Smiths Gore • Exchange House • Petworth • West Sussex GU28 0BF • United Kingdom
t 01798 345980 • **f** 01798 345998 • **dx** 49256 Petworth • www.smithsgore.co.uk

18 May 2012

Lynette Benton
Programme Officer
Wealden District Council
Pine Grove
Crowborough
East Sussex
TN6 1DH

SMITHSGORE

Our Ref PT_PVT_Lampson_Maresfield_180512
Your Ref

Dear Lynette

Wealden Core Strategy: Implications of National Planning Policy Framework (NPPF)

Thank you for your letter of 4th April, inviting us to make representations on how Wealden's Core Strategy may be affected by the NPPF. To that end, I have been asked by the Lampson Family – landowners in Maresfield – to submit the representations set out below. It is not my intention to provide overly lengthy representations on this issue, but rather to signpost key areas of concern of which I am sure the Inspector is himself aware. Please do however let me know if you or Mr Moore would like me to provide further explanation or clarification of any of the issues raised.

National Planning Policy Framework

The NPPF was published by the Government on 27 March 2012, after the submission and examination of the Wealden Core Strategy. It is markedly different from the draft guidance published in July 2011, further to the controversy that this document provoked.

The NPPF is a key part of the Government's planning reforms in England and provides a single policy framework, sweeping away all of the PPGs and PPSs that had previously been in place, with the exception of PPS10. The guidance makes clear that it is a material consideration from the date of implementation and therefore the Core Strategy will need to be entirely consistent with the policies within the Framework.

Emphasis on Positive Planning

There has been a striking alteration to the tone of policy making to encourage a more positive approach. There is also a greater emphasis on enhancement of environments, rather than on just their protection and maintenance. This positive approach is apparent from the outset with the ministerial statement setting out that 'sustainable development is about positive growth'.

Paragraph 9 sets out that 'pursuing sustainable development involves making positive improvements to the quality of the built, natural and historic environment'.

Paragraph 14 stats that for plan-making, LPAs should positively seek opportunities to meet the development needs of their area. Plans should meet objectively assessed needs flexibly, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the framework as a whole, or specific NPPF policies indicate that development should be restricted.

Paragraphs 150 to 185 inclusive relate to plan-making, requiring that Development Plans support sustainable development as set out in the NPPF.
The NPPF establishes a Duty to Cooperate whereby LPAs are required to demonstrate cooperation on planning issues that cross administrative boundaries, so that strategic prioririties are properly coordinated.

Lastly, it is important to note that the tests of soundness have been expanded by requiring an assessment of whether the Plan has been positively prepared. This means that the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Comment
A great deal of discussion has been had to date about the fact that Core Strategy does not seek to meet the housing requirements of the South East Plan, which at the time of writing remains part of the Development Plan. The Council's position seems to be that the particular ecological designations affecting the District have the effect of placing a ceiling on the amount of develoment that can be achieved. This is not considered to be in accordance with the emphasis within the NPPF on positive planning.

It is strongly asserted that the current approach is far too precautionary and does not provide sufficient evidence why an increased level of development would be significantly harmful. A more positive approach to planning for housing and economic growth in a way that minimised environmental harm is required.

Presumption in favour of Sustainable Development
The presumption in favour of sustainable development is set out at paragraph 14 as being the 'golden thread' which runs through plan-making and decision making.

The NPPF additionally sets out three, well established facets to sustainable development at paragraph 7; economic, social and environmental.

Comment
As detailed above, it is considered that the Core Strategy seeks to provide insufficient weight to economic and social benefits that might be derived from development set against the clearly defined environmental constraints affecting the District. The current approach – which appears to start from a position that <u>any</u> development will be inherently damaging – fails to fully grasp the opportunities for improving the environmental quality and economic and social health of the District.

Delivering a wide choice of high quality homes
The Government's key housing objective is to increase significantly the delivery of new homes. To increase the supply of housing, local planning authorities should use an appropriate evidence base to ensure that their Plan meets the full requirements for market and affordable housing and identify and maintain a rolling supply of specific

deliverable sites sufficient to provide 5 years supply against their housing requirements, as well as an additional allowance of 5% - or 20% where there has been a history of undersupply.

Comment
As noted above, the current housing figures planned for within the Core Strategy fall short of that required, without any apparent justification other than the environmental capacity of some parts of the District. Is is clear therefore that the District will not be able to demonstrative a sufficient supply of sites and certainly not the additional 5%.

Conserving and enhancing the natural environment
Paragraph 110 states that in preparing plans to meet future development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. This is supported by paragraph 113 which states that LPAs should set criteria based policies for any development proposals on or affecting protected wildlife or geodiversity sites. Distinctions should be made between the hierarchy of internationa, national and locally designated sites, so that protection is commensurate with their status.

Paragraph 114 states that LPAs should set out a strategic approach, planning positively for the creation, protection enhancement and management of networks of biodiversity and green infrastructure. This is supported by paragraph 117 which states that planning policies should plan for biodiversity at a landscape scale; identify and map components of local ecological networks; and promote the preservation, restoration and recreation of priority habitats etc.

Comment
It is accepted that the District is faced with unusually high levels of ecological and biodiversity constraint. However, the approach set out in the Core Strategy, as recently modified, is far too precautionary in its approach – largely because of gaps within the evidence base.

It is therefore considered that a more robust approach to the investigation of the effect of increased levels of traffic through the Ashdown Forest SPA – and the relationship between different development distribution strategies to traffic levels – should be undertaken before the Examination progresses.

Such an objectively based assessment should also undertake to investigate methods of mitigating any adverse impacts – for example through active environmental improvemetns and the appropriate designation of Suitable Areas of Natural Green Space – both of which can only be funded through development contributions.

Conclusion
It is considered that the current version of the Core Strategy, as modified, does not represent a sufficiently positive document in respect on housing levels, economic sustainability or scope for mitigating ecological harm and promoting environmental improvement.

For this reason it cannot be said to be positively prepared and in its current form would fail the additional soundness test.

It is suggested that further work be carried out to support the evidence base in terms of housing delivery and environmental harm before the examination of this Development Plan Document is progressed any further.

With kind regards,

Lee Scott • BA (Hons) Dip TP
Associate Planner