments<sup>211</sup> should support a vibrant and inclusive community which embodies the concept of the '20-minute neighbourhood'<sup>212</sup> that in short aims to have compact and complete neighbourhoods that provide well connected paths, streets and places, jobs, community health and wellbeing facilities, good quality green spaces, schools and other infrastructure to meet the daily needs of residents within a short walk or cycle journey. This includes improvements to digital infrastructure and opportunities to grow food locally.
- For new residential development of 100 or more dwellings, the Council will require the submission of a masterplan and the use of Design Codes are encouraged. On large scale strategic sites of 500 or more dwellings, the Council will require both masterplans and design codes to be submitted as part of the planning application. The Council will also require masterplans for significant non-residential development or where there are site specific complexities or sensitivities that require masterplan led approach.
- Masterplans will be required to accompany either the outline or full planning application and adherence to the masterplan will be secured through planning conditions and/or a legal agreement.
- The stage at which design codes will be required to be submitted will be agreed with the applicant as part of pre-application discussions.

211 This would include developments that are significant extensions to existing villages and towns that form part of the strategy of the area.  
212 [The Town and Country Planning Association \(TCPA\), 20-Minute Neighbourhoods, \(March, 2021\)](#)

- Prior to a planning application being submitted, the Council would expect pre-application consultation on both masterplans and/or design codes for those sites, as well as evidence of early and proactive engagement with the local community on design issues<sup>213</sup>.

**13.5** See Policies: DE1 Achieving well-designed and high-quality places; DE2 Masterplans and Design Codes and DE3 Spaces for people, nature and the public realm of the Design and Quality of Place Chapter for further details.

### Landscape Sensitivity

- Development proposals will need to adopt a landscape-led approach from the outset to their design and layout to ensure that any potential adverse effects on the landscape from the proposal are avoided in the first instance and then adequately and suitably mitigated.
- The Council will expect development proposals to protect, maintain, enhance and/or reinforce the key characteristics and qualities of landscape character and landscape components as relevant to the location of the proposal.
- Development proposals will be expected to demonstrate that they have considered and addressed, their impacts, including cumulative impacts, on the landscape and the processes that have formed the landscape, including but not limited to, geology and soil; topography; biodiversity; historic character; settlement pattern; open and valued views; designated sites; pattern of key landscape features (fields, woodland, trees, hedgerows); tranquillity and dark skies.
- For sites within the High Weald National Landscape, the applicant will be expected to consider and utilise the High Weald Management Plan<sup>214</sup> to ensure that the key characteristics identified within the Management Plan are fully considered from the outset. Applicants for new residential development will also be expected to consider the High Weald Housing Design Guide<sup>215</sup> and to take into account the High Weald Colour Study<sup>216</sup> in terms of materials and design.
- Proposals for development on land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park.
- The applicant should provide a Landscape Strategy to identify how landscape features on site have been retained and incorporated into the design of the site, and how those good quality landscape features have informed the layout of the site to avoid harmful impacts.

**13.6** See Policies: NE6 Landscape Character; NE7 The High Weald AONB and NE8 Setting of the South Downs National Park of the Natural Environment Chapter for further details.

213 It should be noted that there is a statutory requirement for applicants or developers to undertake a Statement of Community Involvement (SCI) for developments over 200 dwellings (or a site area of 4 ha or more), or non-residential developments providing over 10,000 sqm new floorspace (or a site area of 2 ha or more).

214 [The High Weald AONB Management Plan 2019-2024](#)

215 [The High Weald Housing Design Guide \(November, 2019\)](#)

216 [The High Weald AONB Colour Study \(September, 2017\)](#)

## Biodiversity and Green/Blue Infrastructure

- Applications for planning permission should be informed by a thorough understanding of the potential impacts, direct and indirect, on habitats and species. In all cases, development proposals will be required to follow the mitigation hierarchy of avoidance, mitigation and compensation when considering the potential impacts of the proposal on the district's habitats and species, both designated and non-designated.
- Planning applications will be expected to be supported by relevant environmental information, including protected species and habitat records, which is informed by appropriate and up-to-date ecological data/surveys, undertaken by suitably qualified professionals and in line with best practice/guidance and Government standing advice.
- The design of development proposals should be informed by an Ecological Constraints and Opportunities Map.
- If protected or priority species or habitats are found to be present on site, the local planning authority must also be satisfied that any detrimental effects can be avoided, mitigated or compensated for before planning permission can be granted. Such mitigation, avoidance and/or compensatory measures must be proposed in the planning application.
- The loss of existing wildlife rich corridors and stepping stones should be avoided. Where this is not possible, appropriate mitigation and suitable compensatory measures, as relevant to the status of the habitat affected, will be required to protect and enhance the ecological network.
- Development proposals are required to deliver a minimum of 20% Biodiversity Net Gain on site where possible. Only where it can be demonstrated that biodiversity net gain cannot meaningfully be achieved on site will the potential for local enhancements and off-site biodiversity net gain be considered.
- The applicant must provide a Biodiversity Net Gain Plan and supporting information with the planning application, to demonstrate how biodiversity net gain will be achieved, and this should take account of the Council's priorities in terms of nature recovery. This plan should include information on habitat management and monitoring for retained, enhanced or newly created habitats over a minimum period of 30 years.
- Development should protect, improve and enhance existing green infrastructure and, where opportunities exist, create additional green infrastructure that will play a meaningful role in the creation of a multi-functional and accessible network across the district. The design and layout of the site should also seek to incorporate all types of green infrastructure that includes formal and informal recreational spaces, habitat provision, and blue infrastructure through the implementation of Sustainable Drainage Systems (SuDs).
- Development proposals should protect, restore, manage and enhance existing woodland, trees and hedgerows and their features in accordance with good practice guidance and relevant standing advice.
- Development proposals should seek to incorporate street trees within their design and layout, to enhance the amenity of the public realm as well as providing climate change adaptation and mitigation benefits.
- Where trees are lost through development, an equivalent number of new trees must be provided, in appropriate locations on-site. In addition, all development will be expected to increase tree cover.

- An appropriate buffer, in accordance with standing advice and best practice, must be provided for woodlands and trees where development has the potential to cause either direct or indirect harm including during construction.
- Development proposals for sites that are adjacent to, or contain, ancient woodland must be accompanied by information setting out the location of all significant ancient or veteran trees (a BS5837 Survey); provide suitable and adequate buffers which are sacrosanct and should be clear of any development or ancillary infrastructure and ensure that buffer zones consist of semi-natural habitats and contribute to green infrastructure and the wider ecological network.
- The Council will assume a buffer of 25m from the edge of the ancient woodland, which allows for the presence of veteran trees and the fall height of mature trees. It will be the responsibility of the developer, through assessment, to confirm that this or any other distance is appropriate and that the priority for such buffers will be ecological mitigation and enhancement for the woodland rather than the amenity of the proposed development.

**13.7** See Policies: NE1 Biodiversity, Geodiversity and Nature Recovery; NE2 Biodiversity Net Gain; NE3 Woodland, Trees and Hedgerows and NE4 Ancient Woodland and Veteran Trees of the Natural Environment Chapter and SS9 Green Infrastructure of the Spatial Strategy Chapter for further details.

### **Flood Risk, Drainage and Water Management**

- Development proposals must follow a sequential approach to flood risk and guide development within the site boundary to the areas least at risk of flooding from all sources. This approach must include consideration of the relevant climate change allowance for the catchment within which the development is located. Where required, flood mitigation must be implemented in accordance with the Council's SFRA, the NPPF and PPG and must not increase flood risk elsewhere.
- To help manage flood risk and surface water drainage, applicants are encouraged to incorporate natural flood management techniques within the design and layout of the development. Notwithstanding this, all development proposals should include adequate drainage provision, including appropriate SuDS as an integral part of the scheme, and seek to reduce flood risk and contribute to flood alleviation.
- SuDS should be discussed with the Local Lead Flood Authority (East Sussex County Council) early in the design process to ensure they can be fully integrated into the overall design and layout of the scheme. All proposals for SuDS are expected to be designed with regards to the requirements of East Sussex County Council's SuDS guidance<sup>217</sup>, including any subsequent updates or replacements to this guidance.
- All development proposals must demonstrate that they comply with the tests, recommendations and guidance specified by the Council's SFRA, the NPPF and PPG, including where required undertaking site specific flood risk assessments.
- The local planning authority would expect applicants to enter into early dialogue with South East Water and/or Southern Water, as applicable, regarding both water supply and wastewater capacity. Planning applications for new residential development will need to demonstrate that there is capacity for water supply and that wastewater flows from the proposal can be satisfactorily accommodated, without harm to the natural environment.

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217 [Guide to Sustainable Drainage Systems in East Sussex \(June, 2015\)](#)

**13.8** See Policies: CC7 Managing flood risk and CC8 Sustainable Drainage of the Climate Change Chapter and NE13 Water Environment and Water Infrastructure of the Natural Environment Chapter for further details.

### Historic Environment and Heritage Assets

- All development proposals should consider the impact on the historic environment including designated heritage assets such as listed buildings, conservation areas, scheduled monuments and registered historic parks and gardens, as well as non-designated heritage assets and their setting. This should be considered early on as part of the scheme's design and new development should avoid harm to designated/non-designated heritage assets.
- Any development affecting a heritage asset (both designated and non-designated) should include a Heritage Statement as part of the planning application that should establish the significance of those heritage assets and their settings, explain how this understanding of significance has informed the principles of the proposal, the impact of development on this significance and, if appropriate, mitigation measures.
- For proposed developments that are located within or adjacent to Archaeological Notification Areas (ANAs), or that will impact upon other areas of archaeological interest, including buildings with archaeological interest, applicants should arrange for an initial consultation with the Historic Environment Record Officer at East Sussex County Council in order to assess the level of further work required. This initial consultation with the HER Officer and any further preliminary work needed should be carried out prior to submitting a planning application.

**13.9** See Policies: HE1 The Conservation, Protection and Enhancement of the Historic Environment; HE2 Heritage Assets; HE3 Conservation Areas; HE5 Historic Parks and Gardens and HE6 Archaeology of the Historic Environment Chapter for further details.

### Access and Highways

- A transport statement, assessment and/or sustainable travel plan may be required in support of any planning application, the scope of which should be agreed with the local highway authority. Guidance<sup>218</sup> has been provided by the local highway authority in terms of the expected scope and content of these documents. Where a transport assessment is required, they must cover the extent of transport implications.
- To undertake pre-application consultation with the local highway authority regarding connections with the existing highway network and the design of any new vehicular/pedestrian access to the site. Where possible, all routes should be capable of being adopted by the local highway authority.
- To consider all Public Rights of Way (PRoW) that run through the site as part of the design of the development and to retain/improve these routes where this is feasible to better enable access for all members of society by removing barriers to encourage an inclusive society.
- To consider vehicular and cycling parking provision for both residential and non-residential development for both motorised and electric vehicles, in line with the guidance<sup>219</sup> provided

218 [Transport Assessments, Transport Statements and Transport Reports – Guidance for Development Proposals in East Sussex \(October 2009\)](#) and [Travel Plans for Development \(February, 2020\)](#)

219 [Guidance for Parking at New Residential Development \(October 2017\)](#) and [Guidance for Parking at Non-Residential Development](#)



by the local highway authority. All residential development should provide sufficient off street parking provision, with provision for electric vehicle charging, whilst also seeking to make efficient use of land.

- All development proposals should provide a fully integrated transport network, incorporating non car modes of travel (i.e. active travel) as a means to access homes, jobs, facilities and services.
- New development proposals should provide or contribute to the provision of, new and/or improved public transport infrastructure services proportionate to the projected number of additional trips arising from the development and considering any cumulative impacts of other approved developments in the area.

**13.10** See Policies: INF2 Sustainable Transport and Active Travel and INF3 Parking Provision of the Social and Infrastructure Chapter for further details.

### Open Space, Sports and Recreation

- For proposals that result in the loss of open space, sports and recreation provision, it will be expected that a robust assessment has been undertaken, which evidences that it has been suitably assessed and deemed to be surplus to requirements in relation to quantity, quality, and accessibility standards as relevant to the catchment area, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of its quantum, quality and location.
- Residential development of 10 or more dwellings (net) will be required to provide either new and/or enhanced publicly accessible open space, sports, and recreation provision to meet the needs of their occupants. The expectation is for the development to deliver provision on-site unless exceptional circumstances where off-site provision would better facilitate the needs of the development, or where the provision may not be suitable onsite due to either the nature/size of the site or specific constraints.
- The requirement for new or enhanced sports provision will be informed by the Playing Pitch and Outdoor Sport Strategy and Playing Pitch Action Plan and Indoors Sports Facilities Assessment<sup>220</sup> (2022) and the distance and capacity of existing facilities.

**13.11** See Policies: INF 8 Open Space, Sports and Recreation Provision of the Social and Physical Infrastructure Chapter for further details.

### Health and Well-Being

- For major development proposals between 30 – 149 residential units and/or commercial development of between 1000 – 9,999 sqm, applicants will need to submit a Health Impact Assessment (HIA) screening assessment. This should be submitted at the pre-application stage to determine the level of HIA required proportionate to the proposed development. For sites over and above the relevant thresholds, a full HIA is required.
- If, following the HIA screening, it is deemed necessary to undertake a full HIA, then this will be proportionate to the development proposed and will need to be prepared to demonstrate the health outcomes of those in the local community (future and existing).

**13.12** See Policy: SS8 Health, well-being and quality of life of the Spatial Strategy Chapter for further details.

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220 [Open Space, Sports and Recreation Evidence Base for Wealden](#)

## Utilities

- For all proposed site allocations, it is expected that the applicant will liaise with water, wastewater, gas and electricity providers to ensure that appropriate works are undertaken in line with the construction phasing of the proposed development.
- For development proposals for new housing, employment and retail developments, the applicant would be required to actively demonstrate that they have considered broadband and mobile connectivity that will enable Fibre-to-the-Premises (FTTP) or where it is demonstrated that this is not possible, other wireless solutions.
- For proposed site allocations that include electricity pylons and overhead lines which cross the site, it is expected that this will be addressed through site design, and it is preferable for these, where possible, to be installed underground.

**13.13** See Policies: INF4 Utilities and INF6 Digital and Communication Infrastructure

## Minerals and Safeguarding

- For all site allocations that form part of this draft Local Plan, consideration has been given to the potential impacts upon Minerals Safeguarding Areas (MSA) and safeguarded waste sites identified in the Waste and Minerals Sites Plan (February, 2017)<sup>221</sup> or any subsequent update to that Plan. East Sussex County Council (the Minerals and Waste Local Planning Authority) will be consulted on this draft Local Plan and any responses on this issue will be addressed.

## Contaminated Land

- Proposals for developments should investigate any potential land contamination from existing uses or historical uses on site, including those uses that are adjacent to the site. A Site Risk Assessment will be required for any planning application relating to sites where contamination is known or suspected, or where the development is in the vicinity of such land and ground works are proposed.
- Where evidence of contamination is identified, an Options Appraisal and Remediation Strategy are required to be submitted and agreed with the Council, and they must demonstrate that the land is to be made safe for its intended purpose.

**13.14** See Policy: NE14 Contaminated Land and Land Stability of the Natural Environment Chapter for further details.

## Housing Site Requirements

- For all new development schemes for housing of at least 10 (net) or more dwellings, the Council would expect for the proposed housing scheme to maximise its potential contribution towards meeting the identified housing mix for market homes as set out Policy HO1: Housing Type and Mix.
- For affordable housing on large mixed tenure sites of at least 50 (net) dwellings (market and affordable units), the Council expects the proposed housing scheme to maximise its potential contribution towards meeting the identified housing mix for affordable homes as set out Policy HO1: Housing Type and Mix.

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221 [The Waste and Minerals Sites Plan \(adopted February 2017\)](#)

- On sites of 20 dwellings (gross) or more, the provision of fully serviced plots for self-build and custom housebuilding should be made on site and at least 5% of the total dwellings should be made available for self-build and custom build plots.
- All residential development proposals of 10 or more units (net), or proposals for 6 or more units (net) within the High Weald AONB, or sites of 0.5 hectares or more, will be required to provide on-site affordable housing at a level of 35% of the total number of dwellings. The Council will expect a tenure mix of 40% affordable rented, 35% social rented and 25% through affordable home ownership routes, including First Homes.
- The provision of older and/or specialist accommodation under Use Class C2 will be supported towards meeting the identified need for older persons accommodation particularly and it will be expected to form part of the mix for allocated housing sites.
- All new residential development will be required to meet the accessibility standards set out in part M4(2) of the Building Regulations 2015. In addition, on developments of 20 (gross) or more dwellings, the Council requires a minimum of 10% of new affordable dwellings to be built to meet the requirements M4(3) standards of the Building Regulations 2015.
- All new residential development, including dwellings created through the subdivision of existing dwellings or conversion, shall comply with Nationally Described Space Standards, or any subsequent government standard.
- The residential capacities of draft allocations have been estimated after consideration of the existing densities in the local area as well as constraints on site, including topography, ancient woodland, flood risk, heritage assets etc. There will be scope for variation in the proposed allocation number through the planning application process and it is anticipated that higher or lower capacities may be achieved on sites, particularly if design solutions can be found to resolve existing constraints. As a result, the capacity figures for the site allocations are approximate and some allowance will be made for variance in those allocation numbers when planning applications come forward. Where a scheme proposes a number that deviates substantially from the allocation number (i.e. 10% or more either way) then the applicant would need to justify this through masterplanning and/or a design and access statement, dependant on the scale of the development.

**13.15** See Policies: HO1 Housing Type and Mix; HO2 Density; Policy HO5 Self-Build and Custom Housebuilding; Policy HO8 Affordable Housing; Policy HO11 Specialist Housing for Older and Vulnerable People; Policy HO12: Residential Accessibility Standards and Policy HO13: Internal Residential Space Standards for New Dwellings of the Housing Chapter for further details.

### Employment Site Requirements

- The Council will expect all major economic development proposals to demonstrate how they will contribute to addressing identified local skill shortages and support local employment, skills and education.
- The Council will also expect for new economic development proposals to provide the appropriate infrastructure to support business growth and particularly seek to include EV charging points and support digital infrastructure requirements, including fibre broadband and 5G.

- It is anticipated that all employment sites allocated within this Local Plan will deliver development within Use Classes B2, B8 and E(g). The delivery of other ‘main town centre uses’ within Use Class E will not be supported as part of new employment allocations.

**13.16** See Policies: EC1: Sustainable Economic Prosperity and Investment and EC2 Existing Strategic Employment Sites of the Employment Chapter and SS5: Strategic Employment Allocations of the Spatial Strategy Chapter for further details.

## Delivery

**13.17** In terms of delivery timescales, paragraph 68 of the NPPF confirms that local planning authorities should have planning policies that identify a supply of:

- a) specific, deliverable sites for years 1 to 5 of the plan period; and
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.

**13.18** The vast majority of site allocations fall under category a) above in that they are available now, offer a suitable location for development, and there is a realistic prospect that they will be delivered on site within five years of the adoption of the Local Plan. However, there will also be some site allocations, particularly of a larger scale and requiring strategic infrastructure improvements, that will be developable over a longer timeframe, but will nonetheless be developable within the plan period. Where a longer development timetable is expected for allocated sites, this will be set out within the site allocation policy.

## Community Infrastructure Levy (CIL) and Development Contributions

**13.19** The Council has an adopted CIL charging schedule<sup>222</sup> that came into force on 1 April 2016. Dependant on the size, type and uses of development, certain development schemes will be required to pay a levy charge. This includes both residential and retail development.

**13.20** In addition, infrastructure improvements will be sought via developer contributions when and where it is necessary (through planning obligations). Planning obligations may only constitute a reason for granting planning permission if they meet the statutory tests<sup>223</sup> that they are necessary to make the development acceptable in planning terms. All planning obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

**13.21** Within this Local Plan, several policies relate to the provision of infrastructure that includes open space, sports and recreation (on-site and off-site contributions), community buildings, libraries, education, sustainable transport and active travel measures etc. It is anticipated that such infrastructure will be sought either on-site or through off-site contributions in line with the statutory tests above.

**13.22** See Policy: INF1 Infrastructure Provision, Delivery and Funding in the Social and Physical Infrastructure Chapter for further details.

222 [Community Infrastructure Levy \(CIL\) Charging Schedule, November 2015](#)

223 The statutory tests are set out under Regulation 122 of the [Community Infrastructure Levy Regulations 2010 \(as amended\)](#)

## Housing and Mixed-Use Site Allocations

**13.23** The Council has identified 'site allocations' which are integral to the delivery of the Local Plan and the target for new homes (identified under Policy SS2 – Provision of Homes) and new employment floorspace (identified under Policy SS5 – Provision of Employment Floorspace), with the housing mixed-use site allocations being illustrated on the Council's Policies Map and within Policy SA1 – Housing and Mixed-Use Site Allocations below. These sites are all capable of delivering at least 5 (net) dwellings. Policy SA1 below includes a schedule detailing the uses that are acceptable on these sites, as well as an indication of yield on each site – that is the number of (net) new homes or amount of new employment/commercial floorspace likely to be appropriate on site.

**13.24** All of the sites listed in Policy SA1 have been subject to assessment under the Strategic Housing and Economic Land Availability Assessment (SHELAA), the site selection process and the SA process, including being assessed within the draft HRA. The reasons for the selection of individual sites for site allocation is considered within the Council's SA.

### Policy SA1: Housing and Mixed-Use Site Allocations

The Council has identified 'Site Allocations' for growth within the Wealden Local Plan and these are identified on the Council's Policies Map with the references identified below (for employment sites, see Policy SS6 – Strategic Employment Allocations). All housing and mixed-use site allocations must be delivered in accordance with the development plan when read as a whole. The following sites are allocated within the draft Local Plan.

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
BE1	Land North of Recreation Ground, Berwick Station	Berwick	Berwick Station	10
BE2	Land West of Station Road, Berwick Station	Berwick	Berwick Station	27
BU1	Land east of Coopers Green Road, Ringles Cross	Buxted	Ringles Cross	20
BU2	Land behind the Croft, Coopers Green Road, Ringles Cross	Buxted	Ringles Cross	15
BU3	Land opposite Roundwood, Coopers Green Road, Ringles Cross	Buxted	Ringles Cross	20
BU4	Lower Totease Farm, Framfield Road, Buxted	Buxted	Buxted	10
BU5	Land at The Walled Garden, Five Ash Down	Buxted	Buxted	20

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
BU6	Land east of Great Totease Farm, Church Road, Buxted	Buxted	Buxted	20
BU7	Land at Holly Farm, Station Road, Buxted	Buxted	Buxted	20
BU8	Land at Mockbeggar Farm, London Road, Uckfield	Buxted	Ringles Cross	60
CR1	Kingswood, Luxford Lane, Crowborough	Crowborough	Crowborough	6
CR2	Land adjacent to the London Road and Pilmer Road Junction, Crowborough	Crowborough	Crowborough	28
CR3	Land at Steel Cross Farm, Green Lane, Crowborough	Crowborough	Crowborough	60
CR4	Land at Byeways, Palesgate Lane, Crowborough	Crowborough	Crowborough	30
CR5	Land at Millbrook Road, Crowborough	Crowborough	Crowborough	15
CR6	Land east of Southview Close, Crowborough	Crowborough	Crowborough	8
EH1	Land off South Street, East Hoathly	East Hoathly with Halland	East Hoathly	20
EH2	Land Hesmonds Stud, East Hoathly	East Hoathly with Halland	East Hoathly	170
EH3	Broomy Lodge Field, London Road, East Hoathly	East Hoathly with Halland	East Hoathly	30
EH4	Land east of South Street, East Hoathly	East Hoathly with Halland	East Hoathly	30
EH5	Harrison's, South of London Road, East Hoathly	East Hoathly with Halland	East Hoathly	150
FF1	Cysleys Farm, Eastbourne Road, Uckfield	Framfield	Uckfield	145
FF2	Land off Old Eastbourne Road, Uckfield	Framfield	Uckfield	30
FF3	Blackboys Inn and Adjoining Land, Lewes Road, Blackboys	Framfield	Blackboys	9

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
FR1	Land at Benhall Mill Road, Tunbridge Wells	Frant	Tunbridge Wells	60
FR2	Land off Bayham Road (Site A), Tunbridge Wells	Frant	Tunbridge Wells	100
FR3	Land off Bayham Road (Site B), Tunbridge Wells	Frant	Tunbridge Wells	30
FR4	Land between Court Lodge and Bells Yew Green Industrial Estate, B2169, Bells Yew Green	Frant	Bells Yew Green	20
FR5	Land at Whinlatter, St Mark's Road, Tunbridge Wells	Frant	Tunbridge Wells	7
FR6	Pinewood Farm, Frant Road, Tunbridge Wells	Frant	Tunbridge Wells	170
FR7	Land to the west of Frant Road, Tunbridge Wells	Frant	Tunbridge Wells	90
HA1	Land east of Battle Road, Harebeating Lane, Hailsham	Hailsham	Hailsham	300
HA2	Land south of A271 and north of Harebeating Lane, Hailsham	Hailsham	Hailsham	180
HA3	Land to the east of Battle Road, Hailsham	Hailsham	Hailsham	100
HA4	Land at Harebeating Nursery, Harebeating Lane, Hailsham	Hailsham	Hailsham	10
HA5	Hamlins Mill, Mill Road, Hailsham	Hailsham	Hailsham	6
HA6	Bolneys Farm, South Road, Hailsham	Hailsham	Hailsham	60
HA7	150 and 152 Battle Road, Hailsham	Hailsham	Hailsham	5
HA8	Grovelands Primary School, Gleneagles Drive, Hailsham	Hailsham	Hailsham	40
HA9	Land south of Howard Close, Hailsham	Hailsham	Hailsham	40

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
HA10	Amberstone Council Depot, Amberstone, Hailsham	Hailsham	Hailsham	15
HA11	Fire Station, Victoria Road, Hailsham	Hailsham	Hailsham	10
HA12	Land at Hailsham Delivery Office, 11 North Street, Hailsham	Hailsham	Hailsham	8
HA13	Land at the Market, Market Street, Hailsham	Hailsham	Hailsham	40
HA14	Harebeating Farm, Harebeating Lane, Hailsham	Hailsham	Hailsham	20
HA15	Land at the Paddocks, South Road, Hailsham	Hailsham	Hailsham	8
HAR1	Land at Castle Farm, Withyham Road	Hartfield	Hartfield	5
HAR2	Land at Old Crown Farm, Edenbridge Road, Hartfield	Hartfield	Hartfield	6
HEA1	Land to the east of Burnetts Farm, Firgrove Road, Cross-in-Hand	Heathfield and Waldron	Cross-in-Hand	10
HEA2	Land to the south west of Ghyll Road, Tilsmore, Heathfield	Heathfield and Waldron	Heathfield	35
HEA3	Land south of Burwash Road and east of Tower Street, Heathfield	Heathfield and Waldron	Heathfield	20
HEA4	Land at 15 Tower Street, Heathfield	Heathfield and Waldron	Heathfield	10
HEA5	Land at and surrounding Rothershaw, High Street, Heathfield	Heathfield and Waldron	Heathfield	22
HEA6	Land to rear of Breton House, B2102, Cross in Hand	Heathfield and Waldron	Cross-in-Hand	15
HEA7	Land at Heathfield Police Station, High Street, Heathfield	Heathfield and Waldron	Heathfield	6



Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
HEA8	Land at Snatchells Farm, A265, Heathfield	Heathfield and Waldron	Heathfield	24
HEA9	Land at Sunnyside, A267, Cross in Hand	Heathfield and Waldron	Cross-in-Hand	9
HEL1	Land adjoining 13 Station Road, Hellingly	Hellingly	Hellingly	10
HEL2	Land at Park Farm, New Road, Hellingly	Hellingly	Hellingly	360
HEL3	Woods Corner, North Street, Lower Horsebridge	Hellingly	Lower Horsebridge	15
HMX1	Land at Collins Honda, Hailsham Road, Herstmonceux	Herstmonceux	Herstmonceux	9
HOR1	Land adjoining Discovery Way and Village Hall, Horam	Horam	Horam	5
HOR2	Land at Cauldavon, Horebeech Lane, Marle Green, Horam <sup>224</sup>	Horam	Horam	45
HOR3	Land at Great Easterfields, Chiddingly Road, Horam	Horam	Horam	6
HOR4	Clearview Farm, Chiddingly Road, Horam	Horam	Horam	35
HOR5	Horeham Flat Farm, Chiddingly Road, Horam	Horam	Horam	6
HOR6	Coxlow Farm, Horam Road, Horam	Horam	Horam	750  4,000 sqm of (employment floorspace (use class E(g), B2 and B8).  1,500 sqm of community floorspace.

224 This site is subject to a current planning appeal (reference no: APP/C1435/W/23/3334439 - WD/2022/1694/MAO – the site is known as Land East of Rosemead, Horebeech Lane, Horam, TN21 9EA in the appeal papers). The appeal has been designated for a 1-day hearing programmed for 5th March 2024.

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
				2.4 Ha of land for education provided and associated with a 2FE Primary School with early years provision.
IS1	Holly Gap Farm, Station Road, Isfield	Isfield	Isfield	10
IS2	Land to rear of Sandpit Cottage. Station Road, Isfield	Isfield	Isfield	10
MA1	Land south of Maresfield, A22, Maresfield	Maresfield	Maresfield	210
MA2	Land south west of Park Farm, A22, Maresfield	Maresfield	Maresfield	25
NIN1	Land adjacent to Ninfield Reservoir, High Street, Ninfield	Ninfield	Ninfield	20
POL1	Paddock to front of Dittons Park Industrial Estate, Dittons Road, Polegate	Polegate	Polegate	24
POL2	Hindsland Fields (east), Eastbourne Road, Polegate	Polegate	Polegate	30
POL3	Land at Shepham Lane, Polegate	Polegate	Polegate	240
POL4	Hindsland Fields (west), Eastbourne Road, Polegate	Polegate	Polegate	60
POL5	Former Waterhouse Coaches Site, Dittons Road, Polegate	Polegate	Polegate	8
POL6	Land at Royal Mail Delivery Office, 74 High Street, Polegate	Polegate	Polegate	8
POL7	Polegate Station Car Park, High Street, Polegate	Polegate	Polegate	25
RO1	Hideaway, Tubwell Lane, Crowborough	Rotherfield	Crowborough	5

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
UCK1	Land at Thorncrest, Lewes Road, Uckfield	Uckfield	Uckfield	30
UCK2	Land at Horstedpond Farm, Lewes Road, Uckfield	Uckfield	Uckfield	350
UCK3	Charlwood Manor, Snatts Road, Uckfield	Uckfield	Uckfield	17
UCK4	Sunview, 46 New Road, Ridgewood, Uckfield	Uckfield	Uckfield	30
UCK5	Land at Springfield, Lewes Road, Ridgewood, Uckfield	Uckfield	Uckfield	15
UCK6	Land South West Of Ridgedown, Lewes Road, Uckfield	Uckfield	Uckfield	55
UCK7	Cress Farm, 20 Lewes Road, Ridgewood, Uckfield	Uckfield	Uckfield	8
UCK8	Land South of Victoria Park, Ridgewood, Uckfield	Uckfield	Uckfield	100
UCK9	Land rear of Oakley Court, Selby Road, Uckfield	Uckfield	Uckfield	6
UCK10	Uckfield Police Station, New Town, High Street, Uckfield	Uckfield	Uckfield	10
UCK11	Land at White House Farm, London Road, Uckfield	Uckfield	Uckfield	240
WAD1	Land at Windmill House, Windmill Lane, Wadhurst	Wadhurst	Wadhurst	20
WES1	Land adjacent to 125 Rattle Road, Westham	Westham	Westham	7
WES2	Dittons Nursery, Dittons Road, Stone Cross	Westham	Stone Cross	20
WES3	Land at Hazlebank, Rattle Road, Stone Cross	Westham	Stone Cross	8
WES4	Land to the west of the B2104, Hankham	Westham	Stone Cross	15
WES5	Sharnfold Farm, Hailsham Road, Stone Cross	Westham	Stone Cross	89

Reference	Site	Parish	Adjoining Settlement	Yield (Net Dwellings and/or net floorspace sqm)
WES6	Land at and adjacent to The Downs View and Emberson, Hailsham Road, Stone Cross	Westham	Stone Cross	60
WES7	Land at Peelings Lane, Westham	Westham	Westham	150
WIT1	Land south of Back Lane and to the west of railway line, Groombridge	Withyham	Groombridge	21
WIT2	Land to the rear of Cooks Corner Farm and to the north of London Road, Crowborough	Withyham	Crowborough	15
<b>Total Dwellings</b>		<b>5,616 (net) dwellings</b>		

## Question 85

### Consultation Questions

- a) Do you agree with draft Policy SA1 Housing and Mixed-use Site Allocations?
- b) Do you agree with the site allocations listed within the policy and if not, what are the reasons for this? Please explain your answer.
- c) Do you believe that there are potential site allocations missing from the policy, and if so, what site allocations are missing and what are the reasons for this? Please explain your answer.
- d) Should we change anything? if so, what should we change and why?
- e) Have we missed anything? If so, what have we missed and how should it be included?
- f) The Council has prepared a site selection methodology which has informed the site selection process. Do you agree with the site selection methodology that has been used?
- g) Should the approach to the site selection methodology be changed, if so, how do you suggest the methodology should be changed and why

## Supporting Text

**13.25** At this stage, the Council has identified each site allocation within Policy SA1 and expects those site allocations to be delivered in accordance with the Development Plan. Between Regulation 18 and Regulation 19 stages for drafting the Local Plan, the Council will consider whether site specific allocation policies within the Local Plan (including site specific requirements) are necessary to ensure that such development is managed and coordinated within each location.



# 14

## Monitoring & Review

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## Monitoring and Review

### Introduction

**14.1** Monitoring is an essential process to ensure the Local Plan is meeting both the Spatial Planning Objectives of the plan and the Sustainability Appraisal objectives. The Local Plan Monitoring Framework for the Local Plan is provided below. It sets out a range of indicators that assess the impact of individual draft policies and also contextual indicators that facilitate the understanding of the wider issue within Wealden District that may influence or impact the other indicators presented. The table presented also provides the Spatial Planning Objectives and Sustainability Appraisal Objectives that the draft planning policy influences. Each indicator (unless it is enabling policy) will also have a target to assess whether a policy is working and effective over time.

**14.2** Once the Local Plan is adopted, the indicators will be reported through the Council's Authority Monitoring Report (AMR), which is usually published on an annual basis at the end of the calendar year. The PPG <sup>225</sup> confirms that local planning authorities must publish information at least annually that shows any information collected which relates to indicators in the plan, and any policies which are not being implemented. The regulations<sup>226</sup> sets out what information the AMR must contain. If it appears that policies are not being effective or are no longer appropriate in light of more recent national policies or local circumstances, than the Council will review the policy or policies concerned, which may lead to a review/partial review of a Local Plan.

**14.3** The Council will consider feedback provided on the Local Plan Monitoring Framework presented at the Regulation 18 stage and will provide an updated version of the Local Plan Monitoring Framework at the Regulation 19 stage.

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225 [PPG – Paragraph: 073 Reference ID: 61-073-20190315](#)

226 Regulation 34 of the Town and Country Planning (Local Planning) Regulations 2012 as amended.

Table 15 Local Plan Monitoring Framework Spatial Strategy

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy SS1: Spatial Strategy for Wealden	SPO – 4a	SO14	Net number of dwellings completed outside of the development boundaries	Net number of dwellings completed outside of the development boundaries and not supported by other policies within the Local Plan (i.e. Rural Exceptions Sites)	Minimal	Developers, local authority	Wealden District Council Monitoring
Policy SS1: Spatial Strategy for Wealden	SPO – 5a, 5b, 5c and 5d	SO18	Net increase / decrease in employment floorspace	Net increase / decrease in employment floorspace in Use Classes E(g), B2 and B8	No net loss per annum	Developers, local authority	Wealden District Council Monitoring
Policy SS2: Provision of Homes	SPO – 4a. and 4b.	SO14	Net Dwellings Completed per monitoring year	Net number of dwellings competed for each monitoring year	To meet the identified need of 15,729 (net) dwellings by 31 March 2040 (or 953 dwellings per annum (dpa))	Developers, local authority, local highway authority, public agencies, utility companies and service providers	Wealden District Council Monitoring

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy SS3: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs	SPO – 4a. and 4b.	SO14, SO17	Total number of Gypsy and Traveller Pitches	Net number of Gypsy and Traveller and pitches granted planning permission within the monitoring period	Provide an additional 51 pitches for Gypsies and Travellers by 2040	Local authority	Wealden District Council Monitoring
Policy SS3: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs	SPO – 4a. and 4b.	SO14, SO17	Total number of Plots for Travelling Showpeople	Net number of plots for Travelling Showpeople granted planning permission within the monitoring period	Provide an additional 3 plots for Travelling Showpeople	Local authority	Wealden District Council Monitoring
Policy SS4: Retail Provision and Town Centres	SPO – 5b, 5d, 7b and 7c	SO18 and SO19	Retail Use Floorspace Completions	Net increase / decrease in retail floorspace in Use Class E(a) in the monitoring period	To meet identified need of a minimum of 4,600 sqm of retail floorspace by 2040	Developers, businesses and local authority	Wealden District Council Monitoring
Policy SS5: Provision of Employment Floorspace	SPO – 5a, 5b, 5c, 5d, 5e 6a and 6b	SO18	Net Increase / Decrease in Employment Floorspace Completions	Net increase / decrease in employment floorspace in Use Classes E(g), B2 and	To support the provision of at least 84,850 sqm of employment	Developers, businesses and local authority	Wealden District Council Monitoring

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
				B8 in the monitoring period	floorspace by 2040		
Policy SS6: Strategic Employment Allocations	SPO – 5a, 5b, 5c, 5d, 5e, 6a and 6b	SO18	Delivery of Strategic Employment Allocation Sites Total Floorspace Completions	Net total employment floorspace delivered across all Strategic Employment Allocation Sites	Deliver net total of 56,750 sqm of employment floorspace across the Strategic Employment Allocations	Developers and local authority	Wealden District Council Monitoring
Policy SS6: Strategic Employment Allocations	SPO – 5a, 5b, 5c, 5d, 5e, 6a and 6b	SO18	Delivery of Large Employment Commitments Total Floorspace	Net total employment floorspace delivered across all Large Employment Commitments	Deliver net total of 28,094 sqm of employment floorspace across the Large Employment Commitments	Developers and local authority	Wealden District Council Monitoring
SS7: Ensuring Comprehensive Development and Housing Delivery	SPO – 4a and 4b.	SO14, SO17	The Delivery of New Homes	The total number of major housing sites (above 10 (net) dwellings) with an extant planning permission that have	Minimal	Developers and local authority	Wealden District Council Monitoring

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
				lapsed during the monitoring period			
SS8: Responding to Climate Change	SPO – 1a, 1b, 1c, 1d, 1e, 3a, 3b and 4a	SO1 and SO2	Per capita greenhouse gas emissions and total greenhouse gas emissions	Per capita greenhouse gas emissions and total greenhouse gas emissions in the Wealden for the latest monitoring period available, including a breakdown for industry, commercial, public sector, domestic and transport	Reduce over the plan period	Developers, businesses, utility providers, public agencies and local authority	Department for Energy Security and Net Zero
SS8: Responding to Climate Change	SPO – 1a, 1b, 1c, 1d, 1e, 3a, 3b and 4a	SO1 and SO2	Publicly available electric vehicle charging devices	Publicly available electric vehicle charging devices at all speeds within Wealden District	Increase over the plan period	Developers, businesses, utility providers and local authority	Department for Transport
SS9: Health, well-being and quality of life	SPO – 2c, 2d and 2e	SO15 and SO17	Child Obesity Levels	Child Obesity Levels within Wealden District at Year 6 (ages 10-11)	Decrease	N/A	NHS
SS9: Health, well-being and quality of life	SPO – 2a, 2b, 2c, 2d and 2e	SO15 and SO17	Life Expectancy	Life Expectancy at Birth for Males and Females in Wealden	Increase	N/A	ONS and NHS

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
SS9: Health, well-being and quality of life	SPO – 2a, 2b, 2c, 2e, 3a, 3b and 3c	SO13 and SO15	Residents within 30 minutes of GPs	The percentage of residents within 30 minutes of GPs by transport mode (walking, cycling and car)	Increase	Developers, local authority	Department for Transport
SS9: Health, well-being and quality of life	SPO – 2a, 2b, 2c and 2e	SO15	Disability	The percentage of Wealden residents who consider themselves to have a disability	Decrease	N/A	ONS (Census)
SS9: Health, well-being and quality of life	SPO – 2a, 2b, 2c, 2d and 2e	SO15	Physically active children and young people	Percentage of physically active children and young people	Increase	N/A	Office for Health Improvement and Disparities
SS9: Health, well-being and quality of life	SPO – 2a, 2b, 2c, 2d and 2e	SO15	Physically active and inactive adult	Percentage of physically active and inactive adult	Increase	N/A	Office for Health Improvement and Disparities
SS9: Health, well-being and quality of life	SPO – 2b, 2c and 2e	SO15	Adults who feel lonely	Percentage of adults who feel lonely often or always or some of the time	Decrease	N/A	Office for Health Improvement

Local Plan Policy	Spatial Planning Objectives	Sustainability Appraisal Objective	Indicator Name	Indicator	Target	Implementation	Source
							and Disparities
SS9: Health, well-being and quality of life	SPO	SO15 and SO17	Health Impact Assessments	Planning permissions granted contrary to advice from ESCC on a Health Impact Assessment (HIA)	None	Developers, local authority and East Sussex County Council	Wealden District Council Monitoring
SS10: Green Infrastructure	SPO – 8a, 8b and 8d	SO8 and SO9	Delivery of green and blue infrastructure	Hectares of green and blue infrastructure delivered through strategic site allocations during the monitoring period	In accordance with Policy SS10 of the Local Plan	Developers, local authority	Wealden District Council Monitoring
SS10: Green Infrastructure	SPO – 8a, 8b, 8d and 9d	SO8	Distance to nearest Park, Public Garden, or Playing Field	Average distance to nearest Park, Public Garden, or Playing Field in Metres for Wealden District	Decrease	Developers, local authority	ONS
SS10: Green Infrastructure	SPO – 8a, 8b, 8d and 9d	SO8	Number of Parks, Public Gardens, or Playing Fields within 1km radius	Average number of Parks, Public Gardens, or Playing Fields within 1km radius for Wealden District	Increase	Developers, local authority	ONS

Table 16 Local Plan Monitoring Framework Climate Change

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
CC1: Net Zero Development Standards	SPO – 1a, 1b, 1c and 1d	SO1 and SO2	Energy performance certificates for new dwellings	The percentage of all new dwelling energy performance certificates above Rating C for the monitoring period	Increase	Developers, local authority	DHLUC
CC2: Reducing Energy Consumption in Existing Buildings	SPO – 1a, 1b and 1c	SO1, SO2	Total Final Energy Consumption	Total Final Energy Consumption for Wealden District (ktoe), All Fuels (Domestic)	Reduce	Developers, local authority	Department for Energy Security and Net Zero
CC3: Sustainable Design and Construction	SPO – 1a, 1b, 1c and 1d	SO1, SO2	Energy performance certificates for existing and new dwellings	The percentage of all dwelling energy performance certificates above Rating C (existing and new dwellings) for the monitoring period	Increase	Developers, local authority	DHLUC
CC3: Sustainable Design and Construction	SPO – 1a, 1b, 1c and 1d	SO1, SO2	Energy performance certificates	The percentage of all non-domestic energy performance certificates above Rating C for the monitoring period	Increase	Developers, local authority	DLUHC



Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
CC4: Carbon sequestration	SPO – 1a, 1b, 1c, 1d and 1e	SO1	Net Land Use, Land-Use Change and Forestry (LULUCF) greenhouse gas net emissions (kt)	LULUCF greenhouse gas emissions total (kt), in Wealden during the monitoring period	Decrease emissions	Developers, local authority	Department for Energy Security and Net Zero
CC5: Renewable and Low Carbon Energy	SPO – 1a, 1b, 1c and 1d	SO1, SO2	Commercial scale renewable energy schemes	Level of installed MWs of commercial scale renewable energy schemes in Wealden District during the monitoring period	Increase	Developers, utility providers, local authority	Department for Energy Security and Net Zero
CC6: Water Efficiency	SPO – 1c, 1e and 8d	SO4	Consumption of Water	Southeast Water Per Capita Consumption of Water in litres	Decrease	Developers, local authority, statutory water supply company	South East Water
CC7: Managing Flood Risk	SPO – 1a, 1c, 1e and 8d	SO4	Planning Permissions granted contrary to Environment Agency on water quality grounds	Planning Permissions granted contrary to Environment Agency on water quality grounds in Wealden District during the monitoring period	Zero	Developers, local authority	Environment Agency
CC7: Managing Flood Risk	SPO – 1a and 8d	SO2 and SO3	Planning permissions granted contrary to	Planning permissions granted contrary to Environment Agency	Zero	Developers, local authority	Environment Agency

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
			Environment Agency advice on flooding grounds	advice on flooding grounds in Wealden District during the monitoring period			
CC8: Sustainable Drainage	SPO – 1e and 1d	SO2 and SO3	Planning permissions granted contrary to Lead Flood Authority Advice on sustainable drainage	Planning permissions granted contrary to Lead Flood Authority Advice on sustainable drainage in Wealden District during the monitoring period	Zero	Developers, local authority, Local Lead Flood Authority	Wealden District Council Monitoring

Table 17 Local Plan Monitoring Framework Natural Environment

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
NE1: Biodiversity, Geodiversity and Nature Recovery	SPO – 8a, 8b, 8c and 8d	SO4, SO8 and SO9	The recorded condition/status of designated ecological sites in the district	The recorded condition/status of designated ecological sites in the district that includes the Ashdown Forest SPA/SAC and the Pevensey Levels SAC and Ramsar Site	Improve the condition/status of international designated ecological sites in the district	Developers, local authority and public agencies (i.e. Natural England)	Natural England
NE1: Biodiversity, Geodiversity and Nature Recovery	SPO – 8a, 8b, 8c and 8d	SO4, SO5, SO8 and SO9	Changes in (a) priority habitat and species (by type) and (b) change in areas designated for their intrinsic environmental value	Changes in (a) priority habitat and species (by type) and (b) change in areas designated for their intrinsic environmental value including sites of international, national, regional, sub regional or local significance	No loss	Developers, local authority, and public agencies (i.e. Natural England, Environment Agency etc.)	Wealden District Council Monitoring (via the Sussex Biodiversity Record Centre)
NE2: Biodiversity Net Gain	SPO – 8a, 8b, 8c and 8d	SO8 and SO9	Delivery of Biodiversity Net Gain	The percentage of sites that deliver at least 20% biodiversity net gain through the planning application process	Maximise, but a minimum of 20% in accordance with Policy	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
					NE2 of the Local Plan		
NE3: Woodland, trees and hedgerows	SPO – 8a and 8b	SO2, SO8 and SO9	Woodland as a percentage of area	Woodland as a percentage of area in the Wealden local authority area	Minimise loss	Developers, local authority	Forest Research, Department of Agriculture, Environment and Rural Affairs
NE3: Woodland, trees and hedgerows	SPO – 8a and 8b	SO2, SO8 and SO9	Area (Ha) under Woodland Trust Management	Area (Ha) under Woodland Trust Management	Increase over the plan period	Developers, local authority and Woodland Trust	Wealden District Council Monitoring (via the Sussex Biodiversity Record Centre)
NE4: Ancient Woodland and Veteran Trees	SPO – 8a and 8b	SO2, SO8 and SO9	Ancient woodland or veteran trees	The percentage of Ancient Woodland Habitat within Wealden District and the area of habitat (Ha)	Minimise Loss	Developers, local authority	Wealden District Council Monitoring (via the Sussex Biodiversity

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
							Record Centre
NE5: Ashdown Forest SPA	SPO – 8a and 8b	SO8 and SO9	Estimated visitor numbers on SANGs	Estimated visitor numbers on SANGs with Wealden	Increase over the plan period	Local authority	Wealden District Council Monitoring
NE5: Ashdown Forest SPA	SPO –8a and 8b	SO9	New dwellings completed within the 400 metre to 7km buffer of the Ashdown Forest SPA	The number of dwellings (net) completed within the 400 metre to 7km buffer of the Ashdown Forest SPA, in Wealden District during the monitoring period	No target	Developers, local authority	Wealden District Council Monitoring
NE5: Ashdown Forest SPA	SPO – 8a and 8b	SO9	SANGs capacity	The amount of SANGs land delivered for the Ashdown Forest SPA during the monitoring period.	Sufficient SANGs capacity for anticipated development	Developers, local authority	Wealden District Council Monitoring
NE6: Landscape Character	SPO – 9b and 9c	SO10	Refusals of planning permission on landscape character grounds	Number of planning applications refused as contrary to this policy, but allowed at planning appeal	Zero	Local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
NE7: The High Weald AONB	SPO – 9b	SO10	Number of new dwellings completed within the High Weald AONB	The number of new dwellings completed (net) within the High Weald AONB in Wealden	No target	Developers, local authority	Wealden District Council Monitoring
NE7: The High Weald AONB	SPO – 9b	SO10	Approvals of planning permission contrary to advice from Natural England or the High Weald AONB Unit	The number of planning applications approved contrary to advice from Natural England or the High Weald AONB Unit	Minimise	Local authority	Wealden District Council Monitoring
NE8: Setting of the South Downs National Park	SPO – 9b	SO10	Refusals of planning permission on setting of the SDNP	Number of planning applications refused as contrary to this policy, but allowed at planning appeal	Zero	Local authority	Wealden District Council Monitoring
NE9: Agricultural Land	SPO – 1a, 1e 9a and 9c	SO5	Total amount of land used for agriculture (Ha)	The total amount of land used for agriculture within Wealden District for the monitoring period	Minimise loss	Developers, local authority	DHLUC

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
NE9: Agricultural Land	SPO – 1a, 1e 9a and 9c	SO5	Approvals of planning permission contrary to advice from Natural England on the loss of BMV agricultural land	Approvals of planning permission contrary to advice from Natural England on the loss of BMV agricultural land	Minimise loss	Developers, local authority	Wealden District Council Monitoring
NE10: Light pollution and dark skies	SPO – 9a, 9b and 9c	SO7 and S10	Light pollution and dark skies	The average (mean) rank of the district for light pollution.	Maintain current level of lighting in Wealden District	Developers, local authority	Campaign to Protect Rural England (CPRE)
NE11: Noise pollution	SPO – 2c and 9d	SO7	Noise Complaints	The rate of complaints about noise	Reduce over the plan period	Developers, local authority	Office for Health Improvement and Disparities
NE12: Air quality	SPO – 9d	SO7	Air Quality Management Areas (AQMA)	Number of AQMAs declared within Wealden District	Minimise	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
NE13: Water Environment and Water Infrastructure	SPO – 8a, 8b and 8d	SO4	Recorded water quality in rivers, estuaries, and groundwater	Recorded water quality in rivers, estuaries and groundwater from River Basin Management Plans that includes the Cuckmere, the Adur and Ouse and the Pevensey Marshes	Improve over the plan period	Developers, local authority, utility providers and environment agency	Environment Agency
NE13: Water Environment and Water Infrastructure	SPO – 8a, 8b and 8d	SO4	River and groundwater units with biological and/or chemical quality rated as good	Percentage of river and groundwater units in the plan area with biological and/or chemical quality rated as good	Increase over the plan period	Developers, local authority, utility providers and environment agency	Environment Agency
NE14: Contaminated Land and Land Stability	SPO – 1e and 8a	SO5	Approvals of planning permission contrary to the advice from the Environmental Health Team or Environment Agency	Approvals of planning permission contrary to advice from the Environmental Health Team or Environment Agency on land stability grounds within the monitoring period	Zero	Developers, local authority and environment agency	Wealden District Council Monitoring



Table 18 Local Plan Monitoring Framework Historic Environment

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy HE1: The Conservation, Protection and Enhancement of the Historic Environment	SPO – 9a, 9c and 9d	SO10, SO11	Approvals of planning permission contrary to advice from Historic England	Number of planning permissions granted contrary to the advice from Historic England within the monitoring period	Zero	Local authority	Wealden District Council Monitoring
Policy HE2: Heritage Assets	SPO – 9a and 9c	SO10, SO11	Listed Buildings	Number of listed buildings within Wealden District within the monitoring period	No loss	Local authority, Historic England	Historic England
Policy HE2: Heritage Assets	SPO – 9a and 9c	SO10, SO11	Listed Buildings at Risk	Number of listed buildings at risk within the monitoring period	Lower the number of listed buildings at risk	Land owners, local authority, Historic England	Historic England
Policy HE3: Conservation Areas	SPO – 9a and 9c	SO10, SO11	Refusals of planning permission within Conservation Areas	Number of planning applications refused as contrary to this policy, but allowed at planning appeal	Zero	Local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy HE3: Conservation Areas	SPO – 9a and 9c	SO10, SO11	Number of managed Conservation Areas	Number of Conservation Areas with character appraisals and management proposals	Increase	Local authority	Wealden District Council Monitoring
Policy HE4: Enabling Development	SPO – 9a and 9c	SO10, SO11	Refusals of planning permission/listed building consent for enabling development	Number of planning applications/listed building consent applications refused as contrary to this policy, but allowed at planning appeal	None (enabling development)	Local authority	Wealden District Council Monitoring
Policy HE5: Historic Parks and Gardens	SPO – 9a and 9c	SO10, SO11	Historic Parks and Gardens	Number of historic parks and gardens at risk within the monitoring period	Lower the number of historic parks and gardens at risk	Land owner(s), local authority, Historic England	Historic England
Policy HE6: Archaeology	SPO – 9a and 9c	SO10, SO11	Approvals of Planning Permission contrary to Archaeological advice	Number of planning permissions granted contrary to the advice received by East Sussex County Council on archaeology	Zero where Policy HE6 of the Local Plan applies	Local authority	Wealden District Council Monitoring

Table 19 Local Plan Monitoring Framework Housing

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy HO1: Housing Type and Mix	SPO – 4a and 4b.	SO14, SO17	Housing Mix	Number of dwellings granted planning permission by size (i.e. no. of bedrooms) during the monitoring period.	In accordance with Policy HO1 of the Local Plan.	Developers, local authority	Wealden District Council Monitoring
Policy HO1: Housing Type and Mix	SPO – 4a and 4b.	SO14, SO17	Housing Type	Provision of each accommodation type of the total (in percentage terms): <ul style="list-style-type: none"> <li>· Detached;</li> <li>· Semi-Detached;</li> <li>· Terraced; and</li> <li>· Flatted.</li> </ul>	To reflect need.	Developers, local authority	Wealden District Council Monitoring
Policy HO2: Density	SPO – 4a and 4b.	SO14 and SO16	Housing Density	Gross number of net dwellings completed per hectare of developed land during the monitoring period.	None	Developers, local authority	Wealden District Council Monitoring
Strategic Policy HO3: Brownfield Land	SPO – 1c, 1e, 4a and 4b.	SO5 and SO14	Brownfield Land Housing Completions	Net number of the additional homes completed on Brownfield Land during the monitoring period.	Maximise	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Strategic Policy HO4: Small and Medium Sized Housing Sites	SPO – 4a and 4b.	SO14	Completions on Small and Medium Sized Housing Sites	Net number of additional homes completed on sites no larger than one hectare during the monitoring period	More than 10% of housing completions on sites no larger than one hectare	Developers, local authority	Wealden District Council Monitoring
Policy HO5: Self-Build and Custom Housebuilding	SPO – 4a and 4b.	SO14	Self-Build and Custom Housing granted planning permissions	Number of Self-Build and Custom Housing plots granted planning permission during the self-build and custom build monitoring period	In accordance with Policy HO5 of the Local Plan	Developers, local authority	Wealden District Council Monitoring
Policy HO6: Houses in Multiple Occupancy (HMOs) and Subdivision of Existing Dwellings	SPO – 4a and 4b.	SO14, SO17	HMOs and Subdivision of Existing Dwelling Completions	Net number of new HMOs and the number of dwellings (net) created through the subdivision of existing dwellings during the monitoring period	None	Local authority	Wealden District Council Monitoring
Policy HO7: Rural Exception Sites to meet Local Housing Need	SPO – 4a. and 4b.	SO14, SO17	Rural Exception Site Completions	Net number of additional affordable homes completed on rural exception sites	Maximise	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
				within the monitoring period			
Strategic Policy HO8: Affordable Housing	SPO – 4a and 4b.	SO14, SO17	Affordable Housing Completions	Net number of additional affordable homes completed within the monitoring period (by tenure): <ul style="list-style-type: none"> <li>Affordable Rented</li> <li>Social Rented</li> <li>Affordable Home Ownership</li> </ul>	Maximise	Developers, local authority	Wealden District Council Monitoring
Strategic Policy HO8: Affordable Housing	SPO – 4a and 4b.	SO14, SO17	Affordable housing completions as a percentage of all housing completions	Gross affordable housing completions as a percentage of eligible housing developments	In line with Policy HO8 and the 35% (plan target)	Developers, local authority	Wealden District Council Monitoring
Strategic Policy HO8: Affordable Housing	SPO - 4b.	SO14, SO17	Homelessness	Total number of homeless households in priority need	Reduce	Local authority	Wealden District Council Monitoring
Policy H09: Gypsy, Traveller	SPO – 4a and 4b.	SO14, SO17	Refusals of planning	Number of planning applications refused as	Minimise	Local authority	Wealden District

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
and Travelling Showpeople – Site Criteria			permission for Gypsy and Traveller Development	contrary to this policy, but allowed at planning appeal			Council Monitoring
Policy H10: Gypsy, Traveller and Travelling Showpeople – Safeguarding Sites	SPO – 4a and 4b.	SO14, SO17	Safeguarded Gypsy, Traveller and Travelling Showpeople sites	Number of safeguarded Gypsy, Traveller and Travelling Showpeople sites loss during the monitoring period	No net loss of Safeguarded sites	Local authority	Wealden District Council Monitoring
Policy H11: Specialist Housing for Older and Vulnerable People	SPO – 2c, 4a and 4b.	SO14, SO17	Older Person Housing Accommodation	Net additional housing units completed by type and tenure (Housing with Care, Housing with Support, Nursing Care) for older and vulnerable people within the monitoring period	Increase	Developer, local authority	Wealden District Council Monitoring
Policy HO12: Residential Accessibility Standards	SPO – 4a and 4b.	SO14, SO16	Residential Accessibility Standards	Number of units that meet the Residential Accessibility Standards for new completions (as set out in part M4(2), M4(3) (a) or M4(3) (b) of Building Regulations 2015).	Maximise	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy HO13: Internal Residential Space Standards for New Dwellings	SPO – 4a and 4b.	SO14, SO16	Refusals of planning permission based on Internal Residential Space Standards	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring
Policy HO14: Rural Workers Accommodation	SPO – 4a, 4b and 6b.	SO14, SO18	Rural Workers Accommodation	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring
Policy HO15: Conversion of Rural Buildings to a Residential Use	SPO – 4a. and 4b.	SO14	Conversions of Rural Buildings to a Residential Use	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring
Policy HO16: Park Homes and Residential Caravan Sites	SPO – 4a and 4b	SO14	Park Homes and Residential Caravan Sites	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy HO17: Replacement Dwellings in the Countryside	SPO – 4a and 9d	SO14 and SO16	Replacement Dwellings in the Countryside	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring
Policy HO18: Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes	SPO – 4a, 4b and 9d	SO14 and SO16	Extensions and Alterations to Existing Dwellings, Outbuildings and Annexes	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring
HO19: Extensions to Residential Gardens	SPO – 9b and 9d	SO10 and SO16	Extensions to Residential Gardens	Number of planning applications refused as contrary to this policy but allowed at planning appeal.	Zero	Local authority	Wealden District Council Monitoring



Table 20 Local Plan Monitoring Framework Infrastructure

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy INF1: Infrastructure provision, delivery, and funding	SPO – 2a, 2b, 2c, 2d, 2e, 3a, 3b and 3c	SO13, SO15, SO16 and SO20	Community Infrastructure Levy monetary contributions	Annual Community Infrastructure Levy (CIL) monetary contributions received in the monitoring period	Maximise	Developers, local authority	Wealden District Council Monitoring
Policy INF1: Infrastructure provision, delivery, and funding	SPO – 2a, 2b, 2c, 2d, 2e, 3a, 3b and 3c	SO13, SO15, SO16 and SO20	Section 106 monetary contributions	Annual Section 106 monetary contributions in the monitoring period	Maximise	Developers, local authority	Wealden District Council Monitoring
Policy INF1: Infrastructure provision, delivery, and funding	SPO – 2a, 2b, 2d, 2e 3a, 3b and 3c	SO13, SO15, SO16 and SO20	Residents within 30 minutes of primary schools by transport mode	The percentage of residents within 30 minutes of primary schools by transport mode (walking, cycling and car)	Maximise for all transport modes	Developers, local authority	Department for Transport
Policy INF2: Sustainable transport and active travel	SPO – 2a, 2b, 3a, 3b, 3c and 7a	SO13 and SO19	Total bus journeys taken in East Sussex each year	The number of bus journeys taken in East Sussex for each monitoring year	Maximise	Developers, local authority, ESCC, infrastructure providers	East Sussex County Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy INF2: Sustainable transport and active travel	SPO – 2a, 2b, 3a, 3b, 3c and 7a	SO13 and SO19	Active travel to work	The percentage residents in the local authority area who walk (at least ten minutes), or cycle 3 times per week	Maximise	Developers, local authority,	East Sussex County Council Monitoring
Policy INF2: Sustainable transport and active travel	SPO – 2a, 2b, 3a, 3b, 3c, 6c and 7a	SO13, SO16, SO18 and SO19	Residents within 30 minutes of town centres, food shops and employment by transport mode	The percentage of residents within 30 minutes of employment centres, town centres and food shops by transport mode (walking, cycling and car)	Maximise	Developers, local authority	Department for Transport
Policy INF2: Sustainable transport and active travel	SPO – 2a, 2b, 3a, 3b, 3c and 7a	SO13, SO16, SO18 and SO19	Travel to work by mode	Mode of travel used to commute to work (%)	Reduce travel to work by private motor vehicle over the plan period	Developers, local authority, County Council	ONS (Census)
Policy INF2: Sustainable	SPO – 2a, 2b, 3a, 3b, 3c and 7a	SO13, SO16, SO18 and SO19	Travel to work distances	Travel to work distances (KM)	Reduce travel to work	Developers, local authority, County Council	ONS (Census)

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
transport and active travel					distances over plan period		
Policy INF3: Parking provision	SPO – 2a, 3a and 3c	SO13	Parking Standards	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Zero	Local authority	Wealden District Council Monitoring
Policy INF4: Utilities	SPO – 2a, 2b and 4a	SO4, SO12, SO13 and SO16	Utilities	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Zero	Local authority	Wealden District Council Monitoring
Policy INF5: Safeguarding of Infrastructure	SPO – 1e and 2b	SO5	Safeguarded mineral sites	Planning permission granted that prejudice safeguarded mineral sites	Zero	Local authority	Wealden District Council Monitoring
Policy INF5: Safeguarding of Infrastructure	SPO – 2b	SO4 and SO13	Safeguarded infrastructure	Planning permissions granted that prejudice infrastructure identified in Policy INF5	Zero	Local authority	Wealden District Council Monitoring
Policy INF6: Digital and	SPO – 2a and 2b	SO12	Average Broadband Speed	Average Broadband Speed across Wealden District	Increase	Developers, local authority,	East Sussex County

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Communication Infrastructure						broadband providers, County Council	Council Records/ Ofcom
Policy INF6: Digital and Communication Infrastructure	SPO – 2a and 2b	SO12	Fibre to the property availability	Fibre to the property availability in percentage terms in Wealden District	Increase	Developers, local authority, broadband providers, County Council	East Sussex County Council Record/Ofcom
Policy INF7: Local services and Community Facilities	SPO – 2a, 2b, 2c, 2d and 2e	SO13, SO15, SO16 and SO17	Community Infrastructure Floorspace	Net community infrastructure floorspace completed within the monitoring period in Wealden District	Increase	Developers, local authority	Wealden District Council Monitoring
Policy INF7: Local services and Community Facilities	SPO – 2a, 2b, 2c, 2d and 2e	SO13, SO15, SO16 and SO17	Number of Community facilities	Number community facilities registered as Assets of Community Value (ACV)	No net loss of existing community facilities registered as ACV	Local authority, Parish/Town Councils	Wealden District Council Monitoring
Policy INF8: Open Space, sports and recreation provision	SPO – 2a, 2b, 2c, 2d and 2e	SO13, SO15 and SO16	New open space, sports and recreation facilities	Net amount (in hectares) of open space, sports and recreation provision	Increase	Developers, local authority	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
				within the district for each monitoring year			
Policy INF8: Open Space, sports and recreation provision	SPO – 2a, 2b, 2c, 2d, 2e and 8b	SO8, SO16	Development of Local Green Spaces	The number of losses and/or inappropriate development of Local Green Spaces during the monitoring period	Zero	Developers, local authority	Wealden District Council Monitoring

Table 21 Local Plan Monitoring Framework Design

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Strategic Policy DE1: Achieving well-designed and high-quality places	SPO – 4a, 7c and 9d	SO10, SO11 and SO16	Good Design and High-Quality Places	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Minimal	Local authority	Wealden District Council Monitoring
Policy DE2: Masterplans and Design Codes	SPO – 4a, 7c and 9d	SO10, SO11 and SO16,	Masterplan and Design Codes	Number of masterplan and design codes submitted and approved by the local planning authority within the monitoring period	None (Enabling Policy)	Developers, local authority	Wealden District Council Monitoring
Policy DE3: Spaces for people, nature and the public realm	SPO – 4a, 7c and 9d	SO10, SO11, SO16 and SO19	Good Design and Public Realm	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Minimise	Local authority	Wealden District Council Monitoring
Policy DE4: Shop Fronts and Advertisements	SPO - 7c and 9d	SO10, SO11, SO16 and SO19	Shop front or advertisement permissions	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Minimise	Local authority	Wealden District Council Monitoring

Table 22 Local Plan Monitoring Framework Economy

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy EC1: Sustainable Economic Prosperity and Investment	SPO – 5a, 5b, 5c, 5d, 5e, 6a, 6b, 6c and 7b	SO17, SO18 and SO19	Survival of start-up businesses	Percentage of newborn enterprises yearly percentage	Maximise	Developers, local authority and businesses	ONS
Policy EC1: Sustainable Economic Prosperity and Investment	SPO – 5a, 5b, 5c, 5d, 5e, 6a, 6b, 6c and 7b	SO17, SO18 and SO19	B u s i n e s s Demography	Number of businesses within Wealden District in the monitoring period	Increase	Developers, local authority and businesses	ONS
Policy EC1: Sustainable Economic Prosperity and Investment	SPO – 5a, 5b, 5c, 5d, 5e, 6a, 6b, 6c and 7b	SO17, SO18 and SO19	Average (median) earnings, residents based	Average (median) earnings, residence-based (full-time) in the monitoring period	Increase	Local authority and businesses	ONS
Policy EC1: Sustainable Economic Prosperity and Investment	SPO – 5a, 5b, 5c, 5d, 5e, 6a, 6b, 6c and 7b	SO17, SO18 and SO19	Economic Activity Rates	Percentage of Economically Active and in Employment within the monitoring period	Increase	Local authority and business	East Sussex County Council Annual Population Survey

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy EC2: Existing Strategic Employment Sites	SPO – 5a, 5c, 5d 6a, 6b, 6c and 7b	SO17, SO18 and SO19	Employment floorspace completions on existing strategic employment sites	Net amount of employment floorspace (sqm) completions on existing strategic employment sites during the monitoring period	No net loss over the Local Plan period	Developers, local authority and businesses	Wealden District Council Monitoring
Policy EC3: Retention and / or Loss of Non-Strategic Employment Sites, Premises or Floorspace	SPO – 5a, 5c, 5d, 6a, 6b, 6c and 7b	SO17, SO18 and SO19	Change of use from employment uses (E(g), B2 and B8) to non-employment uses	Net amount of employment floorspace gained, or loss during the monitoring year	No net loss over the Local Plan Period	Developers, local authority	Wealden District Council Monitoring
Policy EC4: Rural Economy	SPO – 5a, 5b, 5d, 6a and 6b	SO17 and SO18	New Rural Employment Floorspace	Net amount of employment floorspace gained, or loss during the monitoring year outside development boundaries and existing strategic employment sites.	No net loss over the Local Plan Period	Developers, local authority	Wealden District Council Monitoring



Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy EC5: Equestrian Development	SPO – 6a and 9d	SO10, SO16 and SO18	Equestrian Development	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Minimise	Local authority	Wealden District Council Monitoring
Policy EC6: Tourism Facilities and Attractions	SPO – 6c and 7b	SO18 and SO19	New Tourism Facilities and Attractions	Net number of new tourism facilities and attractions for each monitoring year	Maximise	Developers, local authority	Wealden District Council Monitoring
EC7: Visitor Accommodation	SPO – 6c and 7b	SO18 and SO19	New Bedspaces	Net number of new bedspaces for visitor accommodation during monitoring year	Maximise over the plan period	Developers, local authority	Wealden District Council Monitoring
EC8: The Retention of Sites in Economic or Tourism Use and Community Facilities	SPO – 2b, 5b, 5c, 5d, 5e, 6b, 6c and 7b	SO16, SO17, SO18 and SO19	Economic, tourism or community facility floorspace	Net loss/gain in economic, tourism or community facility floorspace within the monitoring period	Minimise net loss economic, tourism or community floorspace over the Local Plan period (this is covered by other indicators)	Developers, local authority	Wealden District Council Monitoring

Table 23 Local Plan Monitoring Framework Town Centres

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Strategic Policy TC1: District, Service and Local Centre Hierarchy and 'Town Centre' First Principles	SPO – 7a, 7b and 7c	SO18 and SO19	Town Centre Vacancy Rates	Percentage of 'town centre' unit vacancies within Wealden District, Service and Local Centres	Reduce over the plan period	Developers, local authority, and businesses	Wealden District Council Monitoring
Strategic Policy TC1: District, Service and Local Centre Hierarchy and 'Town Centre' First Principles	SPO – 7a, 7b and 7c	SO18 and SO19	Retail floorspace in town centres	Amount of retail floorspace (sqm) gained or lost in Wealden District, Service and Local Centres during the monitoring period	Minimise loss	Developers, local authority, and businesses	Wealden District Council Monitoring
Policy TC2: Sequential and Local Impact Test	SPO – 7a, 7b and 7c	SO10, SO18 and SO19	Retail floorspace completed outside of designated centres	Amount of retail floorspace (sqm) completed within the monitoring period outside of designated centres	Minimise	Developers, local authority and businesses	Wealden District Council Monitoring
Policy TC3: Primary Shopping Areas	SPO – 7a, 7b and 7c	SO18 and SO19	Retail floorspace gained or loss within Primary Shopping Areas	Amount of retail floorspace (sqm) gained or loss within the monitoring period within Primary Shopping Areas	Maximise	Developers, local authority and businesses	Wealden District Council Monitoring

Plan Policy	Spatial Planning Objectives	Sustainability Objective	Indicator Name	Indicator	Target	Implementation	Source
Policy TC4: Garden Centres	SPO – 7a, 7b and 7c	SO18 and SO19	Garden Centres	Number of planning applications refused as contrary to this policy but allowed at planning appeal	Minimise	Developers, local authority and businesses	Wealden District Council Monitoring

**Table 24 Local Plan Monitoring Framework Site Allocations**

<b>Plan Policy</b>	<b>Spatial Planning Objectives</b>	<b>Sustainability Objective</b>	<b>Indicator Name</b>	<b>Indicator</b>	<b>Target</b>	<b>Implementation</b>	<b>Source</b>
Policy SA1: Site Allocations	SPO – 4a, 5a, 5b, 5c, 5d, 5e, 6a	SO14 and SO18	Dwellings and Employment Floorspace completed on allocated sites	Number of dwellings (net) and employment floorspace completed on allocated sites during the monitoring period	In accordance with Policy SA1	Developers and local authority	Wealden District Council

# 15

## Glossary





## Glossary

### A

**Affordable Home Ownership Tenure** – see above under definition of affordable housing.  
**Accreditation Schemes** – Defined as rules and processes relating to the accreditation of conformity assessment bodies to which the same requirements apply.

**Active Frontages** – Business or retail uses with windows and doors onto the street which create interest and activity.

**Administrative Area** – is a geographic region that is designated and defined for the purposes of administration. In the context of this Local Plan, this administrative area in question is Wealden District.

**Affordable Housing** – Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions.

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

**Affordable Home Ownership Tenure** – see above under definition of affordable housing.

**Affordable Ownership Accommodation** – see above under definition of affordable housing.

**Affordable Rent** – see above under definition of affordable housing.

**Air Quality Management Areas (AQMA)** – Areas designated by Local Authorities because they are not likely to achieve national air quality objectives by the relevant deadlines

**Almhouse** – is a charitable form of self-sufficient, low-cost community housing that is held in trust for local people in housing need. They are managed and run by almshouse charities made up of local volunteers

**Ancient Woodland** – An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

**Arboriculture** – The cultivation, management and study of trees and shrubs especially for ornamental purposes.

**Area of Outstanding Natural Beauty (AONB)** – An area with statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty. AONBs are designated by Natural England. See also **National Landscapes**.

**Article 4 direction** – A direction made under [Article 4 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) which withdraws permitted development rights granted by that Order

## B

**Biodiversity** – The number, abundance, variety and variability of different species (including organisms, animals and plants) living within a particular habitat and/or area. A Biodiversity Action Plan (BAP) can be prepared for these areas aimed at conserving and enhancing its biological diversity.

**Biodiversity Action Plan (BAP)** – Is an internationally recognised program addressing threatened species and habitats and is designed to protect and restore biological systems.

**Biodiversity Net Gain** – An approach to development that leaves biodiversity in a better state than before.

**Best and Most Versatile (BMV) Agricultural Land** – Land in grades 1, 2 and 3a of the Agricultural Land Classification

**Bridleway** – A public right of way for walking, horse riding, bicycles, mobility scooters or powered wheelchairs.

**Brownfield Land Registers** – Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.

**Brownfield Land** – See Previously developed land.

**Buffer Zone** – An area of land that is applied as a protective measure separating certain types of development from adjoining sensitive land uses to avert the effect of negative environmental or human influences.

**Building Regulations** – are minimum standards for design, construction and alterations to virtually every building. The [Building Regulations 2010](#) cover the construction and extension



of buildings and these regulations are supported by Approved Documents. [Approved Documents](#) set out detailed practical guidance on compliance with the regulations.

## C

**Carbon Storage** – Process by which atmospheric carbon is captured and stored.

**Community Infrastructure Levy (CIL)** – is a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.

**Climate Change Adaptation** – Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

**Climate Change Mitigation** – Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

**Climate Emergency** – a situation in which urgent action is required to reduce or halt climate change and avoid potentially irreversible environmental damage resulting from it.

**Co-Housing** – are intentional communities run by their residents. Each household as a self-contained home as well as shared community space and facilities.

**Community Land Trust (CLT)** – A Community Land Trust is a nonprofit, community-based organisation committed to the stewardship and affordability of land, housing and other buildings used for community benefit in perpetuity.

**Community Led Development** – A development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community, rather than being a primarily commercial enterprise. The organisation is created, managed and democratically controlled by its members.

**Comparison Goods** – Retail items not bought on a frequent basis, for example televisions and white goods (fridges, dishwashers etc.)

**Conservation Areas** – Local planning authorities are obliged to designate as Conservation Areas any parts of their own area that are of special architectural or historic interest, the character and appearance of which is desirable to preserve or enhance.

**Convenience Goods** – Everyday essential items, such as food.

**Curtilage** – The area normally within the boundaries of a property surrounding the main building and used in connection with it.

## D

**Dark Night Skies** – Dark skies with little or no artificial pollution and the quality of night air is outstanding.

**Decarbonisation** – A process of removing or reducing carbon emissions resulting from human activity, with the goal of eliminating them altogether.

**Defined Centre** – a defined area where main town centre uses are concentrated,

**Design code** – A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code

should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

**Design guide** – A document providing guidance on how development can be carried out in accordance with good design practice, often produced by a local authority.

**Designated heritage asset** – A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

**Density** – Density refers to a measurement of the number of dwellings per hectare.

**Development** – The carrying out of building, engineering and mining or other operations in, on, over or under land, or the making of any material change in the use of any building or other land.

**Development Boundaries** – Development boundaries identify the area within which development proposals would be acceptable, subject to complying with other policies contained in the Development Plan. They seek to prevent development from gradually extending into the surrounding countryside.

**Discounted Market Sales Housing** – see above under definition of affordable housing.

**District Centres** – See Town Centre Hierarchy

## E

**Ecological Networks** – refers to the creation of larger and better connected areas of natural habitat which is recognised as a key strategy for maintaining and conserving biodiversity and enabling wildlife to adapt to climate change.

**Economic Development** – An economy that is successful and provides skilled job opportunities and progression and is also balanced in terms of achieving climate change objectives, sustainably revitalising and maintaining town centres, and protecting the unique built and natural heritage that makes Wealden an attractive place to live and visit.

**Ecosystem Services** – are defined as services provided by the natural environment that benefit people. Ecosystem Services are the direct and indirect contributions ecosystems (known as natural capital) provide for human wellbeing and quality of life. Ecosystem services provided by our natural environment can include the food we eat, the water we drink, plant materials used for fuel, building materials and medicines. It can also include services such as climate regulation, natural flood defences, carbon storage, the pollination of crops by insects and even the inspiration we take from the natural environment and wildlife.

**Ecosystems Approach** – Makes explicit the link between the status of natural resource systems and ecosystem services that support human well-being. It seeks to maintain the integrity and functioning of ecosystems as a whole to avoid rapid undesirable ecological change. It also recognises that the impacts of human activities are a matter of social choice, and are as integral to ecosystem interactions as ecosystems are to human activities.

**Edge of centre** – For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

**Embodied Emissions** – Embodied Emissions are associated with all the non-operational aspects of a building, such as those from the extraction, manufacture and assembly of a building’s materials and components, its repair, maintenance and refurbishment, and end of life activities.

**Employment Land** – Land that is used or proposed to be used for offices, industry and/or storage and distribution use.

**Energy Efficiency** – Reducing the amount of energy use required to provide goods and services (such as heating water, lighting etc).

**Electric Vehicle (EV) Charging Points** – Charging points for electric vehicles and plug-in hybrid electric vehicles.

**Evidence base** – The information and data gathered by Local Planning Authorities to justify the “soundness” of the policy approach set out in the Local Plan, including physical, economic and social characteristics of an area.

## F

**First Homes** – see above under definition of affordable housing.

**Functional Economic Market Area (FEMA)** – Since patterns of economic activity vary from place to place, there is no standard approach to defining a functional economic market area, however, it is possible to define them taking account of factors including:

- extent of any Local Enterprise Partnership within the area;
- travel to work areas;
- housing market area;
- flow of goods, services and information within the local economy;
- service market for consumers;
- administrative area;
- catchment areas of facilities providing cultural and social well-being; and transport network.

## G

**General Permitted Development Order (GDPO)** – Permitted development rights allow the improvement or extension of homes without the need to apply for planning permission, where that would be out of proportion with the impact of the works carried out.

**Green Infrastructure (GI)** – A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

**Green corridor/network** – The Green Infrastructure (GI) network comprises broadly defined green and blue corridors containing a mosaic of land uses, natural and semi-natural wildlife habitats and access links. The corridors act as linkages and stepping stones for dispersal of wildlife, provide sustainable transport linkages through provision of footpaths and cycle routes connecting local communities to natural greenspace, and enable strategic linkages with GI networks in adjoining areas.

**Greenfield Land** – Land that has not previously been developed, this includes land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals

extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

**Gypsy and Traveller** – Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

**Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA)** – to assesses the accommodation needs of Gypsies and Travellers, Travelling Showpeople, non-Gypsy and Traveller residential caravan dwellers established through national guidance contained in Planning Policy for Traveller Sites.

## H

**Habitats Regulations Assessment** – an assessment under the Habitats Regulations to test if a plan or project proposal could significantly harm the designated features of a European site. A [European site](#) is protected by the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations).

**Health Impact Assessment (HIA)** – An HIA is a process that identifies the health and wellbeing impacts (benefits and harms) of any plan or development project. A properly conducted HIA recommends measures to maximise positive impacts; minimise negative impacts; and reduce health inequalities.

**Heritage asset:** – A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

**High Weald** – A medieval landscape of wooded, rolling hills studded with sandstone outcrops; small, irregular shaped fields; scatter farmsteads; and ancient routeways. The 1,461km<sup>2</sup> area covers parts of Kent, Sussex and Surrey at the heart of South East England.

**Historic environment** – All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**Historic Parks and Gardens** – Historic England 'Register of Parks and Gardens of Special Historic Interest in England', established in 1983, currently identifies over 1,600 sites assessed to be of particular significance. Inclusion of an historic park or garden on the register in itself brings no additional statutory controls, local authorities are required by central government to make provision for the protection of the historic environment in their policies and their allocation of resources.

**Houses in Multiple Occupation (HMO)** – A building, or part of building is an HMO if it meets one of the following criteria:

- Any building in which two or more households share basic amenities (or the lack of an amenity) such as a bathroom, toilet or cooking facilities; or

- Any flat in which two or more households share basic amenities; or
- Any converted building which comprises of one or more units of accommodation that are not self-contained; or

Any converted building which comprises of self-contained flats and the standard of conversion does not meet the 1991 Building Regulation Standards and more than one third of the flats are occupied on short tenancies.

**Housing Market Areas (HMA)** – is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work

**Housing Register** – The Council owns and manages around 3,000 homes and we facilitate access to around 3500 registered provider (housing association) homes in the District. However, because the demand for homes is greater than the supply, we operate a Housing Register. The Housing Register is a database of qualifying households, who are seeking affordable rented housing.

## I

**Infrastructure** – facilities or services needed to support development, including transport, flood defences, schools, hospitals, and other health and social care facilities (for further details, see [section 216\(2\) of the Planning Act 2008](#), and [regulation 59](#), as amended by the [2012](#) and [2013 Regulations](#)).

**Infrastructure Delivery Plan (IDP)** – A formal document setting out what infrastructure is required to support and enable the development proposed in the Wealden Local Plan. This ‘living document’ is a collaboration between Wealden District and Infrastructure Providers and identifies the infrastructure to support the Local Plan.

**Intermediate Housing** – see above under definition of affordable housing.

**Irreplaceable Habitats** – Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

## L

**Lawful Use** – Development that is lawful in planning terms. No action can be taken by the Council against the development, proposed use of buildings, land or operations to be carried out and that no planning permission is required.

**Legal Agreement** – See Planning Obligations.

**Lead Local Flood Authority (LLFA)** – A Lead Local Flood Authority (LLFA) prepares and maintains a strategy for local flood risk management in their area, coordinating views and activity with other local bodies and communities through public consultation and scrutiny, and delivery planning in line with the Flood and Water Management Act 2010. East Sussex County Council has a strategic overview role for local flooding and work closely with other organisations to manage local flood risk in East Sussex.

**Listed Buildings** – are buildings which have been identified as being of special architectural or historic interest and are designated as either Grade I, Grade II\* or Grade II by Historic England. This relates to the quality and relative interest of the building.

**Local Centres** – See Town Centre Hierarchy

**Local Connection – Applicants for the housing register need** to be 'eligible' (UK national, or not subject to immigration control), and a qualifying person - local connection is one factor but there are other factors such as affordability, and behaviour. The following links set this out in more details – [Applying for Social Housing to Rent](#) and the Council's [Housing Allocations Policy](#)

**Local housing need** – The number of homes identified as being needed through the application of the standard method set out in national planning guidance (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 61 of the NPPF).

**Local Nature Partnership** – A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

**Local Nature Recovery Strategies (LNRS)** – sets out priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities. The Secretary of State for Environment, Food and Rural Affairs has appointed 48 responsible authorities to lead on preparing a local nature recovery strategy for their area. East Sussex County Council is the responsible authority for East Sussex.

**Local Nature Reserves (LNR)** – They're usually areas of natural green space but the following types of land can also be LNRs as long as they have wildlife or geological interest. They are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities.

**Local Plan (LP)** – A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

**Local Planning Authority** – The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

**Local Wildlife Sites (LWS)** – are wildlife-rich sites selected for their local nature conservation value. They vary in shape and size and can contain important, distinctive and threatened habitats and species.

**Low and Zero Carbon Technologies** – A term given to technologies that emit low levels of CO2 emissions, or no net CO2 emissions. The incorporation of these technologies is more effective within buildings with a highly energy efficient fabric after heat demand and loss have been reduced to a minimum. Some examples include wind turbines, solar panels and carbon capture equipment.

## M

**Main Town Centre Uses** – Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness

centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

**Major development** – For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Meanwhile Uses** – Describes the short-term use of temporarily empty buildings/sites before they are brought back into use permanently.

**Mixed-Use Development** – Provision of a mix of complementary uses such as residential, commercial, community and leisure uses on a single site or within a particular area.

## N

**National Landscape** – See Area of Outstanding Natural Beauty.

**National Nature Reserves (NNR)** – were established to protect some of our most important habitats, species and geology, and to provide ‘outdoor laboratories’ for research.

**National Planning Policy Framework (NPPF)** – is a government document which sets out the planning policies for England and how they are expected to be applied. The latest National Planning Policy Framework was published in December 2023.

**Nationally Described Space Standards** – The standard that deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

**Natural Resources** – They are resources that are found in the environment and are developed without the intervention of humans.

**Nature Recovery Network (NRN)** – A national *network* of wildlife-rich places to increase and *restore nature*, and the role of the delivery partnership and management group

**Neighbourhood Development Plans or Neighbourhood Plan** – A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

**Net Zero** – Reductions in emissions to as close to zero as possible, with the small amount of remaining emissions absorbed through natural carbon sinks like forests, and new technologies like carbon capture

## O

**Occupancy Condition** – A restriction on who can occupy a building, typically but not exclusively used, for restricting agricultural workers dwellings.

**Open space** – All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

**Out of Centre** – A location which is not in or on the edge of a centre but not necessarily outside the urban area.

**Out of Town** – A location out of centre that is outside the existing urban area.

## P

**Permitted Development (or Permitted Development Rights)** – Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order.

**Pitch** – For the purposes of this planning policy, “pitch” means a pitch on a “gypsy and traveller” site and “plot” means a pitch on a “travelling showpeople” site (often called a “yard”). This terminology differentiates between residential pitches for “gypsies and travellers” and mixed-use plots for “travelling showpeople”, which may / will need to incorporate space or to be split to allow for the storage of equipment.

**Planning Application** – A planning application can take three forms:

- a) **Outline permission:** Submitted to establish the basic principles of a proposed development, but still requiring approval reserved matters of detail.
- b) **Full planning application:** includes all the details of the proposed development – site/building plans and types of building materials used.
- c) **Reserved matters:** the matters of detail which have to be approved following the grant of an outline planning permission.

**Planning Condition** – A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

**Planning Obligation** – A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

**Planning Policy Guidance** – A web-based resource, provides more detailed guidance on the contents of the NPPF.

**Plot** – See pitch above.

**Pre-Application Advice** – is provided by planning officers employed by the council helping applicants to understand how the Council are likely to determine any subsequent planning application, and any changes that are likely to be needed, if any, to give the scheme the best chance of being granted a planning permission. It's important to note that the guidance given is informal advice and does not bind the council in any future decision it makes.

**Previously Developed Land** – Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

**Primary Shopping Area** – A defined area where retail development is concentrated.

**Prior Approval** – means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant Parts in [Schedule 2 to the General Permitted Development Order](#).

**Policies Map** – a map illustrating geographically the policies in the plan and be reproduced from, or based on, an Ordnance Survey map.



## Q

**Quality of Life** – Measures the standard of health, comfort and happiness experienced by an individual or group.

## R

**Ramsar Site** – These sites are wetlands of international importance designated and protected under the Ramsar Convention. It is an intergovernmental treaty providing a framework for the conservation and wise use of wetlands and their resources. The Pevensey Levels is a Ramsar site.

**Registered Provider** – A registered provider of affordable housing under Registered Social Housing Provider part 2 of the Housing and Regeneration Act 2008.

**Renewable and low carbon energy** – Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

**Rural Diversification** – The expansion, enlargement or variation of the range of products or fields of operation of a rural business (branching out from traditional farming activities, for example new income generating enterprise like renewable energy, tourism and food processing).

**Rural Exception Sites** – Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding

## S

**Seasonal Occupancy Condition** – limit the use of land for a particular purpose to certain seasons of the year both in order to prevent the permanent residential use of premises or in order to provide appropriate protection for the local environment

**Section 106 Planning Obligations/Agreements** – re legal obligations entered into to mitigate the impacts of a development proposal. Planning obligations run with the land, are legally binding and enforceable.

**Self-Build and Custom Build Housing** – Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

**Self Build and Custom Build Register** – Contains information on the level of demand for self-build and custom housebuilding in the District.

**Sequential Approach/Sequential Test (Flooding)** – ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate

development in low-risk areas, the Sequential Test should go on to compare reasonably available sites:

- Within medium risk areas; and
- Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.

**Sequential Test (Town Centre Uses)** – The sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

**Setting of a heritage asset** – The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral

**Significance (for heritage policy)** – The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

**Service Centres** – See Town Centre Hierarchy.

**Settlement Hierarchy** – A settlement hierarchy is an important tool that categorises settlements and groups them together based on their sustainability. It helps decide on the most sustainable locations for future growth. Further details can be found in the Council's Sustainable Settlement Study.

**Strategic Flood Risk Assessments (SFRA)** – A document showing land at risk from flooding across the District, prepared as part of the evidence base for the Local Plan. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

**Shared Ownership** – see above under definition of affordable housing.

**Sites of Special Scientific Interest (SSSI)** – A site designated by Natural England under the Wildlife and Countryside Act 1981 as an area of special interest by reason of its flora, fauna, geological or physiographical features (plants, animals and natural features relating to the Earth's structure).

**Small to Medium Sized Housing Site** – A site which is no larger than one hectare.

**South Downs National Park (SDNP)** - The South Downs National Park officially came into being on 31 March 2010. The South Downs National Park Authority is responsible for planning in the Alfriston, Cuckmere Valley and the East Dean and Friston Parish.

**Spatial Strategy** – aim to deliver the local plan's vision and objectives by guiding development to the right locations and by delivering sustainable growth that takes account of people, places

and our environment. It sets out how and where growth should be distributed across a local area.

**Special Area of Conservation (SAC)** – Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites. Ashdown Forest is a SAC.

**Special Protection Area (SPA)** – Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. Ashdown Forest is a SPA.

**Specialist Housing** – Housing to meet need arising from diverse needs including purpose-built or supported housing for the elderly or disabled people or those requiring care.

**Stepping Stones** – Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

**Strategic Access Management and Monitoring Strategy (SAMMS)** – A strategy providing on site mitigate measures on the Ashdown Forest intended to help reduce the impact of new residential development on the SPA by changing the behaviour of visitors to the Forest.

**Strategic Allocations** – The allocation of specific significant sites for either housing or employment development in the Local Plan.

**Strategic Housing and Economic Land Availability Assessment (SHELAA)** – It is a comprehensive study which considers the availability, suitability and achievability of land in the district for potential development. The SHELAA enables the Council to identify a sufficient supply of deliverable sites or broad locations within the time periods: 1 5 years; 6 10 years; and 11 15 years, as required by paragraph 69 of the NPPF but it does **not** allocate sites.

**Strategic policies** – Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.

**Sustainable Development** – The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

**Sustainable Drainage Systems (SuDs)** – are designed to maximise the opportunities and benefits that can be secured from surface water management practices. SuDS provide a means of dealing with the quantity and quality of surface water and can also provide amenity and biodiversity benefits

**Sui Generis** – is a Latin term that, in this context, means ‘in a class of its own’. Certain uses are specifically defined and excluded from classification by legislation, and therefore become ‘sui generis.’

**Suitable Alternative Natural Greenspace (SANG)** – Greenspaces provided to mitigate the effects of recreation (associated with new housing) on Ashdown Forest Special Area of Conservation (SAC) and Ashdown Forest Special Protection Area (SPA).

**Supplementary Planning Document (SPD)** – Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on

specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Supported Housing** – is a housing service where housing, support and/or care services are provided to help people to live as independently as possible. Supported housing provides homes for a wide range of people including older people, people with a learning disability and autistic people, people with mental health related needs, vulnerable young people and people who have experienced homelessness.

**Sustainability Appraisal (SA)** – is a systematic process that must be carried out during the preparation of [local plans and spatial development strategies](#). Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.

**Sustainable Settlements Study** – Those settlements with the most services and facilities and good level of public transport provision and accessibility are the most sustainable settlements in the district. However, it can also be the case that a settlement with few services and facilities, and therefore considered less sustainable on a purely ‘scored’ basis, can be categorised higher in the hierarchy if, for example, it is in close proximity to a higher order settlement and has sustainable access to the services and facilities within that settlement.

**Sustainable Transport Modes** – Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

## T

**Temporary Planning Permission** – Under [section 72 of the Town and Country Planning Act 1990](#) the local planning authority may grant planning permission for a specified temporary period only. Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period. A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a ‘meanwhile use’).

**Town Centre** – Area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

**Town Centre Hierarchy** – hierarchy of Wealden’s defined centres and their protection. The hierarchy is based on their current position and function and seeks to both protect the position of each centre whilst also improving their viability and vitality.

- District centres: Uckfield, Hailsham, Crowborough and Heathfield all of which have a good level of retail provision (100 plus units) with a wide range of shops (supermarkets

and some comparison retailing including that provided by national retailers). The centres also provide hubs for public transport and offer a good level of car parking. District centres provide jobs, services and offer a range of community facilities for the population of the town as well as surrounding settlements.

- Service centres: Polegate, Forest Row, Wadhurst all have a good level of retail provision (40-60 units) to cater for everyday needs but have significantly less provision than District centres, including a more limited comparison goods offer. These centres are less likely to attract national retailers, however, they do attract local businesses providing for special interests.
- Local centres: Pevensey Bay, Mayfield, Horam, Herstmonceux, Rotherfield and Jarvis Brook (Crowborough) are smaller centres providing a range of retail and service facilities catering for local needs. These centres have 10 or more units.

**Town or Parish Council** – These operate at a level below district and borough councils and in some cases, unitary authorities. Because of their great diversity, parishes do not generally have statutory functions, although they are often responsible for smaller local services such as allotments, parks and community centres.

**Tree Preservation Order (TPO)** – is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity.

**Travel Plan** – A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

**Travelling Showpeople** – Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.

## U

**Urban Cooling** – Process where urban areas adapt to extreme heat to protect people and the economy. Urban areas can lower temperatures by implementing measures such as tree cover, vegetation, cool roofs and surfaces to counteract the urban heat island effect.

## V

**Veteran Tree** – A veteran tree may not be very old, but it has significant decay features, such as branch death and hollowing. These features contribute to its exceptional biodiversity, cultural and heritage value. All ancient trees are veteran trees, but not all veteran trees are ancient. The age at which a tree becomes ancient or veteran will vary by species because each species ages at a different rate.

**Visitor Accommodation** – A short-term living accommodation where guests/visitors pay to stay.

## W

**Wildlife Corridors** – Areas of habitat connecting wildlife populations.

**Windfall Allowance** – Making an allowance for windfall sites within the development plan as an area of anticipated housing supply.

**Windfall sites** – Sites not specifically identified in the development plan.

**20-minute neighbourhoods** – the concept of '20-minute neighbourhoods' or 'complete, compact and connected neighbourhoods' has been put forward as an approach to help local plans deliver sustainable development. The 20-minute neighbourhood is about creating attractive, interesting, safe, inclusive, walkable environments in which people of all ages and levels of fitness are happy to travel actively for short distances from home to the destinations that they visit and the services they need to use day to day.

# 16

## Appendices

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## Appendices

### Appendix 1: Open Space Standards

**16.1** The provision standards used to determine deficiencies and surpluses for open space are set in terms of quality, accessibility and quantity. The standards below have been derived from the evidence provided within the Open Space Report (April 2022)<sup>227</sup>.

#### Quantity

**16.2** The setting and application of quantity standards is necessary to determine shortfalls in provision and to ensure new developments contribute to open space provision needs.

**16.3** Shortfalls in quality and accessibility standards are identified across the District for different types of open space. Therefore, new developments will be required to contribute to the overall provision of open space in accordance with Policy INF 8 – Open Space, sports and recreation provision.

**16.4** The table below sets out the quantity standards for the area of open space required for every 1,000 people.

**Table 25 Quantity Standards for open and recreation space provision**

Typology	Quantity Standards (hectares per 1000 additional population)
Park & Gardens	0.53 ha
Natural & Semi Natural Greenspace	1.91 ha
Amenity Greenspace	0.56 ha
<b>Total Multi-functional greenspace</b>	<b>3.0 ha</b>
Provision for Children and Young people	0.25 ha
Allotments & Community Gardens	0.25 ha

**16.5** Multifunctional Greenspace (MFGS) comprises of the typologies of parks and gardens, amenity greenspace and natural/semi-natural greenspace combined. The Multifunctional Greenspace quantity standard should be used as the starting point to calculate future open space provision requirements. The type of multi-functional greenspace to be delivered will be discussed with applicants at the pre-application stage in accordance with Policy INF 8 – Open Space, Sports and Recreation Provision. Ultimately, the type of new open space provision will be dependent on the priorities set out in the Council’s Open Space, Sports and Recreation evidence base alongside any further relevant and up-to date information.

**16.6** Occupancy levels to be used to determine the additional population from a development proposal is provided in the table below.

227 Wealden District Council Open Space Report: <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

**Table 26 Occupancy Levels per dwelling size**

Dwelling Type	Occupancy Rate
1 Bedroom	1.3
2 Bedrooms	1.8
3 Bedrooms	2.5
4 Bedrooms	2.8
5+ Bedrooms	3.1

**16.7** Where the size of occupancy is unknown, the additional population can look to be calculated from the number of dwellings expected being multiplied by an average household occupancy rate of 2.4.

**16.8** New developments of 10 dwellings or more will need to provide a combined 3.50 hectares per 1,000 population of open space. An equivalent to 35.0 square metres per person. In the first instance, all types of provision should look to be provided as part of new housing developments and accessibility considered accordingly.

Requirement for on-site provision

**16.9** Whether provision should be made on-site or via an off-site contribution is dependent on the size of the development. In the case of larger-scale residential developments, it is expected that provision will be provided on-site. Larger residential developments will have a critical mass of population and should provide all types of open space on-site in order to serve the additional population as a result of the development.

**16.10** Best practice guidance from organisations like Fields In Trust FIT, recommends that provision below certain sizes should not be provided as on-site provision and instead provided as off-site contributions. This is to avoid the creation of numerous small sites often of less recreational value (and quality over time). The following minimum area sizes are suggested to help inform when new provision should be provided on-site:

**Table 27 Minimum site areas**

Open Space Type	Minimum area (hectares)	Warrant on-site provision New population	Warrant on-site provision Average number of dwellings
Multi-Functional Greenspace Amenity/Natural	0.05ha	16	6
Multi-Functional Greenspace Small parks	0.3ha	100	41

Open Space Type	Minimum area (hectares)	Warrant on-site provision New population	Warrant on-site provision Average number of dwellings
Multi-Functional Greenspace Medium parks	1.5ha	500	208
Multi-Functional Greenspace Large parks	3.0	1,000	416
Equipped play provision	0.01ha	40	16
Allotments / community gardens	0.05	200	83

**16.11** For MFGS, where generated demand is sufficient, one centrally located large park (c.3 hectares or above) may be preferable in place of several smaller parks. Up to developments of this size (i.e. 416 dwellings as per the table above), MFGS should generally consist of amenity and natural greenspace. This is to avoid potentially providing lots of small parks and garden sites. However, for some developments there may still be instances where on-site provision of a small (0.30 ha) or medium (1.50 ha) size park and garden is warranted. This will need to be considered on a case-by-case basis.

**16.12** Play provision requirements for any development which does not trigger the on-site contribution will generally be sought as off-site contributions. However, if the development is not within reach of an existing play site than on-site provision may be warranted regardless of the small size of the development.

**16.13** Consideration for the provision and requirement of allotments or community gardens will need to be on a case-by-case basis.

### Accessibility

**16.14** Accessibility catchments are a tool to identify communities currently not served by existing facilities. To determine accessibility the concept of 'effective catchments' are used, defined as the distance that would be travelled by most users. The accessibility catchments do not consider if a distance is on an incline or decline. They are intended to act as an initial form of analysis to help identify potential gaps.

**16.15** The Open Space Report recommends the catchments set out in Table 28.

**Table 28 Accessibility Catchment Guidelines**

Open Space Type	Mode of Travel	Distance Guideline
Park & Gardens	Walk	15 minutes (1,500m)
Park & Gardens	Drive	15 minutes for sites over 5 hectares

Open Space Type	Mode of Travel	Distance Guideline
Natural & Semi-Natural Greenspace	Walk	20 minutes (2,000m)
Natural & Semi-Natural Greenspace	Drive	20 minutes for sites over 20 hectares
Amenity Greenspace	Walk	10 minutes (1,000m)
Provision for Children & young people (LAP)	Walk	1 minute (100m)
Provision for Children & young people (LEAP)	Walk	5 minutes (400m)
Provision for Children & young people (NEAP)	Walk	12 ½ minutes (1,000m)
Provision for children and young people Other provision (e.g., MUGA, Skate park)	Walk	9 minutes (720m) 15 minutes (1,500m)
Provision for children and young people Skate parks	Drive	12 minutes
Allotment / Community Gardens	Walk	15 minutes (1,500m)





# Wealden

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