Wealden District Council
Interim Duty to Cooperate Background Paper

Wealden Draft Local Plan (Regulation 18)

March 2024

Wealden
District Council

How to Contact Us

Planning Policy
Wealden District Council
Council Offices, Vicarage Lane, Hailsham, East Sussex BN27 2AX

Telephone 01892 602008
E-mail: planningpolicy@wealden.gov.uk
Website: www.wealden.gov.uk

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

Contents

1. Introduction 4
Geography 4
2. Legislation and National Policy Background 7
Legislation 7
National Planning Policy Framework (NPPF) 2023 8
National Planning Practice Guidance (PPG) 8
3. Wealden District Council's Development Plan 10
The Current Wealden Development Plan 10
New Wealden Local Plan 10
Direction of Travel Consultation 10
Adopted Neighbourhood Plans 11
Statement of Community Involvement and Engagement Strategy 11
Sustainability Appraisal Scoping Report 12
4. Meeting The Duty to Cooperate 13
Forms of Engagement 13
Summary of Cooperation and engagement between Local Authorities 13
Summary of Duty to Cooperate engagement and outcomes with neighbouring authorities (and other relevant authorities) 14
Brighton and Hove City Council 14
Crawley Borough Council 15
Eastbourne Borough Council (EBC) 16
Hastings Borough Council 19
Lewes District Council (LDC) 20
Mid Sussex District Council (MSDC) 22
Rother District Council (RDC) 25
Sevenoaks District Council (SDC) 27
South Downs National Park Authority (SDNPA) 29
Tandridge District Council (TDC) 30
Tunbridge Wells Borough Council (TWBC) 31
Joint working and Evidence Base Studies 34
Other Statements of Common Ground (SoCG) 35
Future Statements of Common Ground (SoCG) 36
Cooperation between Prescribed Bodies and Other Bodies 37
5. Membership of Working Groups and Partnerships 48
6. Cross boundary strategic issues 57
Housing 57
Economic Development / Employment 59
Infrastructure (including transport) 61

Environmental Issues 63
7. Conclusions 66
Appendices 67
Appendix A – MoU between WDC and EBC – July 2021 67
Appendix B – SoCG between WDC and EBC – July 2022 68
Appendix C – SoCG between WDC and MSDC – June 2020 69
Appendix D - SoCG between WDC and SDC – April 2019 70
Appendix E – SoCG between WDC and SDNPA – April 2018 71
Appendix F – SoCG between WDC and TDC – December 2018 72
Appendix G – SoCG between WDC and TWBC – March 2021 73
Appendix H – SoCG on the Ashdown Forest SPA and Recreational Impact – January 2019 74
Appendix I – SoCG regarding the provision of aggregates and the safeguarding of minerals infrastructure in East Sussex, Brighton and Hove and South Downs National Park areas – November 2022 75
Appendix J – East Sussex Public Health and Planning Memorandum of Understanding – August 2022 76

1. Introduction

1.1 As part of a local authority's plan preparation, legislation and national policy requires local authorities to cooperate and 'engage constructively, actively and on an ongoing basis on strategic cross-boundary matters with other local authorities, county councils and prescribed bodies when preparing a Local Plan. This is referred to as 'Duty to Cooperate'. We are also required to demonstrate how we complied with the 'Duty to Cooperate' at the independent examination.

1.2 This document is an interim statement of the work that Wealden District Council has undertaken so far as part of its plan-making process in respect of the Duty to Cooperate. It supports the Draft Wealden (Regulation 18) Local Plan which is being consulted on between Friday 15th March and Friday 10th May. Given that the Duty to Cooperate is an ongoing process the Council will continue to work with Duty to Cooperate partners as the Plan progresses and we will update our position further at the Regulation 19 Local Plan stage.

1.3 At this stage it does not set out every meeting that has taken place with regards to the Duty to Cooperate, but instead identifies the types of meeting that have been taking place and the key policy areas and outcomes so far that are being discussed.

Geography

1.4 Wealden District covers an area of 321 square miles. It is the 44th 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. As Figure 1 illustrates, Wealden adjoins eight other local authorities including Tunbridge Wells, Rother, Eastbourne, Lewes, Mid-Sussex, Tandridge, Sevenoaks and the South Downs National Park. In terms of County Council's, Wealden District is located within East Sussex but it also borders West Sussex to the west, Kent to the north and Surrey to the northwest.

1.5 Wealden District is part of three tiers of local government. East Sussex County Council provide public services in relation to county matters that includes Waste and Minerals Planning, waste management, social care, education and highways, amongst other matters. Wealden District Council covers matters relating to land-use planning, environmental health, waste collection and housing, amongst other matters. In addition, Parish/Town Councils deal with more localised issues.

1.6 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 Parishes. There are some other parishes within Wealden District that are partly located within the South Downs National Park. Each of our parishes, towns and villages are unique and special in their own way, each with their own communities, character, history and heritage.

1.7 There are a number of towns within the district, including Crowborough, Uckfield, Hailsham, Heathfield and Polegate. The district also comprises villages, hamlets and large areas of countryside. The north and south of the district adjoins the large settlements of Tunbridge Wells and Eastbourne, respectively.

1.8 The district includes both High Weald and Low Weald landscapes and 53% of the district[1] falls within the High Weald National Landscape. The Pevensey Levels in the southeast of Wealden and the Low Weald are also important landscape areas, each with their own characteristics. The southernmost part of the district falls within the South Downs National Park (SDNP).]

1.9 The district contains many Heritage Assets with over 2,200 Listed Buildings, 33 Conservation Areas (excluding that part of the district which falls within the National Park), 105 Scheduled Monuments and 20 Registered Parks and Gardens.

1.10 Around two thirds of the district is covered by the national landscape designation of the High Weald Area of Outstanding Natural Beauty (AONB) (53%) and South Downs National Park (SDNP) (7%). Within the district, there are two areas of European and national importance in relation to ecological conservation at the Ashdown Forest and Pevensey Levels. Ashdown Forest is a European Site designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC) as well as a Site of Special Scientific Interest (SSSI). Pevensey Levels is a European Site (SAC) and is also recognised as a site of international importance (Ramsar Site), as well as a SSSI and National Nature Reserve (NNR). Both sites require specific consideration in relation to ecological impacts from development. In addition, there is a need to consider any likely significant effects from development proposed in the Wealden Local Plan on European Sites outside of the district.

[1] High Weald JAC (2019) High Weald AONB Management Plan 2019-2024. Available at: www.highweald.org/document-library/aonb-management-plan/mp-2019-2024/

Figure 1: Map showing the 8 adjoining local authorities to Wealden District Council, including the South Downs National Park Authority



2. Legislation and National Policy Background

Legislation

2.1 The Localism Act 2011[2] introduced the requirement, or duty for local planning authorities (LPA's) to **cooperate and "engage constructively, actively and on an ongoing basis"** with other local authorities, county councils and prescribed bodies when preparing a development plan and other local development documents, on strategic matters. The Localism Act 2011 also introduced the need for the independent examination of the Local Plan to determine whether the LPA complied with the duty to cooperate.

2.2 For the purposes of the Duty to Cooperate, a strategic matter is defined as sustainable development, use of land or strategic infrastructure that has or would have a significant impact on at least two planning areas. There are a number of matters which can be considered strategic including those relating to housing, employment, retail, transport, infrastructure (including community facilities), environmental or nature conservation matters and water / flooding.

2.3 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act) imposes a duty on local planning authorities to cooperate with other local planning authorities, county councils or other bodies/persons prescribed in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The prescribed bodies are:

(a) the Environment Agency;

(b) Historic England;

(c) Natural England;

(d) Mayor of London;

(e) Civil Aviation Authority;

(f) Homes and Communities Agency;

(g) each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;

(h) Office of Rail Regulation(3);

(i) Transport for London(4);

(j) each Integrated Transport Authority(5);

(k) each highway authority within the meaning of section 1 of the Highways Act 1980; and

(l) Marine Management Organisation.

[2] Localism Act 2011. Available at: www.legislation.gov.uk/ukpga/2011/20/contents?section-110-1

National Planning Policy Framework (NPPF) 2023

2.4 The NPPF 2023[3] confirms the Duty to Cooperate and goes on to state at paragraph 25 that:

"Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers)."

2.5 Paragraph 26 of the NPPF explains that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. Joint working can help to determine where additional infrastructure is necessary and ascertain unmet need. Paragraph 27 of the NPPF then explains that strategic policy-making authorities

"should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency".

2.6 The NPPF (paragraph 35) sets out the 'tests of soundness' used to assess Local Plans at examination. This states that:

Plans are 'sound' if they are:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant".

National Planning Practice Guidance (PPG)

2.7 The PPG provides further guidance on the duty to cooperate and explains that a statement of common ground forms part of the evidence required to demonstrate that LPA's have complied with the duty to cooperate and sets out what information they should contain.

[3] National Planning Policy Framework (publishing.service.gov.uk)

2.8 The PPG also sets out what activities are expected to be documented when in the process of addressing strategic cross-boundary matters whilst cooperating. This includes (but is not limited to):

- working together at the outset of plan-making to identify cross-boundary matters which will need addressing.
- producing or commissioning joint research and evidence to address cross-boundary matters.
- assessing impacts of emerging policies; and
- preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated, (such as the distribution of unmet needs or policies relating to county matters).

These activities will need to be tailored to address local circumstances"[4].

2.9 The PPG states that strategic policy-making authorities should explore all options for addressing strategic matters within their planning area, unless they are able to show that this would contradict policies that constrain development as set out in the NPPF. If they are unable to do so they should make every effort to secure the necessary cooperation in strategic cross boundary matters before their plans are submitted for examination.

2.10 The PPG explains that Inspectors will expect to see that strategic plan-making authorities have addressed key strategic matters through effective joint working. The duty to cooperate is not a duty to agree and where an authority demonstrates it has done all it can to deal with matters but has been unable to reach an agreement, this should not prevent the authority from submitting a plan for examination. However, 'the authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate, and any outcomes achieved; this will be thoroughly tested at the plan examination'.

[4] Paragraph 015 Reference ID:61-015-20190315 of the PPG

3. Wealden District Council's Development Plan

The Current Wealden Development Plan

3.1 The current development plan for Wealden District consists of

- the Wealden District Core Strategy Local Plan (February 2013)[5];
- the Affordable Housing Delivery Local Plan[6] (May 2016);
- 'saved' policies from the Wealden Local Plan[7] (1998);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan[8] (February 2013); and
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan[9] (February 2017).

New Wealden Local Plan

3.2 Wealden District Council is preparing a new Local Plan. The Plan will be the key planning document for the district, excluding the area covered by the South Downs National Park Authority. The South Downs National Park has planning powers for its own area. Once adopted, the Local Plan will form part of the Development Plan for the district, replacing all existing local plan policies. The Plan period will run from October 2023 to April 2040 and consultation on this draft Plan will take place between 15th March and 10th May 2024.

3.3 The Local Plan will determine the overall strategy for future development across the district, including the location of both residential and employment development to address housing and employment needs. The Plan will seek to allocate sufficient land in appropriate locations to meet as much of its needs as it is possible, as well as provide both strategic and non-strategic policies that will guide development across the district contributing to social, environmental and economic (sustainability) goals.

Direction of Travel Consultation

3.4 The Council adopted an updated Local Development Scheme (LDS)[10] in July 2020 and commenced work on the new Local Plan. This included undertaking an eight-

[5] Wealden District Council (adopted February 2013) Wealden District Core Strategy Local Plan. Available at www.wealden.gov.uk/UploadedFiles/Adopted_Core_Strategy_2013_for_web.pdf
[6] Wealden District Council (adopted May 2016) Affordable Housing Delivery Local Plan. Available at: www.wealden.gov.uk/UploadedFiles/AHDLP_Adopted_May_2016.pdf
[7] Wealden District Council (N.D.G) Wealden Local Plan Index of Saved Policies. Available at: www.wealden.gov.uk/UploadedFiles/Index_of_Saved_Policies.pdf
[8] East Sussex County Council, South Downs National Park Authority and Brighton and Hove City Council (adopted February 2013) East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan. Available at: www.eastsussex.gov.uk/planning/waste-minerals-plans-monitoring-reports
[9] East Sussex County Council, South Downs National Park Authority and Brighton and Hove City Council (adopted February 2017) East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan. Available at: www.eastsussex.gov.uk/planning/waste-minerals-plans-monitoring-reports
[10] Local Development Scheme (LDS), January 2024. Available at: https://www.wealden.gov.uk/UploadedFiles/LDS-2024-Version-2-FC-1.pdf

week early Regulation 18 Direction of Travel consultation[11] in line with the Town and Country Planning (Local Planning) (England) Regulations 2012.

3.5 The Direction of Travel Consultation took place between 23rd November 2020 and 18th January 2021 and was the first stage in the new Local Plan engagement process with residents, businesses and other stakeholders.

3.6 The Council received 1,702 responses from 304 people/organisations. A summary of responses from local authority partners, statutory consultees and other relevant organisations has been produced[12]. Parish and Town Councils within Wealden were also consulted, and a summary produced[13]. The Consultation Summary Report was reported to the Local Plan sub-committee on 11th March 2021[14]. All the responses received by the Council have been considered and were taken into account in the formulation of the draft Wealden Local Plan (Regulation 18).

Adopted Neighbourhood Plans

3.7 Neighbourhood Plans were introduced under the Localism Act 2011. They provide communities with a direct way of shaping development in their areas. For example, they can identify the location of new development as well as the type of residential development needed. Wealden have produced a guide to Neighbourhood Planning[15] in order to help with their production and have been working with a number of town and parish councils to progress their plans. There are currently three adopted Neighbourhood Plans in Wealden - Hailsham, Hellingly and Herstmonceux[16]. A number of other Neighbourhood Plans are being progressed and are at various stages of the process including Wadhurst which will have a Referendum on 2nd May 2024 and Horam, Ninfield and East Hoathly with Halland, who are currently at Examination.

Statement of Community Involvement and Engagement Strategy

3.8 Wealden have updated their Statement of Community Involvement[17] (SCI) which details who will be consulted on the Local Plan (and also on Supplementary Planning Documents, Community Infrastructure Levy, Neighbourhood Plans, Development Management) and the proposed consultation methods to be used. The Council consulted on a draft SCI between 4th May and 15th June 2020 and it was adopted on 22nd July 2020.

---

[11] Wealden District Council Direction of Travel Consultation, November 2020. Available at: https://www.wealden.gov.uk/planning-and-building-control/planning-policy/wealden-local-plan/direction-of-travel-consultation/

[12] Appendix B - Summary of Responses from LPAs, Statutory Consultees and other relevant organisations. Available at: www.wealden.gov.uk/ieListDocuments.aspx?CId=534&MId=5057&Ver=4

[13] Appendix C – Town and Parish Council responses. Available at: www.wealden.gov.uk/ieListDocuments.aspx?CId=534&MId=5057&Ver=4

[14] Wealden District Council (11th March 2021) Report to Local Plan sub-committee. Available at: council.wealden.gov.uk/documents/s73242/Direction%20of%20Travel%20Consultation.pdf

[15] Wealden District Council (November 2018) Guide to Neighbourhood Planning. Available at: www.wealden.gov.uk/UploadedFiles/Neighbourhood_Planning_Guidance_Note_26.11.2018.pdf

[16] Wealden Neighbourhood Plan Webpage www.wealden.gov.uk/planning-and-building-control/planning-policy/neighbourhood-planning/

[17] Wealden District Council Statement of Community Involvement (SCI), July 2020. Available at: https://www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-documents/statement-of-community-involvement/

3.9 Wealden have also devised a Local Plan Consultation and Engagement Strategy[18], adopted in November 2020, which sets out the detail as to how the Council will consult and engage with the community and stakeholders on the new Local Plan. It aims to ensure that consultation and engagement is both effective and meaningful. The Strategy also sets out how Wealden intend to engage with our partners to meet the requirements of the Duty to Cooperate.

Sustainability Appraisal Scoping Report

3.10 The SA Scoping Report is the first stage in the SA process and considers the context and scope of an SA for the new local plan and establishes an assessment process to ensure that the options considered for the policies and site allocations are assessed against suitable sustainability objectives.

3.11 The Council produced and consulted on an SA Scoping Report in 2020/2021 alongside our Direction of Travel Consultation. The Scoping Report was first consulted on for a period of five-weeks (8th July 2020 to 12th August 2020) with the three statutory consultation bodies (Natural England, the Environment Agency and Historic England), as well as our neighbouring local planning authorities; the Sussex Local Nature Partnership; Sussex Wildlife Trust; High Weald AONB Unit and Highways Authority. A number of comments were received from all parties consulted and these were incorporated as appropriate into the Sustainability Appraisal Scoping Report.

3.12 Given the consideration of new and emerging evidence, legislation and policy changes since this time, the Council consulted on an updated SA Scoping Report from 26th June to 7th August 2023. This included consulting again with the Environment Agency, Natural England and Historic England, neighbouring authorities, local communities and other interested parties. A summary of the responses received can be found on the Council's website[19].

3.13 The Council has considered all consultation responses received and has updated and published the SA Scoping report accordingly[20].

[18] Wealden Local Plan Consultation and Engagement Strategy, November 2020. Available at: https://www.wealden.gov.uk/UploadedFiles/Consultation-and-Engagement-Strategy.final_.pdf
[19] Wealden Local Plan Sustainability Appraisal Scoping Report, Appendix D – SA Scoping Report Consultation Responses, January 2024. Available at: https://www.wealden.gov.uk/UploadedFiles/Appendices-For-Website-January-2024-V2.pdf
[20] Wealden Local Plan Sustainability Appraisal Scoping Report, January 2024. Available at: https://www.wealden.gov.uk/UploadedFiles/Wealden-Scoping-Report-January-2024.pdf

4. Meeting The Duty to Cooperate

Forms of Engagement

4.1 The Council has sought to actively and constructively engage with county councils, neighbouring local authorities and the prescribed bodies, as well as other bodies, on an on-going basis, in the following ways:

- Regular and on-going meetings and discussions to agree and discuss a way forward in respect of strategic cross boundary matters.
- The production of joint evidence base documents with other local authorities.
- Responding to Local Plan consultations and evidence base methodologies and presentations of other authorities. We have also invited them to respond to our Local Plan / SA consultations and evidence base methodologies and presentations.
- Membership of, and meetings/engagement with, other strategic planning/working groups, including those relating to planning in general as well as specialist issues such as nature and the environment and health and wellbeing.
- Drafting and agreement of individual Statements of Common Ground with adjoining authorities.
- Contributing to and agreeing Statements of Common Ground and Memorandums of Understanding.
- Responding to requests to/from neighbouring authorities in meeting any unmet housing and employment need.
- Undertaking an independent peer review (Planning Advisory Service) in respect of the preparation of the Local Plan and related Duty to Cooperate activities.
- The exchange of ideas and collaboration to help provide direction on evidence base study specifications including those relating to joint working as well as working on similar topic areas.
- Subject specific meetings with appropriate bodies to discuss particular issues.
- Responding to consultations from other bodies/organisations.

4.2 Further details of engagement in the plan-making process so far are set out in more detail below.

Summary of Cooperation and engagement between Local Authorities

4.3 WDC has been working with a number of authorities in identifying and working on strategic, cross boundary issues. These authorities include:

- Eastbourne Borough Council (EBC)
- Lewes District Council (LDC)
- Rother District Council (RDC)
- Sevenoaks District Council (SDC)
- South Downs National Park Authority (SDNPA)

- Tandridge District Council (TDC)
- Tunbridge Wells Borough Council (TWBC)
- Hastings Borough Council (HBC)
- Crawley Borough Council (CBC)
- Brighton and Hove City Council (BHCC)

Summary of Duty to Cooperate engagement and outcomes with neighbouring authorities (and other relevant authorities)

4.4 This section sets out, on an authority-by-authority basis, the engagement with neighbouring authorities (and other relevant authorities).

Brighton and Hove City Council

Current Local Plan status:

Adopted Plan Documents

- Brighton & Hove City Plan – Part One (adopted March 2016)[21]
- Brighton & Hove City Plan – Part Two (adopted October 2022)[22]
- Shoreham Harbour Joint Area Action Plan (adopted October 2019)[23]

New Local Plan

4.5 A new Local Plan for Brighton and Hove is currently being prepared by BHCC and is expected to replace Brighton & Hove City Plan – Part One. Policies will be revised to take into account changes in national policy, local priorities and other changes in circumstance. The Local Development Scheme for BHCC confirms that a Scoping Consultation (Regulation 18) is to take place in the Spring of 2024, with the submission of the Local Plan to the Planning Inspectorate in autumn 2026 and potential adoption in 2027. No stages of preparation have yet taken place.

Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU)

4.6 Neither a SoCG nor a MOU has yet been signed between either party. The local authorities do not neighbour each other and therefore there is no formal requirement to do so.

Key cross boundary issues:

- **Housing Market Area (HMA) and Functional Economic Market Area (FEMA)** – Uckfield (with Wealden District) and its surrounding areas are in a zone of transition in terms of its HMA and FEMA but is considered more closely linked to the Sussex Coastal HMA and FEMA and specifically Lewes District. Brighton and Hove is the main urban area that forms the Coastal HMA and FEMA. The

[21] Brighton and Hove City Plan - Part One, March 2016. Available at: https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/FINAL%20version%20cityplan%20March%202016compreswith%20forward_0.pdf
[22] Brighton and Hove City Plan – Part Two, October 2022. Available at: https://www.brighton-hove.gov.uk/planning/city-plan-part-two/download-city-plan-part-two
[23] Shoreham Harbour Joint Area Action Plan, October 2019. Available at: https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/Shoreham%20Harbour%20Joint%20Area%20Action%20Plan%20(JAAP).pdf

percentage of Wealden's overall population considered within the Sussex Coastal HMA is approximately 19%. The boundaries to the FEMA are the same.

- **Ashdown Forest SAC –** BHCC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution.

Formal Local Plan consultations

WDC Responses to BHCC Consultations

4.7 WDC has made no responses to BHCC consultations.

BHCC Responses to WDC Consultations

4.8 BHCC has made no responses to WDC consultations.

Crawley Borough Council

Current Local Plan status:

Adopted Plan Documents

- Crawley Borough Council Local Plan 2015 – 2030 (adopted December 2015)[24]

New Local Plan

4.9 A new Local Plan for Crawley has recently been submitted (July 2023) to the Planning Inspectorate under the Examination in Public (EiP) process. A post hearings letter was published in January 2024 with a number of proposed amendments to the Local Plan and a Proposed Main Modifications consultation is taking place at the time of writing. The Local Plan is likely to be adopted shortly.

Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU)

4.10 Neither a SoCG nor a MOU has yet been signed between either party. The local authorities do not neighbour each other and therefore there is no formal requirement to do so.

Key cross boundary issues:

- **Housing Market Area (HMA) and Functional Economic Market Area (FEMA)** – The rural parts to the northwest of Wealden District around Forest Row and Ashdown Forest relate more closely to East Grinstead (in Mid Sussex) and more widely to the North West Sussex HMA (that also includes Crawley and Horsham). The percentage of Wealden's overall population considered within the North West Sussex HMA is approximately 6%. The boundaries to the FEMA are the same.
- **Housing and Employment Need –** CBC has formally requested via letter (dated 14th April 2023) that WDC consider the unmet development needs arising from Crawley Borough as part of its Regulation 19 Local Plan process. WDC wrote back to CBC on this matter (June 2023) confirming that WDC would not be able to commit at this stage of its plan-making process that it could deliver the suggested amount of unmet housing needs of CBC

[24] Crawley Borough Local Plan 2015 -2030, December 2015. Available at: https://crawley.gov.uk/sites/default/files/documents/PUB271853.pdf

- **Ashdown Forest SAC –** CBC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution.

Formal Local Plan consultations and engagement

WDC responses to CBC Consultations

4.11 Wealden have responded to a consultation from CBC and have provided a response to their request to meet their unmet housing needs:

- WDC responded to the CBC letter regarding unmet need of April 2023 (responded 20th June 2023).
- WDC responded to the Crawley Borough Local Plan (Regulation 19) stage (responded 20th June 2023).

CBC response to WDC Consultations

4.12 CBC has made no responses to WDC consultations.

Eastbourne Borough Council (EBC)

Current Local Plan status:

Adopted Plan Documents

- 'Saved' policies from the Eastbourne Borough Local Plan (adopted in 2003)[25].
- Eastbourne Borough Core Strategy Local Plan[26] (adopted in February 2013)
- The Eastbourne Town Centre Local Plan[27] (adopted in November 2013)
- The Eastbourne Employment Land Local Plan[28] (adopted in November 2016).

New Local Plan

4.13 A new Local Plan for Eastbourne is currently in preparation by EBC and was expected to cover the period from 2019-2039. The Local Development Scheme for EBC (2022-2025) is currently out of date (a Regulation 19 Local Plan was expected in November 2023) with no updated timetable provided; however, the stages of preparation so far have included:

- A twelve-week early Regulation 18 consultation on the Direction of Travel: Issues and Options document, which concluded on 24th January 2020[29].
- A second Regulation 18 consultation on the 'Growth Strategy', setting out the level of housing and employment growth that could be accommodated in

[25] Eastbourne Borough Council (adopted 2003) Eastbourne Borough Plan 2001-2011. Available at: www.lewes-eastbourne.gov.uk/eastbourne-borough-plan
[26] Eastbourne Borough Council (adopted 20th February 2013) Eastbourne Core Strategy. Available at: www.lewes-eastbourne.gov.uk/eastbourne-core-strategy
[27] Eastbourne Borough Council (adopted November 2013) Eastbourne Town Centre Local Plan. Available at: www.lewes-eastbourne.gov.uk/eastbourne-town-centre-local-plan
[28] Eastbourne Borough Council (adopted November 2016) Eastbourne Employment Land Local Plan. Available at: www.lewes-eastbourne.gov.uk/article/1849/Eastbourne-Employment-Land-Local-Plan?p=11
[29] New Eastbourne Local Plan webpage. Available at: www.lewes-eastbourne.gov.uk/elp-2019-39

Eastbourne over the period to 2039 and where it may be located, which ran between 11th November 2022 and 20th January 2023[30].

4.14 WDC responded to both consultations.

Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU)

4.15 A Memorandum of Understanding (MoU) between EBC and WDC was signed in July 2021 (see Appendix A). The MoU identifies cross-boundary strategic planning issues, key principles of working together and methods of cooperation.

4.16 A SoCG has been drafted and updated as appropriate. The most recent version was signed by both authorities in July 2022 (see Appendix B). Discussions are ongoing between the two authorities. The SoCG will be updated in due course to align with key stages and discussions in the plan-making process.

Key cross boundary issues:

- **Housing Market Area (HMA) and Functional Economic Market Area (FEMA)** – The southern parts of Wealden (that includes Polegate, Willingdon, Stone Cross, Westham, Pevensey, Pevensey Bay and Hailsham) are part of established and recognised HMA and FEMA with EBC. The Council's worked jointly on their economic evidence base, including agreeing the FEMA between the two local authorities and the overlaps between the two local authorities.
- **Development on the Administrative Boundary between Eastbourne Borough and Wealden District** – EBC and WDC have agreed a protocol and set of principles for dealing with development on or close to border between Eastbourne and Wealden District.
- **Housing and Employment Need** – EBC has previously made a formal request (November 2021) for WDC to meet its supposed unmet housing need and employment floorspace need. At that time, Wealden was not able to confirm whether it could assist with that request, given it was in the early stages of producing its Wealden Local Plan and it was not known whether it could meet its own housing or employment needs. WDC is actively working with EBC to address this issue, if possible, but at the Regulation 18 stage of its Local Plan, it is now known WDC cannot currently meet its own needs in this respect.
- **Gypsy, Traveller and Travelling Showpeople** – The Council's, alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. It is known that EBC have no 'known' accommodation needs for Gypsies and Travellers, whilst WDC will aim to meet its own needs through its Local Plan.
- **Fluvial Flooding** – Fluvial flooding is a cross boundary issue. WDC and EBC are both members of the Blue Heart Project covering south Wealden and all of Eastbourne, with a focus on reducing flood risk and improving flood alert systems. Both authorities have undertaken a joint evidence base (SFRA Level 1) on flooding within the wider region.

[30] New Eastbourne Local Plan webpage. Available at: www.lewes-eastbourne.gov.uk/elp-2019-39

- **Ashdown Forest SAC –** EBC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution.
- **South Downs National Park** - Both authorities are committed to continue working together in partnership, alongside the South Downs National Park Authority, to deliver the aims and objectives of the National Park including to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- **Infrastructure** - both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure. Through the joint MoU a protocol and set of principles for dealing with the delivery of infrastructure improvements for development was established and this has been reiterated within this SoCG. Along with other Local Authorities in East Sussex, both WDC and LDC are working with ESCC and National Highways to develop a Shared Transport Evidence Base (STEB) model and a County Wide Transport Model to assess Local Plan impacts across East Sussex.

Formal Local Plan consultations and engagement

<u>WDC responses to EBC Consultations</u>

4.17 Wealden have responded to a number of consultations from Eastbourne and have provided informal responses to early drafts of evidence-base documents:

- WDC responded to the consultation on the Eastbourne Direction of Travel: Issues and Options for the Eastbourne Local Plan 2018-2038, 1st November 2019 - 10th January 2020.
- WDC responded to an informal consultation on the EBC Land Availability Assessment Methodology and the report on the Assessment of Residential Densities in Eastbourne of September 2021 (responded 6th October 2021).
- WDC responded to the EBC letter regarding unmet need of 5th November 2021 (responded 21st December 2021).
- WDC responded to the formal consultation on EBC's Land Availability Assessment (LAA) Methodology (responded 7th March 2022).
- WDC responded to the Eastbourne Local Plan: Growth Strategy consultation (responded 18th January 2023).

<u>EBC responses to WDC consultations</u>

4.18 Eastbourne have responded to a number of consultations from Wealden:

- EBC commented on the WDC Draft Housing Needs Assessment- Specification brief and were invited to a workshop to discuss the findings of Wealden's LHNA (July 2021).
- EBC provided comments on draft Economic Development Needs Assessment Brief (responded 22 July 2020).
- EBC responded to the WDC Sustainability Appraisal Scoping Report Consultation, 8th July 2020 to 12th August 2020.

- EBC provided comments on the first draft of the project brief for the SFRA (August 2020).
- EBC responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.
- EBC commented on a Draft Economic Study specification for the two administrative areas (responded February 2021).
- EBC responded on the joint Urban Capacity Study Brief prepared by WDC (responded 16 August 2021) explaining that they were doing the work in house and that a joint study was not required by them.

Hastings Borough Council

Current Local Plan status:

Adopted Development Plan

- Hastings Local Plan – The Hastings Planning Strategy 2011 – 2028 (adopted in February 2014)[31]
- Hastings Local Plan – Development Management Plan (adopted in September 2015)[32]

New Local Plan:

4.19 The Local Development Scheme (LDS) for HBC confirms that HBC is aiming to submit its new Local Plan to the Planning Inspectorate in Autumn/Winter of 2024 with a potential adoption date of the Spring 2026.

- An early engagement survey (non-statutory) for the new Hastings Borough Local Plan took place.
- A Regulation 18 consultation on the Hastings Borough Council Local Plan[33] took place in the Winter 2020/21 and ending on the 24th March 2021.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.20 Neither a SoCG nor a MOU has yet been signed between either party. The local authorities do not neighbour each other and therefore there is no formal requirement to do so.

Key cross boundary issues:

- **Housing Market Area (HMA) and Functional Economic Market Area (FEMA)** – The small rural area of Wealden District around Ninfield and Hooe relates more closely to the Hastings and Rother HMA. The percentage of Wealden's overall population considered within the Hastings and Rother HMA is approximately 2%. The boundaries to the FEMA are the same.

[31] Hastings Local Plan – The Hastings Planning Strategy 2011 -2028, February 2014. Available at: https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/strategy/
[32] Hastings Local Plan – Development Management Plan, September 2015. Available at: https://www.hastings.gov.uk/planning/policy/adoptedlocalplan/dmp/
[33] Hastings Local Plan Regulation 18, March 2021. Available at: https://www.hastings.gov.uk/planning/policy/new-local-plan/consultation/

- **Housing and Employment Need –** HBC has formally requested via letter (dated 3rd November 2021) that WDC consider the unmet development needs arising from Hastings Borough following its Regulation 18 Local Plan process. WDC wrote back to HBC on this matter (29th November 2021) confirming that WDC would not be able to commit at this stage of its plan-making process that it could deliver the suggested amount of unmet housing needs of HBC.
- **Gypsy, Traveller and Travelling Showpeople** – The Council's, alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. It is known that HBC have no 'known' accommodation needs for Gypsies and Travellers, whilst WDC will aim to meet its own needs through its Local Plan.

Formal Local Plan consultations and engagements

WDC responses to HBC Consultations

4.21 Wealden have responded to a consultation from HBC and have provided a response to their request to meet their unmet housing needs:

- WDC responded to the HBC letter regarding unmet need of November 2021 (responded 29th November 2021).
- WDC responded to the Hastings Borough Local Plan (Regulation 18) stage (responded 17th March 2021).

HBC response to WDC Consultations

4.22 HBC has made no responses to WDC consultations.

Lewes District Council (LDC)

Current Local Plan status:

Adopted Development Plan:

- Lewes District Local Plan Part 1: Joint Core Strategy 2010-2030[34] (adopted by LDC and the South Downs National Park Authority (SDNPA) in May 2016).
- Lewes District Local Plan Part 2: Site Allocations and Development Management Policies[35] (adopted by LDC in February 2020).
- Most of the policies contained within the Lewes District Local Plan (2003) have now been replaced by the policies of the latest adopted Local Plans, but there are several 'saved' policies that remain[36].

[34] Lewes District Council (adopted May 2016) Lewes District Local Plan Part 1. Joint Core Strategy 2010-2030. Available at: www.lewes-eastbourne.gov.uk/article/1832/Lewes-Core-Strategy-Local-Plan-Part-1

[35] Lewes District Council (adopted February 2020) Lewes District Local Plan Part 2: Site Allocations and Development Management Policies. Available at: www.lewes-eastbourne.gov.uk/article/1833/Lewes-Local-Plan-Part-2-Site-allocations-and-development-management-policies

[36] Lewes District Council (N.D.G.) Lewes District Local Plan 2003 Saved Policies. Available at: www.lewes-eastbourne.gov.uk/lewes-local-plan-2003-saved-policies

New Local Plan:

4.23 The Local Development Scheme[37] (LDS) for LDC confirms that LDC is aiming to submit its new Local Plan to the Planning Inspectorate by Spring 2025 with examination in Autumn/Winter 2025.

- An Issues and Options document was consulted upon in summer/autumn 2021[38].
- A consultation on the document 'Towards a Local Plan spatial strategy and policies directions'[39] took place between 29th November 2023 and 19th February 2024.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.24 A new SoCG is in preparation between the two authorities and discussions are ongoing.

Key cross boundary issues:

- **HMA and FEMA –** Uckfield (with Wealden District) and its surrounding areas are in a zone of transition in terms of its HMA and FEMA but is considered more closely linked to the Sussex Coastal HMA and FEMA and specifically Lewes District. The percentage of Wealden's overall population considered within the Sussex Coastal HMA is approximately 19%. The boundaries to the FEMA are the same.
- **Housing and Employment Need –** LDC has formally requested via letter (dated 7th February 2024) that WDC consider the unmet development needs arising from Lewes District following its Regulation 18 Local Plan consultation. Officers from WDC attended a Duty to Cooperate meeting on 15th February 2024 to discuss the matter further.
- **Gypsy, Traveller and Travelling Showpeople** – The Council's, alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. The aim from both local authorities is to meet their own needs through their respective Local Plans.
- **South Downs National Park** - Both authorities are committed to continue working together in partnership, alongside the South Downs National Park Authority, to deliver the aims and objectives of the National Park including to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
- **Ashdown Forest SAC and SPA –** LDC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution and recreational pressure on the Ashdown Forest.

[37] Lewes District Council (December 2022). Revised Local Development Scheme (LDS). Available at: www.lewes-eastbourne.gov.uk/local-development-scheme
[38] Lewes District Local Plan- Issues and Options webpage. Available at: planningpolicyconsult.lewes-eastbourne.gov.uk/LDLP_IO/consultationHome
[39] Lewes District Council – Towards a Local Plan spatial strategy and policies direction. Available at: https://planningpolicyconsult.lewes-eastbourne.gov.uk/LDC_PO_2023/consultationHome

- **Infrastructure** – Both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure. Along with other Local Authorities in East Sussex, both WDC and LDC are working with ESCC and National Highways to develop a Shared Transport Evidence Base (STEB) model and a County Wide Transport Model to assess Local Plan impacts across East Sussex. The Councils are also continuing to consider the safeguarding of the Uckfield/Lewes railway line.

Formal Local Plan consultations

WDC responses to LDC Consultations

4.25 Wealden have responded to a number of consultations from LDC:

- WDC responded to the informal consultation on both the Draft Interim Policy Statement for Housing Delivery and Approach to Disaggregating Local Housing Need for the purposes of the 5-year housing land supply (responded 29th January 2021).
- WDC responded to the informal consultation on the Lewes Local Plan Sustainability Appraisal/Strategic Environmental Assessment Draft Scoping Report (responded 26th February 2021).
- WDC responded to the LDC Issues and Options Consultation, 9th July to 3rd September 2021 (responded 31st August 2021).
- WDC attended the LDC workshop on 15th February 2024 to discuss the unmet development needs arising from Lewes District.
- WDC responded to the 'Towards a Local Plan spatial strategy and policies directions' consultation 29th November 2023 and 19th February 2024 (responded 19th February 2024).

LDC responses to WDC Consultations

4.26 LDC have responded to a number of consultations from WDC:

- LDC responded to the WDC Sustainability Appraisal Scoping Report Consultation, 8th July 2020 to 12th August 2020.
- LDC responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.

Mid Sussex District Council (MSDC)

Current Local Plan status:

Adopted Development Plan

- The Mid-Sussex District Plan 2014-2031[40] (adopted in March 2018).
- 'Saved' policies from the Mid Sussex Local Plan 2004[41].

[40] Mid Sussex District Council (adopted March 2018) Mid Sussex District Plan 2014-2031. Available at: www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf
[41] Mid Sussex District Council (N.D.G.) Mid Sussex Local Plan 2004 Saved Policies. Available at: www.midsussex.gov.uk/planning-building/local-plan-2004/

- MSDC Site Allocations Development Plan Document[42] (adopted June 2022)
- MSDC Small-Scale Housing Allocations Development Plan Document [43] (adopted April 2008).

New Local Plan

4.27 MSDC is in the process of reviewing and updating the Mid-Sussex District Plan and is working towards submission and examination in Spring 2024:

- Draft District Plan 2021-2039 went out to Regulation 18 consultation between 7th November 2022 and 19th December 2022[44].
- The Submission District Plan 2021 – 2039 was published for Regulation 19 consultation between 12th January 2024 and 23rd February 2024[45].

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.28 There was a separate SoCG signed in June 2020 (see Appendix C) relating specifically to the MSDC Site Allocations Development Plan Document. The SoCG discussed:

- Housing provision in Mid-Sussex.
- Ashdown Forest SPA and SAC.
- The high level of engagement between the two authorities throughout the preparation of the Site Allocations DPD.
- No areas of disagreement between the two authorities relating to the Site Allocations DPD and the two councils would continue to work together on the revised Local Plans.

4.29 A new SoCG is being progressed and discussions are ongoing.

Key cross boundary issues:

- **HMA and FEMA –** The rural parts to the northwest of Wealden District around Forest Row and Ashdown Forest relate more closely to East Grinstead (in Mid Sussex) and more widely to the North West Sussex HMA (that also includes Crawley and Horsham). The percentage of Wealden's overall population considered within the North West Sussex HMA is approximately 6%. The boundaries to the FEMA are the same.
- **Housing and Employment Need –** Both the housing and employment needs of Mid Sussex District are planned to be met through the Council's current

[42] Mid Sussex District Council (adopted June 2022) Mid Sussex Site Allocations DPD. Available at: www.midsussex.gov.uk/planning-building/development-plan-documents/#topic-site-allocations-document
[43] Mid Sussex District Council (adopted April 2008) Small Scale Housing Allocations Development Plan Document. Available at: www.midsussex.gov.uk/media/2670/small-scale-housing-allocations-development-plan.pdf
[44] Regulation 18 Draft District Plan 2021-2039. Available at: www.midsussex.inconsult.uk/districtplanreg18/
[45] Mid Sussex District Plan 2021-2039 Submission Draft (Regulation 19) (December 2023). Available at: www.midsussex.inconsult.uk/districtplanreg19/consultationHome

Regulation 19 Local Plan. The emerging Local Plan for WDC is at an earlier stage of the plan-making process, but this does show that WDC is unable to meet its own housing and employment needs at this stage. WDC is committed to considering the suitability and deliverability of development sites further between the Regulation 18 and Regulation 19 Local Plan in order to meet our needs if at all possible. There has been no formal request yet on this matter in respect of the Submission Draft Mid Sussex District Plan (Regulation 19).

- **Gypsy, Traveller and Travelling Showpeople** – WDC alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. MSDC has undertaken its own assessment on this matter. The aim from both local authorities is to meet their own needs through their respective Local Plans.
- **High Weald National Landscape** - Both authorities continue to liaise on cross-boundary matters relating to the implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald National Landscape, and on other national planning policy requirements related to major development in the High Weald National Landscape.
- **Ashdown Forest SAC and SPA –** MSDC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution and recreational pressure on the Ashdown Forest. They both share the 400 metres to 7km buffer zone of the Ashdown Forest SPA and have drafted policies on this issue in their respective Local Plans.
- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure.

Formal Local Plan consultations

<u>WDC responses to MSDC Consultations</u>

4.30 WDC have responded to a number of consultations from MSDC:

- WDC responded to the MSDC Draft Site Allocations DPD Reg 18 consultation (responded 12th November 2019).
- WDC responded to the Site Allocations DPD consultation (responded 16 September 2020).
- WDC provided comments on the proposed methodology for site selection within the MSDC District Plan Review (responded 15 October 2021).
- WDC responded to the consultation on the MSDC Draft District Plan 2021-2039 Regulation 18 (responded 16 December 2022.
- WDC responded to the consultation on the Mid Sussex District Plan 2021-2039 Submission Draft Regulation 19 (responded 22nd February 2024).

MSDC responses to WDC Consultations

4.31 MSDC responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.

Rother District Council (RDC)

Current Local Plan status:

Adopted Development Plan

- The Rother District Local Plan Core Strategy[46] (adopted on 29 September 2014)
- The Development and Site Allocations (DaSA) Local Plan[47] (adopted on 16 December 2019).
- Rother District Local Plan 2006[48] includes 'Saved' Policy DS3: Proposals within development boundaries in the parishes of Etchingham and Hurst Green and Policy VL1: Land South of Strand Meadow, Burwash.

New Local Plan

4.32 RDC is currently in the process of preparing a new Local Plan that will cover the period 2020-2040.

4.33 RDC published a Local Plan Early Engagement Document along with an Engagement Strategy in April 2021[49]. RDC are to undertake a Regulation 18 public consultation on a draft new Local Plan in Spring 2024 (starting in mid-April 2024).

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.34 A new SoCG is being prepared and discussions are ongoing.

Key cross boundary issues:

- **HMA and FEMA –** The small rural area of Wealden District around Ninfield and Hooe relates more closely to the Hastings and Rother HMA. The percentage of Wealden's overall population considered within the Hastings and Rother HMA is approximately 2%. The boundaries to the FEMA are the same.
- **Housing and Employment Need** - Neither WDC nor RDC has requested for each other to meet their potential unmet housing or employment needs as part of the duty to cooperate process at this stage. Both Councils have similar timetables for their respective Local Plans and will continue to work together on housing and employment matters and identify the position on any unmet housing or

[46] Rother District Council (adopted September 2014) Rother Core Strategy. Available at: www.rother.gov.uk/planning-and-building-control/planning-policy/local-plan/about-the-local-plan-2/
[47] Rother District Council (adopted December 2019) Development and Site Allocations (DaSA) Local Plan. Available at:www.rother.gov.uk/planning-and-building-control/planning-policy/local-plan/about-the-local-plan-2/
[48] Rother District Council (N.D.G.) Rother District Local Plan 2006 Saved Policies. Available at: www.rother.gov.uk/planning-and-building-control/planning-policy/local-plan/2006-local-plan-supplementary-planning-documents-spd/
[49] Local Plan Early Engagement Document and Strategy (2021). Available at: www.rother.gov.uk/planning-and-building-control/planning-policy/emerging-local-plan/local-plan-review/

employment needs as both WDC and RDC prepare their respective Local Plans for the Regulation 19 stage.

- **Gypsy, Traveller and Travelling Showpeople** – The Council's, alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. The aim from both local authorities is to meet their own needs through their respective Local Plans.
- **Pevensey Levels SAC and Ramsar Site –** WDC and RDC are both impacted by the presence of the Pevensey Levels Special Area of Conservation (SAC) and Ramsar site within their administrative boundaries. WDC and RDC are working together to address issues of water quality within the Levels through their respective Local Plan policies and seeking to take a consistent approach. WDC and RDC are both members of the Cuckmere and Pevensey Levels Catchment Partnership.
- **High Weald National Landscape** - Both authorities continue to liaise on cross-boundary matters relating to the implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald National Landscape, and on other national planning policy requirements related to major development in the High Weald National Landscape.
- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters including highways, education, health, transport and water/flooding related infrastructure. Along with other Local Authorities in East Sussex, both WDC and RDC are working with ESCC and National Highways to develop a Shared Transport Evidence Base (STEB) model and a County Wide Transport Model to assess Local Plan impacts across East Sussex.

Formal Local Plan consultations

<u>WDC responses to RDC consultations</u>

4.35 WDC have responded to a number of consultations from RDC:

- WDC responded to the Sustainability Appraisal/Strategic Environmental Assessment Scoping Report in support of the Rother District Council and Hastings Borough Council Local Plan Updates (2019-2039) (responded 26th May 2020).
- WDC responded to RDC's Local Plan Early Engagement Document and Duty to Cooperate Action Plan (responded 29th October 2020).
- WDC responded to a consultation on the RDC draft Statement of Community Involvement (responded 20th July 2021).

<u>RDC responses to WDC consultations</u>

4.36 RDC have responded to a number of WDC consultations:

- RDC responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.

- RDC responded to the WDC Sustainability Appraisal Scoping Report Consultation, 8th July 2020 to 12th August 2020.
- RDC responded to the WDC Sustainability Appraisal Scoping Report (Update) Consultation, 26th June 2023 to 7th August 2023.

Sevenoaks District Council (SDC)

Current Local Plan status:

Adopted Development Plan

- The Core Strategy Development Plan[50] (adopted 22nd February 2011).
- The Allocations and Development Management Plan[51] (adopted 17th February 2015).

New Local Plan

4.37 On the 15th November 2022, SDC Members agreed to withdraw the Proposed Submission Version of its Local Plan (Regulation 19, December 2019), which had been submitted to the Secretary of State for Examination. Since this time SDC have been preparing a new Local Plan.

- Regulation 18 consultation Local Plan 2040 (Part 1)[52] - 16th November 2022 to 11th January 2023. Focused on making the best use of land within the district's urban areas (i.e. outside of the Green Belt), including building at higher densities and on brownfield sites.
- Regulation 18 consultation Local Plan 2040 (Part 2)[53] - 23rd November 2023 to 11th January 2024. Continued to focus on development opportunities in built up areas but also considered Green Belt land in exceptional circumstances.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.38 The last SoCG between SDC and WDC was signed in October 2019 (see Appendix D). A new SoCG is in progress and discussions are ongoing.

Key cross boundary issues:

- **HMA and FEMA –** The northern part of Wealden District that includes Crowborough, Heathfield and Wadhurst are within the Sevenoaks, Tunbridge Wells and Tonbridge HMA and FEMA. However, the closest connection of these villages and towns to the HMA and FEMA is within Tunbridge Wells Borough

[50] Sevenoaks Core Strategy Development Plan. Available at: www.sevenoaks.gov.uk/info/20069129/current_local_plan/249/core_strategy_development_plan
[51] Sevenoaks Allocations and Development Management Plan. Available at: www.sevenoaks.gov.uk/info/20069129/current_local_plan/248/allocations_and_development_management_plan
[52] Sevenoaks Local Plan (Part 1). Available at: www.sevenoaks.gov.uk/info/20069131/plan_2040/688/local_plan_2040_part_1_-_2022
[53] Sevenoaks Local Plan (Part 2). Available at: www.sevenoaks.gov.uk/info/20069131/plan_2040/753/local_plan_2040_regulation_18_consultation_part_2

(particularly the town) and there are more limited connections with Sevenoaks District.

- **Housing and Employment Need -** Neither WDC nor SDC has requested for each other to meet their potential unmet housing or employment needs as part of the duty to cooperate process at this stage. Both Councils will continue to work together on housing and employment matters and identify the position on any unmet housing or employment needs as both WDC and SDC prepare their respective Local Plans.
- **Gypsy, Traveller and Travelling Showpeople** – WDC alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. SDC has/will undertake its own assessment on this matter. The aim, at this stage, from both local authorities is to meet their own needs through their respective Local Plans.
- **Ashdown Forest SAC and SPA** - SDC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution and recreational pressure on the Ashdown Forest.
- **High Weald National Landscape** - Both authorities continue to liaise on cross-boundary matters relating to the implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald National Landscape, and on other national planning policy requirements related to major development in the High Weald National Landscape.
- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure.

Formal Local Plan consultations

<u>WDC responses to SDC Consultations</u>

4.39 WDC have responded to a number of consultations from SDC:

- WDC responded to the Sevenoaks District Council Targeted Review of Local Housing Needs Evidence Questionnaire (responded 20th September 2021).
- WDC responded to the consultation on the Sevenoaks Stage 2 Green Belt Assessment Methodology Paper (responded 4th February 2022).
- WDC responded to the Sevenoaks Local Plan Sustainability Appraisal Scoping Report Consultation (responded 16th August 2022).
- WDC responded to the SDC consultation on the draft Local Plan 2040 Part 1 (Regulation 18) (responded 06th January 2023).
- WDC responded to the SDC consultation on the draft Local Plan 2040 Part 2 (Regulation 18) (responded 11th January 2024)

SDC responses to WDC Consultations

4.40 SDC have made no responses to WDC Consultations since the start of work on the new Local Plan in 2020.

South Downs National Park Authority (SDNPA)

Current Local Plan status:

Adopted Development Plan

- The South Downs Local Plan 2014-2033 (adopted 2 July 2019)[54].

New Local Plan

4.41 The SDNPA have begun work on a Local Plan Review and are working towards a draft plan for a Regulation 18 Consultation in early 2025. The latest Local Development Scheme[55] was approved on 22nd December 2022.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.42 The last SoCG between WDC and the SDNPA was signed in March 2019 (see Appendix E). A new SoCG will be progressed and discussions are ongoing.

Key cross boundary issues:

- **Housing and Employment Need** - Neither WDC nor SDPNA has requested for each other to meet their potential unmet housing or employment needs as part of the duty to cooperate process at this stage. Both Councils will continue to work together on housing and employment matters and identify the position on any unmet housing or employment needs as both WDC and SDC prepare their respective Local Plans. It should be noted that Wealden's 'standard method' for calculating housing needs includes the parishes wholly and partially within the SDNP.
- **Gypsy, Traveller and Travelling Showpeople** - The Council's, alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. The aim at this stage from both local authorities is to meet their own needs through their respective Local Plans.
- **Ashdown Forest SAC –** SDNPA and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution.
- **South Downs National Park** - Both authorities are committed to continue working together in partnership, to deliver the aims and objectives of the National Park including to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

[54] South Downs Local Plan, July 2019. Available at: https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf

[55] South Downs National Park Authority (approved 22nd December 2022) South Downs National Park Local Development Scheme. Available at: www.southdowns.gov.uk/wp-content/uploads/2022/12/Agenda-Item-12-LPR.pdf

- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure.

Formal Local Plan consultations

WDC Responses to SDNPA Consultations

4.43 WDC have responded to a number of consultations from SDNPA:

- WDC responded to the SDNPA consultation on draft sustainable construction Supplementary Planning Document May 2020; consultation statement and SEA/HRA Screening Determination Statement (responded 27th May 2020).
- WDC responded to the SDNPA consultation on the proposed local connection test for their Self-Build and Custom Housebuilding Register (responded 23rd February 2022).

SDNPA responses to WDC Consultations

4.44 SDNPA have responded to a number of WDC consultations:

- SDNPA responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.
- SDNPA responded to the WDC Sustainability Appraisal Scoping Report (Update) Consultation, 26th June 2023 to 7th August 2023.

Tandridge District Council (TDC)

Current Local Plan status:

Adopted Development Plan

- The Tandridge District Core Strategy[56] (adopted October 2008).
- Tandridge Local Plan Part 2: Detailed Policies 2014-2029[57] (adopted July 2014).

New Local Plan

4.45 A new Local Plan was submitted to the Planning Inspectorate in 2019 and the examination in public has taken place. The Inspector has sent the Council his final report on 14th February 2024, which sets out that the Plan has been found unsound and should not be adopted.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.46 The last SoCG between WDC and the TDC was signed in December 2018 (see Appendix F). A new SoCG will be progressed, and discussions are ongoing.

[56] Tandridge District Council (adopted October 2008)The Tandridge District Core Strategy. Available at: www.tandridge.gov.uk/Planning-and-building/Planning-strategies-and-policies/Current-and-adopted-planning-policies/Core-strategy

[57] Tandridge District Council (adopted July 2014) Tandridge Local Plan Part 2: Detailed Policies 2014-2029. Available at: www.tandridge.gov.uk/Planning-and-building/Planning-strategies-and-policies/Current-and-adopted-planning-policies/Core-strategy

Key cross boundary issues:

- **Housing and Employment Need -** Neither WDC nor TDC has requested for each other to meet their potential unmet housing or employment needs as part of the duty to cooperate process at this stage. Both Councils will continue to work together on housing and employment matters and identify the position on any unmet housing or employment needs as both WDC and TDC prepare their respective Local Plans.
- **Gypsy, Traveller and Travelling Showpeople** – WDC alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. TDC has/will undertake its own assessment on this matter. The aim, at this stage, from both local authorities is to meet their own needs through their respective Local Plans.
- **Ashdown Forest SAC and SPA** - TDC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution and recreational pressure on the Ashdown Forest.
- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure.

Formal Local Plan consultations

WDC Responses to TDC Consultations

4.47 WDC has made no responses to TDC consultations.

TDC Responses to WDC Consultations

4.48 TDC has made no responses to WDC consultations.

Tunbridge Wells Borough Council (TWBC)

Current Local Plan status:

Adopted Development Plan

- The Tunbridge Wells Core Strategy Development Plan Document[58] (DPD) (adopted in June 2010)
- The Site Allocations Local Plan[59] (adopted in July 2016)
- Saved policies in the Tunbridge Wells Borough Local Plan[60] (adopted in March 2006).

[58] Tunbridge Wells Borough Council (adopted June 2010) Tunbridge Wells Core Strategy Development Plan Document. Available at: tunbridgewells.gov.uk/planning/planning-policy/existing-local-plans/core-strategy

[59] Tunbridge Wells Borough Council (adopted July 2016) Tunbridge Wells Borough Site Allocations Local Plan. Available at tunbridgewells.gov.uk/planning/planning-policy/existing-local-plans/site-allocations-local-plan

[60] Tunbridge Wells Borough Council (N.D.G.) Tunbridge Wells Borough Local Plan (Saved Policies). Available at: tunbridgewells.gov.uk/__data/assets/pdf_file/0006/343347/Local-Plan-2006-Remaining-Saved-Policies-at-2016.pdf

New Local Plan

- Updated Local Development Scheme (LDS) published in December 2023[61]. This latest LDS sets out the timescales for the remaining stages for the production and adoption of the new Local Plan, as well as of other planning documents that the council expects to prepare over the next three years.
- The new Local Plan has been through previous periods of public consultation[62]. There have been two public consultations under Regulation 18. The first was on the Issues and Options in 2017, and the second on a Draft Local Plan in 2019.
- A third public consultation on the Local Plan, related to a Regulation 19 Pre-Submission Local Plan took place in 2021.
- The Local Plan was submitted on 1st November 2021, along with all supporting documents, to the Secretary of State for independent examination.
- A set of initial hearing sessions were held in the early part of 2022 (known as Stage 1) that related to legal compliance matters. A letter from the appointed Planning Inspector in late March 2022 confirmed that based on the information presented, the Council could proceed to Stage 2 of the examination hearings.
- The Stage 2 hearing sessions were held in spring/summer of 2022 and the Inspectors Initial Findings were published in November 2022. Following receipt of the Inspector's Initial Findings Letter, TWBC is proposing that the examination of the Local Plan be progressed with revisions to the Development Strategy to the Tunbridge Wells Submission Local Plan (SLP).
- A six-week public consultation on Tunbridge Wells Borough Council's Response to the Inspectors Initial Findings Letter on the Examination of the New Local Plan was undertaken from 15th January 2024 to midnight on 26th February 2024.This consultation has now been extended to 12th April 2024.

Most recent published Statement of Common Ground (SoCG) / Memorandum of Understanding (MOU):

4.49 The last SoCG was signed in March 2021 by both authorities, and forms part of TWBCs evidence base for its Submission version of the Local Plan that is currently at Examination (see Appendix G).

4.50 The SoCG will be updated in due course to align will both authorities local plan progression and position on strategic cross boundary matters.

Key cross boundary issues:

- **Development on the Administrative Boundary between Tunbridge Wells Borough and Wealden District** – TWBC and WDC have agreed a protocol and set of principles for dealing with development on or close to border between Tunbridge Wells Borough and Wealden District.

[61] Local Development Scheme December 2023. Available at: www.tunbridgewells.gov.uk/planning/planning-policy/local-development-scheme
[62] Local Plan Previous Stages webpage. Available at: www.tunbridgewells.gov.uk/planning/planning-policy/local-plan/previous-stages

- **HMA and FEMA –** The northern part of Wealden District that includes Crowborough, Heathfield and Wadhurst are within the Sevenoaks, Tunbridge Wells and Tonbridge HMA and FEMA. The closest connection of these villages and towns to the HMA and FEMA is within Tunbridge Wells Borough (particularly the town).
- **Housing and Employment Need** - Policy STR 1 (The Development Strategy) of the Submission version of the Tunbridge Wells Local Plan confirms that TWBC will meet its own housing need in full. However, a revised development strategy following examination would result in a reduction in growth and a reduced plan period. WDC and TWBC will continue to engage with each other on this matter.
- **Gypsy, Traveller and Travelling Showpeople** – WDC alongside other districts and boroughs in East Sussex, undertook a joint evidence to consider the accommodation needs of Gypsies and Travellers. TWBC has undertaken its own assessment on this matter. The aim, at this stage, from both local authorities is to meet their own needs through their respective Local Plans.
- **Ashdown Forest SAC and SPA** - TWBC and WDC are both members of the Ashdown Forest Working Group and work as part of this group to address issues of air pollution and recreational pressure on the Ashdown Forest.
- **High Weald National Landscape** - Both authorities continue to liaise on cross-boundary matters relating to the implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald National Landscape, and on other national planning policy requirements related to major development in the High Weald National Landscape.
- **Infrastructure** – both authorities liaise on key cross boundary infrastructure matters highways, education, health, transport and water/flooding related infrastructure. The Councils are also continuing to consider the safeguarding of the Tunbridge Wells/Eridge railway line.

Formal responses to Local Plan consultations

<u>WDC responses to TWBC consultations</u>

4.51 WDC have responded to a number of consultations from TWBC:

- WDC responded to TWBC Draft Local Plan (Regulation 18) Consultation, 20th September to 1st November 2019.
- WDC shared a draft project brief for landscape sensitivity work to TWBC for comment (responded 20th July 2020).
- WDC responded to the letter from TWBC of 6th October 2020 requesting WDC to accommodate development needs from Tunbridge Wells (responded 20th November 2020).
- WDC responded to the TWBC Pre-Submission Local Plan (Regulation 19) Consultation, 26th March to 4th June 2021 (responded 3rd June 2021).

- WDC responded to the Public Consultation on Tunbridge Wells response to the Inspector's Initial Findings Letter on the Examination of the New Local Plan (responded on 26th February 2024).

TWBC responses to WDC consultations

4.52 TWBC have responded to a number of WDC consultations:

- TWBC shared their Landscape Character and Capacity Study brief (17th June 2020).
- TWBC shared their Green Belt Brief for Comment (shared 23rd July 2020)
- TWBC responded to the WDC Direction of Travel Consultation, November 2020 to January 2021.
- TWBC responded to the WDC Sustainability Appraisal Scoping Report Consultation, 8th July 2020 to 12th August 2020.
- TWBC responded to the WDC Sustainability Appraisal Scoping Report (Update) Consultation, 26th June 2023 to 7th August 2023.

Joint working and Evidence Base Studies

4.53 To assist in plan-making and Duty to Cooperate matters a number of evidence base studies and joint working arrangements have been progressed.

- **Gypsy and Traveller Accommodation Assessment**[63] (May 2022) - commissioned by all East Sussex local authorities and the South Downs National Park Authority. The study assesses the accommodation needs of Gypsies and Travellers and Travelling Showpeople across East Sussex.
- **Joint Employment and Economic Study**[64] (April 2022) - commissioned by Wealden and Eastbourne. For both Wealden and Eastbourne, the study identifies the Functional Economic Market Area (FEMA) and provides forecasts for economic need (Use Class B2, B8 and formerly Use Class B1A (now Use Class E)) for the period up to 2039. The study also provides a summary of existing employment areas (in terms of supply) and economic development briefings for both authorities.
- **Shared Transport Evidence Base and County Wide Transport Model**- all Local Authorities in East Sussex. Local Authorities are working with ESCC and National Highways to develop a Shared Transport Evidence Base (STEB) model and a County Wide Transport Model to assess Local Plan impacts across East Sussex.
- **Strategic Flood Risk Assessment and fluvial modelling work**. - commissioned by Wealden and Eastbourne. This consists of The North Wealden

[63] RRR Consultancy Ltd (May 2022) East Sussex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment. Available at:www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/gypsy-and-travellers/

[64] Iceni Projects Limited on behalf of Eastbourne and Wealden District Councils (April 2022) Employment and Economic Study- Eastbourne and Wealden. Available at: www.wealden.gov.uk/UploadedFiles/Eastbourne-and-Wealden-Economic-Study-Report-Final-SDS-Checked.pdf

Level 1 SFRA (2022)[65] and the South Wealden and Eastbourne Level 1 SFRA (2022)[66]. Both SFRAs will inform decisions on the location of future development and the preparation of sustainable policies for the long-term management of flood risk. They will also be used by applicants to inform site specific Flood Risk Assessments, in line with the requirements of the NPPF and PPG on flood risk. The SFRAs will be updated as and when new information becomes available i.e. new modelling, climate change allowances, changes in legislation etc.

- **Appropriate Assessment. Hydrology Local to the Pevensey Levels**[67] (September 2010) - jointly prepared by Wealden and Rother. This paper formed the basis of the Habitats Regulations Assessment (HRA) regarding hydrology that accompanied the withdrawn Wealden Local Plan (2019), although it was updated to take account of new case law. In addition, mitigation has been updated to take into account Natural England's advice regarding strategic Sustainable Drainage System (SuDS).
- **Air Quality Monitoring and Transport Model for Ashdown Forest SAC** – Jointly commissioned by the Ashdown Forest Working Group which consists of local authority membership of Wealden, Tunbridge Wells, Mid-Sussex, Lewes, Tandridge, Sevenoaks, Crawley, Eastbourne and Brighton and Hove. Air quality monitoring data alongside transport modelling will inform local authorities Habitats Regulations Assessments ensuring a strategic approach to considering air quality impacts to Ashdown Forest Special Area of Conservation.

Other Statements of Common Ground (SoCG)

Ashdown Forest

4.54 Wealden District Council were signatories to a Statement of Common Ground regarding recreational impact on Ashdown Forest, signed in 2019. It was intended for this SoCG to assist the members of the SAMMS Partnership in determining planning applications and in Local Plan preparation and ensure, as far as practicable, a consistent approach across the relevant areas. The signed statement is provided in Appendix H. We will update this SoCG as relevant in due course.

4.55 The SoCG was signed by all members of the SAMMS Partnership which are Lewes District Council, Mid Sussex District Council, Sevenoaks District Council, Tandridge District Council, Tunbridge Wells Borough Council, Wealden District Council. It was also signed by Natural England as a statutory consultee.

Aggregates and minerals

4.56 Wealden were signatories to a Statement of Common Ground for the provision of aggregates and the safeguarding of minerals infrastructure in the East Sussex, Brighton and Hove and South Downs National Park areas. The statement was

[65] Wealden Level 1 Strategic Flood Risk Assessment, Final Report, May 2022. Available at: https://www.wealden.gov.uk/UploadedFiles/Final-Wealden-Level-1-SFRA-SDS-Checked-1.pdf
[66] Eastbourne and Southern Wealden Level 1 Strategic Flood Risk Assessment, Final Report, September 2022. Available at: https://www.wealden.gov.uk/UploadedFiles/Eastbourne-and-South-Wealden-L1-SFRA.pdf
[67] Wealden and Rother District Councils (September 2010) Appropriate Assessment. Hydrology Local to the Pevensey Levels. Available at: www.wealden.gov.uk/UploadedFiles/AA_Final_26.10.10-2.pdf

prepared alongside the review of the Waste and Minerals Local Plan and sets out areas of agreement and disagreement between the signatories in relation to the provision of sand and gravel (minerals) and the safeguarding of minerals infrastructure in the area. The signed statement is provided in Appendix I.

4.57 Other signatories were: East Sussex County Council, the South Downs National Park Authority and Brighton and Hove City Council as Waste and Minerals Planning Authorities and Eastbourne Borough Council, Hastings Borough Council, Lewes District Council, Rother District Council and Wealden District Council as Local Planning Authorities.

East Sussex Public Health and Planning Memorandum of Understanding

4.58 In August 2022 Wealden signed the East Sussex Public Health and Planning Memorandum of Understanding. This sets out how the Public Health Team within East Sussex County Council (ESCC) and Local Planning Authorities (LPAs) will work together to deliver the County Council's statutory public health responsibilities and LPAs duties to deliver relevant elements of the National Planning Policy Framework through the planning system. The Memorandum of Understanding is provided in Appendix J.

4.59 The MOU includes all LPAs within East Sussex which are Eastbourne Borough Council, East Sussex County Council, Hastings Borough Council, Lewes District Council, Rother District Council, South Downs National Park Authority and Wealden District Council.

Future Statements of Common Ground (SoCG)

4.60 As part of engagement and the duty to cooperate process we will be seeking to progress SoCG as appropriate to the plan-making stage and process, with the following:

- Natural England that will cover the High Weald Area of Outstanding Natural Beauty (AONB) and other relevant matters;
- Environment Agency and Natural England regarding the Pevensey Levels SAC and Ramsar Site;
- SoCG with the Ashdown Forest Working Group regarding strategic joint working in relation to Ashdown Forest and air quality;
- SoCG with ESCC in relation to infrastructure provision and other matters as relevant;
- SoCG with Highways England in relation to the strategic road network and transport modelling;
- Southern Water Position Statement in relation to wastewater and related infrastructure; and
- South East Water Position Statement in relation to water provision and related infrastructure.

Cooperation between Prescribed Bodies and Other Bodies

4.61 Regular dialogue has been carried out with the following bodies:

Prescribed bodies relevant to Wealden District Council

- Environment Agency
- National Highways
- Historic England
- Natural England
- Homes England
- NHS Sussex Integrated Care Board (ICB)
- Network Rail
- East Sussex County Council Highways

Other bodies relevant to Wealden District Council

- High Weald AONB Unit
- Local Enterprise Partnership
- Sussex Local Nature Partnership
- National Grid
- Southern Water
- South East Water
- UK Power Networks
- ESCC Infrastructure
- ESCC (Flooding)
- ESCC (Education)
- ESCC (Health)
- ESCC (Waste and Minerals)
- West Sussex County Council, Kent County Council and Surrey County Council
- Elmbridge Borough Council

4.62 Table 1 sets out a list of the on-going engagement with the prescribed bodies and Table 2 for other bodies. Further detail of their engagement is also explained in the cross boundary strategic issues section below.

Table 1: Prescribed bodies (under Section 33A)

Prescribed body	Engagement / Discussion dates	Involvement / Key Outcomes
Environment Agency (EA)	EA provided comments on the: • Sustainability Appraisal Scoping Report consultation (August 2020) • Wealden Direction of Travel Document Consultation (January 2021) • Sustainability Appraisal Scoping Report Consultation (August 2023) WDC provided comments on the: • Environment Agency draft river basin management plans and draft flood risk management plans (January 2022) • Cuckmere and Pevensey Levels FRMP (July 2022) Consultation and engagement took place to progress and agree the Strategic Flood Risk Assessments. Ongoing discussions during draft Local Plan development and as part of the SFRAs. DtC meetings held between WDC and EA in: • December 2021 • January 2022 Meetings/workshops held in 2023 with EA, WDC and EBC officers regarding Eastbourne and Pevensey Bay coastal Defence Scheme (PevEb). Engagement through partnerships including: • Sussex Nature Partnership, • Cuckmere and Pevensey Levels Catchment Partnership	Recommendations in the Environment Agency's response was considered when drafting the Climate Change and Natural Environment Chapters of the draft Local Plan and the Interim Sustainability Appraisal. Provided comments on issues such as catchment areas, flood risk, water resources, sustainability, climate change, pollution. SA Scoping Report was updated in light of EA comments. Flooding is an issue which could have implications for WDC and other neighbouring authorities such as RDC and EBC. There have been specific on-going discussions and engagement with ESCC as Lead Local Flood Authority (LLFA) our flood risk consultants and the EA in relation to the Strategic Flood Risk Assessment (SFRA) work undertaken by WDC. Outcomes include proposed flood mitigation measures recommended in the SFRA in response to the proposed growth strategy. Discussions included the Local Plan Timetable and emerging policies and growth strategy in the Wealden Local Plan, wastewater treatment and the Pevensey Levels and future working arrangements including that relating to the SFRA.

Prescribed body	Engagement / Discussion dates	Involvement / Key Outcomes
	• Blue Heart Project	
National Highways (NH)	NH provided comments on the Sustainability Appraisal Scoping Report consultation (August 2020). Numerous meetings in 2021 and 2022 hosted by ESCC and all East Sussex Local Authorities to progress a shared transport evidence base and Countywide Transport Model to consider implications of growth in the County and to understand mitigation required. NH are one of the partners in the Transport for South East Transport Forum and the Transport for South East Decarbonisation Forum with Wealden.	Commented on traffic congestion, sustainable travel and advances in technology. Joint meetings are held with ESCC and NH to discuss the Strategic Road Network- A27, A26 NH inputted to the process in regards to the strategic road network (A27, A26, A21) and the transport models and signed off the shared transport evidence base approach as an interim evidence base and has provided advice and guidance in relation to the Countywide Transport Model.
Historic England (HE)	HE responded to the: • Direction of Travel Document Consultation (January 2021) • Sustainability Appraisal Scoping Report consultation (August 2020) • Sustainability Appraisal Scoping Report Consultation (August 2023)	Commented on Infrastructure, Housing, Economy, Town Centres, Tourism, Green/Blue Infrastructure, Landscapes, Heritage, Design, Growth Options. Policy recommendations from HE response to the Direction of Travel document were considered in the formulation of development management policies relating to the historic environment/heritage assets and design in the draft Regulation Local Plan.
Natural England (NE)	NE responded to the: • Direction of Travel Document Consultation (January 2021) • Sustainability Appraisal Scoping Report consultation (August 2020) • Sustainability Appraisal Scoping Report Consultation (August 2023)	Commented on the Climate Change Section, Infrastructure, Housing, Economy, Natural Environment, Green/Blue Infrastructure, Landscapes, Growth Options. Policy recommendations in NE response to the Direction of Travel document were considered in the formulation of development management policies relating to the Climate Change and Natural Environment Chapters.

Prescribed body	Engagement / Discussion dates	Involvement / Key Outcomes
	Specific work / engagement streams include: • Strategic approach to considering air quality at Ashdown Forest SAC • Identifying Suitable Alternative Natural Greenspace (SANGs). • Draft Ashdown Forest Visitor Survey and Draft Landscape Character Area Classifications • Guidance for Development in the Pevensey Catchment • Landscape and visual appraisal of sites. Duty to Cooperate meetings held between WDC and NE in: 2020 and 2021. Regular meetings as a member of the: • Ashdown Forest SAC air quality Working Group • Strategic Management and Monitoring (SAMM) Strategy partnership • Sussex Nature Partnership • Cuckmere and Pevensey Levels Catchment Partnership. Recreational Impact SoCG for Ashdown Forest	Commented on the SA objectives, Climate Change, the indicators used. Changes were made as a result of comments. NE responded to informal consultation on the strategic approach to considering air quality at Ashdown Forest SAC in January 2022. WDC requested formal advice in regards to a number of sites that may have potential for SANGs provision in October 2022. WDC shared the Draft Ashdown Forest Visitor Survey and Draft Landscape Character Area Classifications with NE in October 2021. WDC shared the Draft SANGS Visitor Survey Report with NE in December 2021. WDC responded to the consultation on the draft Guidance for Development in the Pevensey Catchment (December 2021). WDC shared the draft methodology for the landscape and visual appraisal of sites with Natural England and invited comments (may 2022). Points of discussion/engagement include Ashdown Forest SPA and the use of SANGS and SAMMS, Ashdown Forest SAC and air quality monitoring, Pevensey Levels SAC and Ramsar site, the AONB and Biodiversity Net Gain (BNG). The level of support and engagement available from NE has also been discussed. Involved in discussions to devise air quality monitoring methodology, transport modelling and air quality monitoring at Ashdown Forest.

Prescribed body	Engagement / Discussion dates	Involvement / Key Outcomes
		Involved in discussions to devise and deliver the SAMM Strategy projects at Ashdown Forest. As statutory consultee, Natural England was a party to this statement.
Homes England (HE)	Wealden have held regular meetings with Homes England during the plan-making process so far.	The purpose of these meetings was to continue dialogue with HE and update on projects underway in Wealden including WDC's New Build Project (including Sussex Weald Homes), Hailsham Aspires as well as HE providing information of national approaches as well as consideration of supporting infrastructure and partnership working such as National Highways and related projects.
NHS Sussex Integrated Care Board (ICB)	Wealden have held meetings with the NHS Sussex Integrated Care Board (ICB) during the plan-making process.	Continuous engagement with the ICB in relation to the local plan growth strategy and implications / requirements for future health care provision as well as understanding current shortfalls. Further information on key outcomes so far is provided in the Interim Infrastructure Delivery Plan.
Network Rail (NR)	Direction of Travel Document consultation (January 2021) Meeting held with NR in February 2022.	NR provided comments on the Direction of Travel Document - Commented on the Infrastructure Section, Growth Options Subjects discussed included the safeguarding of the Lewes to Uckfield railway line and the land and supporting infrastructure implications of this.
East Sussex County	ESCC responded to the:	Provided a wide range of responses of which comments have been

Prescribed body	Engagement / Discussion dates	Involvement / Key Outcomes
Council Highways	• Direction of Travel Document consultation (January 2021). • Sustainability Appraisal Scoping Report consultation (August 2020) • Sustainability Appraisal Scoping Report Consultation (August 2023) Engagement on emerging policies and the Interim Infrastructure Delivery Plan (IDP) Shared Transport Evidence Base and a Countywide Transport Model East Sussex Local Cycling and Walking Infrastructure Plan (LCWIP) Proposed new cycle routes for Eastbourne East Sussex Transport Plan 4 Infrastructure Road Map Meetings – held three times a year	incorporated into the SA Scoping Report and Regulation 18 Local plan. Worked with ESCC officers in relation to the potential suitability and allocation of sites and testing growth options. Shared early drafts of emerging policies with ESCC officers and liaised on IDP position statements. WDC have worked with ESCC in carrying out transport modelling and producing a Shared Transport Evidence Base and a County Wide Transport Model. WDC responded to the formal consultation on the LCWIP in 2020. WDC responded to the ESCC consultation on proposed new cycle routes for Eastbourne in 2021. WDC attended meetings and workshops relating to the consultation on the East Sussex Transport Plan 4 and formally responded to the consultation in February 2024. Meetings to discuss numerous infrastructure matters including education, flood matters, transport matters. (Please note that this is not repeated below for other ESCC engagement).

Table 2: Other bodies

Other bodies	Engagement / Discussion dates	Involvement / Key Outcomes
Sussex Nature Partnership (SxNP)	SxNP hold monthly webinars which WDC attend. WDC also have 1:1 meetings with the SxNP. Local Nature Recovery Strategies: how to prepare and what to include Green Spaces Project (2022) and Steering Group. Biodiversity Net Gain Working Group Health and Wellbeing Working Group Local Nature Recovery Strategy Working Group	Various subjects are discussed. A joint response was prepared to the Defra Consultation between Sussex Nature Partnership and authorities in West and East Sussex including WDC. The response is dated 01/11/2021. WDC worked with SxNP and Adur & Worthing District Council on the Green Spaces Project. Outcomes include Health Audits for the spaces, Ecological reports, Natural Capital Assessments and Social Engagement assessments. It produced a toolkit to apply these assessments to other green spaces for use by Parish and Town Councils if they wish. The BNG working group was convened to discuss how to implement BNG across Sussex, especially through Local Plans and LNRSs.
National Grid	Direction of Travel Document consultation (January 2021) WDC attended ET stakeholder workshop from National Grid on 31st October 2023.	Provided comments on the Infrastructure Section and Growth Options. Matters covered include developing a regional planning process into a net zero future and their connections strategy.
Southern Water (SW)	SW responded to the: • Direction of Travel Document consultation (January 2021). • Sustainability Appraisal Scoping Report consultation (August 2020) • Sustainability Appraisal Scoping Report Consultation (August 2023)	SW provided comments on Infrastructure Sections of consultation documents. Comments were incorporated into the SA Scoping Report as well as taken forward in the emerging local plan. Ongoing engagement during the plan making process on various matters including growth and site testing to

Other bodies	Engagement / Discussion dates	Involvement / Key Outcomes
	Regular engagement on growth strategy and options / site testing Southern Water Drainage and Wastewater Management Plan Several SW LPA Working group meetings held in 2023 / 2024	understand both current and future requirements. Further information is provided in the Interim IDP. WDC provided comments during the consultation (August 2022). Meetings to discuss water related matters and issues within the district / County.
South East Water (SEW)	Direction of Travel Document consultation (23/11/2020 to 18/01/2021). Regular engagement on growth strategy and options / site testing Regional Plan for the South East SEW are a member of the Cuckmere and Pevensey Levels Catchment Partnership with Wealden.	SEW provided comments on the Infrastructure and Climate Change Sections. Considerations and comments have been taken forward in the SA Scoping Report and emerging local plan. Ongoing engagement during the plan making process on various matters including growth and site testing to understand both current and future requirements. Further information is provided in the Interim IDP. WDC responded to the WRSE consultation on the WRSE Regional Plan for the South East 15/03/2022
UK Power Networks (UKPN)	WDC has attend several UK Power Network engagement sessions in 2023.	Matters considered included energy planning scenarios and the low carbon technology take up associated with each in the East Sussex area, overview of specific investments in the electricity network that are being planned in the period 2023 to 2028 in the Southeast region and their local climate ambition and how they are planning to support the delivery of this.

Other bodies	Engagement / Discussion dates	Involvement / Key Outcomes
	Meeting held with WDC and UKPN on Wealden Local Plan and growth strategy (August 2023).	Discussed the emerging growth strategy for the local plan.
ESCC Lead Local Flood Authority (LLFA)	Ongoing discussions and work during draft Local Plan development and as part of the SFRAs. Both WDC and ESCC are members of the Cuckmere and Pevensey Levels Catchment Partnership and the Blue Heart Project and attend regular meetings / workshops.	The ESCC team have undertaken work to provide up-to-date fluvial modelling and also provided comments on WDCs SFRA Project brief (September 2020). Specific on-going discussions and engagement with ESCC and the EA in relation to the Strategic Flood Risk Assessment (SFRA) work undertaken by WDC and consultants JBA. WDC commented on the draft scoping report 'Managing the Impact of Development on Water Quality in the Pevensey Levels SSSI Catchment (December 2020) and attended a workshop on this matter as well as follow up meetings. WDC attended a DEFRA Flood and Coastal Innovation Fund meeting organised by ESCC (May 2020).
ESCC Education	Engagement on emerging policies and the Interim Infrastructure Delivery Plan (IDP) and regular engagement on growth strategy and options / site testing.	Liaison with ESCC (Education) has been a continuous process over the development of the Draft Local Plan – individual meetings, specific site discussions and work undertaken by ESCC to understand current and future education capacity and needs.
ESCC Health	Health related training and workshops Public Health and Planning Working Agreement and the East Sussex Public Health and Planning Memorandum of Understanding.	ESCC have provided training and workshops on Health Impact Assessments and Health and Wellbeing in Local Plans. ESCC, WDC and other ES authorities inputted into content and are party to the agreement / MOU. Meetings have been undertaken with WDC regarding health and wellbeing

Other bodies	Engagement / Discussion dates	Involvement / Key Outcomes
	Meetings and going engagement to discuss the application of Health Impact Assessments, Public Health trigger points and emerging local plan policy (various meetings in 2023) Various meetings held for the East Sussex Planning for Health working group in 2023.	policies, Health Impact Assessment thresholds and associated policy work. Discussions focused around a strategic approach to health and wellbeing across the County.
ESCC (Waste and Minerals)	ESCC organised a meeting with WDC on the Review of the Waste and Minerals Local Plan in January 2020. Both ESCC and WDC are signatories to the SoCG regarding the provision of aggregates and the safeguarding of Minerals Infrastructure Ongoing engagement throughout the Local Plan process.	WDC provided comments on the East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan - Draft revised policies consultation document (July 2021).
West Sussex County Council, Kent County Council and Surrey County Council	Officers from these councils meet with WDC officers at cross-boundary infrastructure meetings. Ashdown Forest Working Group	Engagement has been focused on cross border infrastructure requirements and liaison on such matters in partnership with ESCC. West Sussex, Kent and Surrey CC are members of the Ashdown Forest working group. The focus of engagement has been devising air quality monitoring and the transport model.
Elmbridge Borough Council	Letter requesting unmet need to be met.	WDC responded to the letter from Elmbridge Borough Council asking whether Wealden can meet any of its unmet housing need on 20th February 2020.
Board of Ashdown Forest Conservators	Strategic Access Management and Monitoring (SAMM) Strategy	Ongoing engagement relating to SAMM projects and delivery which provides mitigation at Ashdown Forest. Engagement includes all SAMm Strategy partners.

Other bodies	Engagement / Discussion dates	Involvement / Key Outcomes
High Weald AONB Unit	Direction of Travel Document consultation (January 2021). Sustainability Appraisal Scoping Report consultation (August 2020) WDC Landscape evidence base High Weald AONB Officer Steering Group (OSG)	Provided comments on Growth Options Provided comments on issues such as climate change and carbon sequestration in natural habitats and soil. Changes made as appropriate. WDC shared the methodology for this work with the Unit for comment and took on board their responses with our consultants. Also shared emerging landscape assessments. WDC is part of the OSG and attend regular meetings as well as providing feedback on documents and consultations as appropriate. This is an ongoing process.
RSPB	Ashdown Forest SAMM Strategy	Ongoing engagement relating to SAMM projects at Ashdown Forest.
Sport England	Wealden Playing Pitch Strategy	Steering Group meetings held with consultants, Sports England and sport National Governing Bodies to progress a playing pitch assessment and action plan.
Sussex Ornithological Society	Ashdown Forest SAMM Strategy	Ongoing engagement relating to SAMM projects at Ashdown Forest.

5. Membership of Working Groups and Partnerships

5.1 Partnership working and cooperation on key issues is embedded in the way plans are prepared by Wealden and across East Sussex. There are a range of strategic partnerships and working groups in operation that provide the necessary forums for discussion on strategic matters and issues of duty to cooperate. Table X summarises these.

Table 3: Membership of Working Groups and Partnerships

Working Group / Partnership	Members	Summary of purpose
Infrastructure		
Cross Boundary Infrastructure Meetings	*Wealden District Council, Kent County Council, East Sussex County Council, West Sussex County Council, Surrey County Council*	Initiated in October 2021, these are used as a forum to discuss growth in Wealden and any cross-boundary implications, identifying any possible issues. They provide a direct dialogue and an opportunity to raise any concerns. The main focus is on roads and schools.
Infrastructure Roadmap Meetings	*Councillors and Officers of East Sussex County Council and Wealden District Council*	Meetings are held every three to four months. Wealden provide an update on their Local Plan, CIL Review and development progress and ESCC provides updates on spend and projects. Transport issues are discussed across the district from small to large scale. It also provides an opportunity to discuss education and flood matters.
Transport for South East Transport Forum	*16 Local Authorities, five Local Enterprise Partnerships, representatives of district and borough authorities, protected landscapes and national delivery agencies*	Transport for South East is the sub-national transport body for the South East of England. Its purpose is to determine what investment is needed to transform the region's transport system and drive economic growth[68].
Transport for South East Decarbonisation Forum	*District and County Councils from across the South East, TfSE, Department for Transport, NHS Commissioning Groups, NHS England, National Highways, Network Rail,*	This group meets with the objective of hitting net zero carbon emissions in the South East by 2050. It is a forum for groups to discuss different strategies for reducing carbon

[68] Transport for South East website. Available at:transportforthesoutheast.org.uk/about-us/

Working Group / Partnership	Members	Summary of purpose
	Ambulance Service, Energy Saving Trust, South East Energy Hub, Hydrogen Sussex, LEPs	emissions and TfSEs work on decarbonisation. Updates are also given by attendees on decarbonisation activities
Shared Transport Evidence Base (STEB)	*East Sussex County Council, Highways England, Hastings Borough Council, Jacobs, Lewes and Eastbourne Councils, Rother District Council, South Downs National Park, Wealden District Council*	Numerous meetings have been, and continue to be, held between East Sussex County Council Highway Authority and the LPA's in East Sussex to produce a shared transport evidence base across East Sussex.
Gatwick Airport Air Quality Working Group	*Relevant local authorities and other interested parties and stakeholders*	Gatwick airport have been working with local authorities in a number of working groups relating to the proposed north runway DCO.
Ashdown Forest		
Ashdown Forest Special Area of Conservation (SAC) Working Group	*Planning officers and planning managers from South Downs National Park Authority (Chair), Wealden District Council, Mid-Sussex District Council, Lewes District Council and Eastbourne Borough Council, Brighton and Hove City Council, Tunbridge Wells Borough Council, Tandridge District Council, Crawley Borough Council, Sevenoaks District Council, East Sussex County Council, West Sussex County Council, Natural England*	The group provides a forum for the relevant authorities to meet and work cooperatively with each other to address the issue of air quality on Ashdown Forest, an important cross-boundary strategic issue. A SoCG to reflect recent work will be drafted in due course.
Strategic Access Management and Monitoring Strategy (SAMMS) Partnership	*Wealden District Council, Tunbridge Wells Borough Council, Mid-Sussex District Council, Sevenoaks District Council, Tandridge District Council, Lewes District Council, Eastbourne Borough Council, The Conservators of Ashdown Forest*	Provides a means of discussing the SAMMS Strategy for Ashdown Forest and mitigation for recreational disturbance on the forest from new residential development, with the aim of limiting the impact of visitors on the Ashdown Forest Special Protection Area (SPA). Wealden were signatories to a legal agreement with other local authorities and the Conservators of Ashdown Forest, which sets out agreement on the collection of developer contributions and the administration of the SAMM Strategy. Joint studies / surveys

Working Group / Partnership	Members	Summary of purpose
		(i.e. the Visitor Surveys 2021) are commissioned. There is also a Strategic Access Management and Monitoring Strategy (SAMM) Tariff Guidance (October 2019) and Ashdown Forest Mitigation Zone Background Paper (January 2019) available[69].
Strategic Planning		
East Sussex Strategic Planning Members Group (ESSPMG)	*Wealden District Council, Lewes District Council, Rother District Council, Hastings Borough Council, Eastbourne Borough Council. The South Downs National Park Authority, East Sussex County Council, Brighton and Hove City Council and Mid Sussex District Council have also attended and contributed on invitation. (Council Members)*	Set up in 2013 to boost the political dimension of cooperation which was prudent in light of the requirements of the Localism Act. The group's intention is to create an environment which encourages the development of collaborative, constructive solutions to some of the county's most challenging strategic cross boundary development issues. A Memorandum of Understanding was signed which clarifies the primary activities of the group. The three main suggested work areas and objectives include managing housing requirements, supporting strategic infrastructure provision and common policy issues to achieve a common evidence base and policy direction.
East Sussex Local Plan Managers Group (Including Brighton and Hove)	*East Sussex County Council (various departments), Wealden District Council, Eastbourne Borough Council and Lewes District Council, Rother District Council, Hastings Borough Council, South Downs National Park Authority, Brighton and Hove City Council, Environment Agency.*	Meets every couple of months and provides a forum whereby managers from across Sussex can meet to discuss issues and share advice/knowledge on a range of subjects.
South East Local Enterprise	*East Sussex, Essex, Kent, Medway, Southend and Thurrock*	One of 38 LEP's established by the government and is a business-led, public/private body

[69] www.weaalden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/habitat-regulations-assessment/

Working Group / Partnership	Members	Summary of purpose
Partnership (SELEP)		established to drive economic growth across East Sussex, Essex, Kent, Medway, Southend and Thurrock[70].
Team East Sussex (TES)	*Relevant bodies from across East Sussex consisting of businesses, local authorities (including Wealden), social enterprise and education representatives[71].*	Team East Sussex is the local delivery partnership for the South East LEP for the part of the LEP that covers Wealden. Meetings are held on a regular basis to discuss strategic infrastructure, economic and housing issues across the sub-region.
Developers East Sussex (DES)	*Representatives from LPA's in East Sussex (Planning Officers) including Wealden District Council, developers, SELEP, TES, Highways England, Homes England*	This is a subgroup of Team East Sussex that was established in May 2016[72]. DES aims to represent all developers in East Sussex, large and small, public and private. Its role is to provide advice, directions and solutions to Team East Sussex, East Sussex County Council, SELEP, Government and associated bodies with the aim of bringing about 'deliverable, high quality and sustainable development, a functional property market, and growth in jobs and housing'[73].
Culture East Sussex (CES)	*Includes a range of cultural venue and provider organisations, Arts Council and local government bodies*	Has the objective of developing and promoting a wide range of cultural activities within East Sussex to aid growth and development.
High Weald National Landscape (formerly AONB)		
High Weald AONB Joint Advisory Committee (JAC)	*Principle Partners - Natural England, East Sussex County Council, West Sussex County*	JAC meets twice a year and its primary purpose is to conserve and enhance the natural beauty

[70] South East LEP Website. Available at: www.southeastlep.com/about-us/
[71] ESCC Website- Team East Sussex page. Available at:www.eastsussex.gov.uk/business/support/economic-development/selep/team-east-sussex
[72] ESCC Website- Developers East Sussex page. Available at: www.eastsussex.gov.uk/business/support/economic-development/selep/developers-east-sussex
[73] East Sussex County Council (27th September 2016) DES Terms of Reference. Available at: www.eastsussex.gov.uk/business/support/economic-development/selep/developers-east-sussex/des-terms-of-reference

Working Group / Partnership	Members	Summary of purpose
	Council, Kent County Council, Surrey County Council, Tandridge District Council, Horsham District Council, Mid Sussex District Council, Wealden District Council, Rother District Council, Hastings Borough Council, Tunbridge Wells Borough Council, Sevenoaks District Council, Ashford Borough Council, Tonbridge and Malling Borough Council, Crawley Borough Council. (Councillors). *Advisory (non-funding) Partners - other government and voluntary agencies who have a significant role in the area covered by the AONB e.g. Country Landowners Business Association, National Farmers Union, English Nature, The Forestry Commission, Action in Rural Sussex.*	of the National Landscape (formerly the AONB), but also to increase the understanding and enjoyment by the public of the special qualities of the National Landscape and to foster the economic and social well-being of local communities within it. The JAC produces the High Weald AONB Management Plan[74] (for adoption by local authorities) and oversees its implementation.
High Weald AONB Officer Steering Group (OSG)	*Representatives of the 15 local authorities with land in the National Landscape (including Wealden District Council), Officers from the High Weald National Landscape Unit and a representative from Natural England*	A group consisting of planning officers from the relevant local planning authorities and the High Weald AONB Unit that meet to discuss planning issues that may impact the designated landscape. The OSG reports to the JAC.
High Weald Biodiversity Net Gain Working Group	*Representatives of the 15 local authorities with land in the National Landscape (including Wealden District Council), Officers from the High Weald National Landscape Unit and a representative from Natural England*	This group was formed to specifically share information about Biodiversity Net Gain, including legislation, national guidance and examples of Local Plan policies, strategies and guidance developed by other organisations. It is intended to be used as a means of sharing experience of how the metric is being applied and common issues that are arising when analysing submissions from developers. The ultimate aim is

[74] The High Weald JAC (2019) The High Weald AONB Management Plan 2019-2024. Available at:highweald.org/document-library/aonb-management-plan/

Working Group / Partnership	Members	Summary of purpose
		to agree a guidance note for Local Plan policies to support the implementation of biodiversity net gain in relation to development within the National Landscape.
The Natural Environment		
Sussex Nature Partnership (SxNP)	*Action in Rural Sussex, Adur and Ouse Rivers Trust, Arun and Rother Rivers Trust, Ashdown Forest, Brighton and Hove City Council, Brighton and Lewes Downs Biosphere/ The Living Coast, Council for the Protection of Rural (CPRE) – Sussex, CLA, East Sussex County Council, Environment Agency, Forestry Commission, High Weald AONB Unit, Knepp Estate, National Farmers Union, National Trust, Natural England, Portsmouth Water, Royal Botanic Gardens, Kew (at Wakehurst Place), RSPB, South Downs National Park Authority, South East Rivers Trust, South East Water, Southern Water, Sussex Biodiversity Record Centre, Sussex Community Development Association, Sussex Inshore Fisheries and Conservation Authority, Sussex Wildlife Trust, Weald To Waves Partnership, West Sussex County Council, Woodland Trust*	Established in 2014, the SxNP is a voluntary partnership of over 30 organisations across East and West Sussex, including Brighton and Hove[75], hosted by East Sussex County Council. Established to enable local stakeholders to work in a strategic way to help manage the local environment and deliver multiple benefits for local residents, the economy and the environment. The board meets quarterly but uses working groups to drive forward work in a number of different areas.
Biodiversity Net Gain (BNG) Working group	*Open to any member of the wider SxNP network. Where relevant, others from outside the SxNP membership can be invited to join the working group*	The group aims to promote a consistent approach to BNG across Sussex and to raise the understanding and expertise across LPAs in relation to BNG. It also seeks to add value through knowledge sharing and working on common issues to reduce duplication among LPAs and to work with LPAs to develop a system which targets

[75] Sussex Nature Partnership Website. Available at:sussexlnp.org.uk/about-us/our-partners/

Working Group / Partnership	Members	Summary of purpose
		and implements BNG. This is an ongoing working group.
Green Spaces Steering Group	*Open to any member of the wider SxNP network Where relevant, others from outside the SxNP membership can be invited to join the working group*	This group was formed to undertake project work to develop methodologies and toolkits for use by local authority Park/Ranger staff and town/parish councils to assess the ecological and social value of publicly owned greenspace such as parks, gardens and woodlands. Several case studies from within Wealden and Adur & Worthing were undertaken. The work also produced a set of lessons on the role of greenspaces in delivering a wider range of benefits for people and nature and the interventions necessary to put these into practice.
Local Authority Network	*All district and borough councils across East and West Sussex, including Brighton and Hove City Council*	The Local Authority Network was launched by the SxNP in July 2021[76]. It provides a mechanism for knowledge sharing and a forum for co-development of solutions to common issues. It organises a programme of monthly webinars.
Sussex Local Nature Recovery Strategy (LNRS) Working Group	*Upper Tier Authorities, LPAs in Sussex, Protected Landscape Groups e.g. High Weald AONB, Sussex Nature Partnership, Data and Evidence Groups e.g. Sussex Biodiversity Record Centre, ENGOs, Landowners, Arms Length Bodies*	East and West Sussex County Councils are the responsible authorities for the purpose of leading on preparing a Local Nature Recovery Strategy (LNRS) for Sussex as a whole[77]. The first meeting was in November 2022 and involved discussions around LNRS governance and process as well as a scoping exercise to determine the level of ambition

[76] Local Authority Network webpage on the SxNP website. Available at sussexlnp.org.uk/local-authority-network/

[77] Local Nature Recovery Strategies webpage on the Sussex Nature Partnership website. Available at:sussexlnp.org.uk/local-nature-recovery-strategies-for-sussex/#:~:text=This%20will%20include%20agreeing%20the,for%20local%20people%20to%20enjoy.

Working Group / Partnership	Members	Summary of purpose
		for the LNRS, commitments and resources. These working groups will provide the means by which they can work with other organisations and partners to agree what should be included, and prioritised, in the LNRS.
LNRS Supporting Authorities Group Meetings	*East and West Sussex County Councils, Local Authorities in East and West Sussex.*	Sub-group of the LNRS Working Group. The first meeting was in June 2023. The meetings are designed for the Supporting Authorities (Local Planning Authorities) to discuss issues around the LNRS, such as governance and engagement, and to get updates on progress so far. Terms of reference are still to be agreed.
Water and Flooding		
Cuckmere and Pevensey Levels Catchment Partnership	*Combe Valley Countryside Park, Cuckmere Flood Forum, Cuckmere Valley Parish Council, East Sussex County Council, Environment Agency, Forestry Commission, Friends of the Cuckmere, Hellingly Parish Council, Local landowners across the Catchment, National Trust, Natural England, Pevensey Advisory Group, Pevensey and Cuckmere Water Level Management Board, Rother District Council, Rother Voluntary Action, Southdown Angling Association, South Downs National Park Authority, South East Rivers Trust, South East Water, Southern Water, Sussex Flow Initiative, Sussex Wildlife Trust, Underwater Edge - Local Artists, Water Management Alliance, Wealden District Council.*	The Partnership is focused on integrated catchment management to improve the health of rivers for wildlife and local communities within the Cuckmere and Pevensey Levels Catchment[78]. The partnership is also working towards the delivery of the Water Framework Directive objectives to improve the quality of the environment at a local level. The catchment partnership is co-hosted by the Sussex Wildlife Trust and the South East Rivers Trust.

[78] Cuckmere and Pevensey Levels Catchment Partnership website. Available at: www.southeastriverstrust.org/cuckmere-pevensey-levels/

Working Group / Partnership	Members	Summary of purpose
The Blue Heart Project[79]	*Led by East Sussex County Council in Partnership With: Environment Agency, Pevensey and Cuckmere Water Level Management Board, Eastbourne Borough Council, Wealden District Council, Southern Water*	Blue Heart is a six-year project that will provide an understanding of the local water catchment and how it works and also communicate the risk of flooding to the communities of Eastbourne and South Wealden. Blue Heart will mitigate the impact of flooding caused by climate change through technology to manage and monitor water levels in Eastbourne and south Wealden.
Southern Water Local Authority Stakeholder Group	*Internal discussion group for all local authorities across the Southern Water foul water catchment*	The purpose of this Group is to find ways to work together through open liaison /dialogue with Southern Water, to hold them to account for delivering on their responsibilities. The first meeting was held in February 2023[80].

[79] The Blue Heart Project Webpage. Available at: www.eastsussex.gov.uk/environment/flooding/blue-heart

[80] Wealden District Council (November 2023) Wealden news article. Available at: www.wealden.gov.uk/news/local-authorities-continue-to-put-pressure-on-southern-water/

6. Cross boundary strategic issues

Housing

6.1 Meeting housing needs is a strategic matter, with cross-boundary implications where identified needs are not being fully met, where strategic growth is being proposed or where development will straddle or be close to local planning authority boundaries.

6.2 WDC has been working closely with other local authorities who border Wealden District, which has included discussions on meeting objectively assessed housing needs, as well as those local authorities identified through the Council's Local Housing Needs Assessment (LHNA) 2021 as being within a Housing Market Area (HMA) that overlaps Wealden District. This includes the Eastbourne HMA, the Sevenoaks, Tonbridge and Tunbridge Wells HMA, the Coastal West Sussex HMA, the Hasting and Rother HMA and the North West Sussex HMA.

6.3 The Council has received a number of requests (from both adjoining authorities and authorities that do not share a border with the district) for Wealden to consider meeting their unmet housing need. These local planning authorities include:

- Eastbourne Borough Council on the 5th November 2021 (WDC responded 21st December 2021).
- Hastings Borough Council on 3rd November 2021 (responded 29th November 2021).
- Tunbridge Wells Borough Council on 6th October 2020 (responded 20th November 2020).
- Elmbridge Borough Council on 27th January 2020 (responded 20th February 2020).
- Lewes District Council on 7th February 2024 (officers from WDC attended a Duty to Cooperate meeting on 15th February 2024 to discuss the matter further).

6.4 Other LPAs that neighbour Wealden District who may not be able to meet their local housing need include Rother, Tandridge and Sevenoaks. However, the extent of unmet need is currently unknown and WDC have not been requested to meet their unmet housing need at this stage. WDC is also mindful that the district does not have as strong relationship with these local authorities, in terms of its HMA, as it does with Eastbourne Borough and Tunbridge Wells Borough.

6.5 In respect of overall housing needs, the extensive work that WDC has undertaken to inform the draft Regulation 18 Local Plan provides an overall housing supply figure for Wealden District of 15,729 homes over the plan period (that runs from 1st October 2023 to 31st March 2040). This would achieve an annual figure of 953 dwellings per annum (dpa).

6.6 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 Local Plan is currently a 'capacity' based figure, based on the level of housing that can be delivered within the plan period, having regard to the identified constraints below 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.

6.7 Further details in relation to these constraints is provided within the Interim Infrastructure Delivery Plan, our Sustainable Transport Evidence Base (STEB), the Level 1 Strategic Flood Risk Assessments and Landscape Assessments that accompany the Regulation 18 consultation[81].

6.8 In view of the close proximity of Royal Tunbridge Wells (RTW) to the administrative boundary with Wealden, there has been particular focus in the dialogue with TWBC on proposals on the southern edge of the town, in both local authority areas. Again, the details are set out in the relevant Statement of Common Ground at Appendix G.

6.9 Whilst we are undertaking a further 'call for sites', should our overall housing supply continue to be a 'capacity' based figure as we develop the plan further to the Regulation 19 stage, 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.

6.10 Further detailed highways modelling will be undertaken between the Regulation 18 consultation and the publication of the Regulation 19 Local Plan that may provide opportunities to mitigate some impacts and improve the position in terms of growth on these key corridors.

6.11 In relation to accommodation for Gypsies and Travellers, all East Sussex Authorities, including WDC, jointly commissioned (in November 2020) a Gypsy and Traveller Accommodation Assessment (GTAA) for the period 2021-2040. The report was agreed by all local authorities within East Sussex (as well as the South Downs National Park) and was published in May 2022[82].

6.12 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 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.

[81] Please see our evidence base webpage: www.wealden.gov.uk/planning-and-building-control/planning-policy/wealden-local-plan/local-plan-evidence-bases/

[82] RRR Consultancy Ltd (May 2022) East Sussex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment. Available at:www.wealden.gov.uk/UploadedFiles/East-Sussex-GTAA-Final-Report-May-2022.pdf

6.13 WDC will continue to work with adjoining authorities via the duty to cooperate forum to ensure that sufficient provision for gypsies and travellers is made. There has been no request from any adjoining authority to provide Gypsy and Traveller accommodation. At this time, WDC is seeking to meet its Gypsy and Traveller accommodation need, as set out in the GTAA, through its Local Plan.

Economic Development / Employment

6.14 The Employment and Economic Study (2022)[83], which was commissioned to inform the draft Regulation 18 Local Plan, was carried out jointly with EBC by consultants Iceni and considers the period 2019 – 2039. It was considered that the assessment of economic needs across Functional Economic Market Areas (FEMAs) aligns with the guidance in the PPG.

6.15 Although there is no standard approach to defining such geographical relationships, WDC considers that Eastbourne and Wealden share important economic linkages and the report aligns the Eastbourne FEMA with the existing Eastbourne HMA that includes the town of Eastbourne and parts of South Wealden (which includes Hailsham and some other urban settlements surrounding the north of Eastbourne). These linkages are agreed within the SoCG between WDC and EBC (see Appendix B).

6.16 However, it is recognised that WDC has multiple FEMA's within its administrative boundary, given the complex set of economic relationships of a large district without a major settlement. This includes connections with a number of other local authority areas, including a strong connection (commuting patterns) with Tunbridge Wells

6.17 For WDC, this assessment concluded that in line with the ONS Travel to Work Areas (TTWA) and the HMA geographies identified, that the northern portion of Wealden District (incorporating Crowborough, Heathfield and Wadhurst) is aligned/overlapped with the Tunbridge Wells, Sevenoaks and Tonbridge FEMA. The remainder of the district is more strongly associated with the Eastbourne FEMA to the south and other FEMAs to the west of the district, including the Coastal Sussex FEMA that incorporates Uckfield.

6.18 In terms of economic floorspace requirements, the Eastbourne and Wealden Employment and Economic Study (April 2022) recommends that between 2019 and 2039, at least 3.1ha to 6.8ha is needed for new offices in Wealden but 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.

6.19 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 during the same period. Overall, the market remains buoyant and requires further industrial developments to meet demand.

[83] Iceni (April 2022) Employment and Economic Study for Eastbourne and Wealden. Available at:www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/economy/

6.20 The study 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 of 152,831 sqm and a need for new office floorspace of between 17,567 and 36,063 sqm.

6.21 Our employment figures and evidence base will be updated between the Regulation 18 and Regulation 19 stage of the Local Plan to align the need with the plan period, as well as account for any new information such as commitments and completions, or the 2021 Census.

6.22 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.

6.23 In a letter dated 5th November 2021, EBC requested WDC to meet some of its unmet employment need. Given that the Council cannot meets its own employment needs at this stage, we have not sought to address this unmet need. However, if this position changes, we will consider whether we can meet any of Eastbourne's unmet employment need once EBCs evidence on employment supply is progressed further. WDC has, and will continue to, consider any EBC unmet need and whether this can be accommodated.

6.24 It is noted that Tunbridge Wells Borough Council submitted a Local Plan (October 2021) that looked to meet their full employment needs of 14ha that is still at examination as described elsewhere in this Background Paper. If this level of employment need is taken forward, it will mean that there is no unmet employment need from the borough.

6.25 With regards to retailing and town centres, the Council commissioned the Wealden Town Centre Study (2022). The Study concluded that the district retains just over 55% of residents spend on convenience goods, mainly within the town, district and local centres, with just over 44% 'leakage' to other destinations outside the district (including East Grinstead, Eastbourne, Tunbridge Wells and Lewes). For comparison goods expenditure, the Study concluded that there was considerable 'leakage' outside of the district, indicative of Wealden's geographic relationship with other major towns nearby, including Eastbourne to the south and Tunbridge Wells to the north.

6.26 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. For convenience goods floorspace, the capacity is between 3,300sqm and 4,800sqm by 2039 and for comparison goods floorspace the figures are 1,300sqm to 1,800sqm.

6.27 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 and this is the approach we have taken in the draft Regulation 18 Local Plan. The

Council will update the Town Centre evidence to align with the Local Plan period to inform the Regulation 19 Local Plan.

6.28 Wealden has maintained dialogue with adjoining authorities regarding employment and retail floorspace provision as detailed in Appendices. This dialogue will continue through the preparation of the respective Local Plans.

Infrastructure (including transport)

6.29 There are a number of infrastructure issues which are particularly relevant to cross boundary considerations – including transport, health and education as well water supply and flood risk.

6.30 As part of the production of the Council's Interim Infrastructure Delivery Plan (IDP)[84], the relevant service providers, as well as our neighbouring authorities, have been engaged throughout the process through ongoing discussions, stakeholder consultations as well as the more formal consultation stages. They have been engaged in the overall strategy for growth and input to the draft policies and proposed site allocations in the draft Regulation 18 Local Plan. Full details of this process are set out in the Council's IDP which details the infrastructure requirements across the district over the plan period. Table 1 of the Interim IDP Part 1 identifies the infrastructure provider and their area of responsibility.

6.31 By its nature, transport and highways have a number of cross boundary considerations, which have been explored as part of DtC discussions.

6.32 As part of the preparation for the Regulation 18 Draft Local Plan the Council commissioned, in conjunction with East Sussex County Council and neighbouring authorities', a Shared Transport Evidence Base (STEB) study to assess and understand the likely impacts of local plan growth on the transport system and gain an early indication of the possible scale and type of impacts, as well as any mitigation that may be required to address these impacts.

6.33 In relation to the preferred growth strategy set out in the Regulation 18 Draft Local Plan, the transport modelling research confirms that there are already existing link capacity issues. Whilst several junctions will be subject to future upgrades, the capacity of the A27, A22 and A26 corridors to accommodate additional traffic growth would require mitigation in order to facilitate the growth proposed.

6.34 The STEB[85] reports also confirm that accessibility to sustainable transport options, including public transport, is varied across the district with greater opportunities for bus travel in the south of the district. A key message from this early work is that the level of growth set out in the Regulation 18 Local Plan will require an overall improvement to sustainable travel provision to encourage an overall modal shift and to reduce impacts on the highway.

[84] See Appendix 5a, 5b and 5c. Available at: www.wealden.gov.uk/mgAi.aspx?ID=61270#mgDocuments

[85] WDC STEB Transport Note 01 2022. Available at: www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/transport/ and WDC STEB Transport Note 02 2022. Available at: : www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/transport/

6.35 WDC has liaised with ESCC and Highways England as relevant on matters relating to highways infrastructure in the drafting of its Regulation 18 Local Plan. Where substantial development, particularly on the administrative boundary of WDC, is planned for, then there will be a need to coordinate the delivery of highway infrastructure improvements with other authorities, including the securing of any necessary funding.

6.36 In terms of rail connections, again WDC has explored any cross-boundary concerns with those authorities along the strategic rail network as well as Network Rail. No specific infrastructure has been identified as essential to the delivery of the plan, but policies set out throughout the Regulation 18 Draft Wealden Local Plan include the requirement for all development to provide accessible and inclusive access to sustainable travel opportunities. In relation to transport via rail, this might include infrastructure such as footpaths and cycle ways that connect with stations.

6.37 On a strategic level the reinstatement of the Uckfield to Lewes line is a key piece of infrastructure identified as required in the long term to assist in modal shift to sustainable travel and to support climate change and net zero carbon targets. WDC maintains its position to safeguard the Uckfield/Lewes railway line. Network Rail advise that the track bed and specific width of land would need to be protected but that they would need to confirm the actual dimensions required. Funding remains the key issue with regards to the line reopening – a long term aspiration for Network Rail.

6.38 The provision of education has been addressed through collaborative working with ESCC as the education provider who has input throughout the process. WDC has shared, and will continue to share, information on known housing commitments within the district as well as the growth strategy proposed in the draft Regulation 18 Local Plan to allow ESCC to plan for future education provision, primary and secondary. As a result of testing the Regulation 18 Draft Local Plan growth, ESCC have identified shortfalls in education provision over the Plan period in Hailsham, Polegate and Willingdon, Uckfield, East Hoathly, Horam, the fringes of Tunbridge Wells, and Hankham and Stone Cross[86].

6.39 In terms of health, the NHS Sussex Integrated Care Board (ICB) has also been involved throughout the process and has assessed the proposals against their practice mapping, which covers a number of geographical areas.

6.40 In addition to partnership working, the Council has commissioned, jointly and on its own, several evidence base studies[87] to inform plan-making. Of relevance to infrastructure, these include:

- WDC Playing Pitch and Outdoor Sports Strategy (PPOSS) – Assessment Report (April 2022)
- WDC Playing Pitch and Outdoor Sports Strategy - Action Plan (2023)
- WDC Open Space – Assessment Report (OSAR) (April 2022)

[86] See Table 10 in Part 2 of the Interim IDP. Available at: www.wealden.gov.uk/mgConvert2PDF.aspx?ID=86602

[87] WDC – Planning Policy Evidence Bases available at: www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/ Last accessed 14/02/2024

- WDC Open Space – Parish Summaries (OSPS) (April 2022)
- WDC Indoor Sports Facility Needs Assessment (March 2022)
- Wealden Green Infrastructure Study May 2017
- Wealden District Council Strategic Flood Risk Assessments Level 1 (SFRA) (2022) for North Wealden and Eastbourne and South Wealden; and
- Wealden District Council Level 2 Strategic Flood Risk Assessment (2023).

6.41 Further studies / work will be progressed alongside the plan-making process as relevant. These will include a Green Infrastructure Strategy, a climate change study, studies in relation to biodiversity net gain as well as further work to consider infrastructure provision, such as further highways testing and mitigation.

6.42 Partnership working, including the outcomes of discussions, the evidence base and the testing of growth options and the Local Plan has fed into the position statements provided in Part 2 and the Infrastructure Schedules presented in Part 3 of the Interim IDP. Where relevant, information has also been shared with site promoters to ensure that infrastructure can be considered at an early stage in the development process.

6.43 In relation to water, WDC has had ongoing discussions with Southern Water and South East Water in relation to connections and services and these will continue in the development of the Regulation 19 Local Plan.

6.44 In relation to flooding and flood risk, discussions have been held with the Environment Agency and ESCC as the Lead Local Flood Agency in the production of the Council's Strategic Flood Risk Assessments. The final SFRAs have been reviewed by both the EA and ESCC prior to their publication. WDC and EBC jointly commissioned a Level 1 SFRA for the Eastbourne and South Wealden area given the clear linkages between the two areas in terms of water flows and flood risk.

6.45 Infrastructure issues relating to transport, water/flood risk, education and health have also formed a standard discussion point with neighbouring authorities as part of regular Duty to Cooperate meetings and any potential issues/concerns have been raised at these meetings and recorded. Subsequently they form part of the statements of common ground as relevant to each authority (see the appendices).

Environmental Issues

6.46 As above, the Council has been actively involved on wider duty to cooperate matters affecting the Ashdown Forest, a European site protected under the Habitat Regulations. Cross boundary issues of visitor pressure and vehicle emissions have the potential to adversely affect the protected habitats and species found in the Ashdown Forest. The Council has been working in partnership with other affected authorities to commission studies, undertake detailed analysis, and to develop policy to ensure planned development can go ahead without causing harm to this designated site.

6.47 Two formal partnerships covering these issues are in operation: one to address visitor pressure, the Strategic Access Management and Monitoring (SAMMS) partnership; and one to address vehicle emissions, the Ashdown Forest Working Group (AFWG). Although WDC contributed to the Ashdown Forest SoCG published

in April 2018, WDC did not become signatories to the Ashdown Forest Air Quality SoCG.

6.48 WDC participates in the Strategic Access Management and Monitoring Strategy (SAMMS) partnership and are signatories to a legal agreement with other participating local authorities and The Conservators of Ashdown Forest. This sets out agreement on the collection of developer contributions and the administration of the SAMM Strategy as part of a joint approach to provide mitigation at Ashdown Forest for recreational disturbance from new residential development. The group has also produced a signed Statement of Common Ground in 2019.

6.49 The Council has been careful to consult with adjoining authorities in the preparation of landscape evidence base documents including landscape sensitivity studies and landscape character assessments taking note of the evidence available from adjoining authorities. The Council is also a key partner of the High Weald Joint Advisory Committee for the High Weald AONB with Officers and Members attending JAC meetings and officers attending separate Officer Steering Group Meetings to oversee the work of the AONB Unit and to support and participate in new studies or guidance. Council officers have been part of subgroups working on Biodiversity Net Gain and a Housing Design Guide.

6.50 The Pevensey Levels SAC and Ramsar site is located within the administrative boundaries of WDC and RDC. In 2010, a joint WDC and RDC paper was published concerning hydrology local to the Pevensey Levels[88]. This paper formed the basis of the Habitats Regulations Assessment (HRA) regarding hydrology that accompanied the withdrawn Wealden Local Plan (2019), although it was updated to take account of new case law. In addition, mitigation has been updated to take into account Natural England's advice regarding strategic Sustainable Drainage System (SuDS). Strategic SuDS is a concept that was brought forward by Natural England. Whilst RDC had not requested an update to the joint hydrology paper undertaken in 2010 as part of its Development and Site Allocations Plan (2019), which was submitted at a similar time to the withdrawn Wealden Local Plan (2019), it is considered relevant to both authorities. WDC has appointed consultants to consider its requirements under the Habitats Regulations for its new Local Plan.

6.51 Although the former planning policy developed by WDC was not adopted, it shows that both WDC and RDC were working along similar lines in terms of policy requirements for SuDS in the Pevensey Levels catchment. In producing the Regulation 18 Draft Local Plan, WDC and RDC have continued this collaborative working to produce a consistent policy approach to the Pevensey Levels across both authorities Local Plans.

6.52 Both WDC and RDC are members of the Cuckmere and Pevensey Levels Catchment Partnership, as detailed in Chapter 5.

6.53 There may be some opportunities through new planned development on the administrative boundaries between WDC and adjoining authorities to provide net gains in biodiversity and this could be explored through the duty to cooperate process. To achieve such aims, both WDC and adjoining authorities will need to

[88] Wealden and Rother District Councils (September 2010) Appropriate Assessment. Hydrology Local to the Pevensey Levels. Available at: www.wealden.gov.uk/UploadedFiles/AA_Final_26.10.10-2.pdf

liaise with each other through their Local Plans to ensure that no opportunities are missed in terms of ensuring net gains in biodiversity.

6.54 The Council is an active member of the Sussex Nature Partnership, including being involved in their subgroups on Greenspaces, Biodiversity net gain and Nature Recovery Networks.

7. Conclusions

7.1 This Interim Duty to Cooperate Paper sets out the Council's approach, actions, and outcomes in relation to undertaking the DtC with neighbouring authorities and other relevant bodies, in accordance legislation and with Government guidance.

7.2 The information included in this Paper demonstrates that WDC has actively undertaken a process of on-going collaborative, constructive engagement working with others in progressing cross boundary strategic matters in the preparation of the Regulation 18 Draft Local Plan. This Paper is a live document and will be reviewed and updated alongside the on-going Duty and engagement with neighbouring authorities and other relevant bodies as the Plan progresses to Regulation 19, submission, adoption and beyond, including its five-year post adoption review.

Appendices

Appendix A – MoU between WDC and EBC – July 2021

MEMORANDUM OF UNDERSTANDING

BETWEEN WEALDEN DISTRICT COUNCIL AND EASTBOURNE BOROUGH COUNCIL

19 July 2021

1.0 Introduction

1.1 This paper constitutes a Memorandum of Understanding (MoU) between Wealden District Council and Eastbourne Borough Council concerning the preparation of new Local Plans in the two local planning authority areas.

1.2 Both Councils have acknowledged the need for co-operation and an understanding at a strategic level that there is a common shared goal to deliver sustainable development across the area. In pursuit of this, both Councils are open to close working.

1.3 The purpose of the MoU is to set out the processes and procedures for how the Councils will work together to address strategic cross-boundary planning issues through plan-making. Outcomes and matters that are agreed with respect to plan-making will be documented through a Statement of Common Ground.

1.4 The MoU sets out the position of each Council in relation to plan-making; it identifies cross-boundary issues and sets out the process for working together to ensure that the legal requirement under the Duty to Co-operate is met in the preparation of the respective local plans.

2.0 Status of the MoU

2.1 This MoU provides a framework for joint working between Eastbourne Borough Council and Wealden District Council on strategic policies within the respective local plans. Both Councils agree to abide by the terms of the MoU, but it is neither legally binding nor enforceable by law.

2.2 The MoU provides evidence of the co-operation between the Councils in line with the Duty to Co-operate and will form part of the Statement of Common Ground required under the National Planning Policy Framework (NPPF).

2.3 This MoU acknowledges and respects the ‘sovereignty’ of each Council over plan-making in its administrative area. Accordingly, the preparation of a local plan for its area remains the sole responsibility of each Council. The MoU does not seek to restrict the discretion of either Council in the exercise of its statutory

functions and powers, or in its response to consultations or determining planning applications.

3.0 Cross Boundary Strategic Planning Issues

3.1 The cross boundary strategic planning issues between Eastbourne and Wealden are agreed as including, but not limited to:

- Housing, employment and infrastructure provision;
- South Wealden and Eastbourne junction improvements, including the need to consider an off-line A27 for growth post 2028;
- Public and sustainable transport infrastructure to drive step change in provision and trip-rates;
- Waste Water Treatment Works capacity at Hailsham South and Hailsham North Waste Water Treatment Works and Eastbourne Waste Water Treatment Works;
- The potential impact of growth on the South Downs National Park for South Wealden and Eastbourne, including the provision of an off-line A27;
- Potential impact and any mitigation requirements on sites with environmental designations including Pevensey Levels SAC, Lewes Downs SAC and Ashdown Forest SPA and SAC;
- Flood risk impact on and the capacity of Eastbourne Park flood water storage facility;
- Burial Space provision;
- Community infrastructure; and
- Flood risk.

3.2 The cross boundary strategic planning issues identified will be kept under review, and added to where the need arises.

4.0 Key Principles

4.1 In order to meet the Duty to Co-operate, both Councils agree to:

- Engage constructively, actively and on an on-going basis in relation to strategic planning matters under the Duty to Co-operate;
- Ensure a broadly consistent approach to strategic planning and development issues across the Eastbourne and South Wealden area;
- Support better alignment between strategic planning and infrastructure delivery across Eastbourne and Wealden;

- Keep each other up to date on progress in plan-making, including advanced notice of commissioning evidence studies, proposed consultation periods and any delays to timetables;
- Act in a timely manner, recognising the time-critical nature of consultations, projects and plan preparation;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Acknowledge any differences of opinion or understanding at an early stage, and allow sufficient time for any differences to be worked through, understood and where possible resolved;
- Respect each other's views, and where different, ensure proper understanding of the reasons for such differences;
- Operate a 'no surprises' policy, based on notifying each other in advance, wherever possible, of changes in priorities or thinking;
- Use all reasonable endeavours to comply with the terms and spirit of this Memorandum of Understanding.

5.0 Methods of Co-operation

5.1 A number of options for working together were considered by the Councils, however it has been agreed that the most appropriate way for the Councils to address cross-boundary strategic planning issues is to:

- align Local Plan timetables where practical;
- prepare joint evidence studies where appropriate;
- prepare a joint Infrastructure Delivery Plan; and
- agree outcomes through a Statement of Common Ground.

5.2 <u>Evidence Base</u>

5.2.1 The Councils will prepare joint evidence studies on topics where there are clear cross-boundary impacts. These include flood risk (fluvial flood modelling and Strategic Flood Risk Assessment); Gypsy & Traveller Accommodation Assessment (jointly with other East Sussex authorities); Economic Development Needs Assessment; and Transport Study. Other joint evidence studies may be agreed where it is considered necessary.

5.2.2 Where evidence studies are prepared by consultants, the Councils will ask consultants as part of the brief to identify an appropriate ratio of payment from each authority. Where evidence studies are prepared in-house, the parameters of the study and ratio of officer time will be agreed prior to the start of the study.

5.2.3 Where joint evidence studies are not possible or appropriate, the Councils will seek consistency through the sharing of briefs/specifications for work prior to commissioning.

5.2.4 Studies and other documents jointly funded by both Councils will be treated as belonging to both Councils. The publication and sharing of such documents with third parties will be agreed by both Councils.

5.3 Infrastructure

5.3.1 The two authorities will seek to prepare a joint Infrastructure Delivery Plan for strategic cross boundary infrastructure, in consultation with appropriate infrastructure providers. The joint IDP will comprise of one single document, within which relevant strategic infrastructure requirements will be split by sub-areas.

5.3.2 The Councils will inform each other when the Community Infrastructure Levy (CIL) pots are opened, and allow each other to bid for CIL funding to deliver infrastructure projects that the bidding authority is responsible for.

5.3.3 The Councils will also inform each other when bids are received for CIL funding to deliver other cross-boundary infrastructure projects.

6.0 Communication

6.1 Officers from both Councils will meet, either in person or virtually, on at least a quarterly basis to discuss cross boundary strategic issues and progress on work identified in the MoU. At least one meeting per year will include the Portfolio Holder/ Lead Member from each authority.

6.2 The Councils will take it in turn to write a record of these meetings, and once drafted seek agreement that these are an accurate record of the discussion and any agreed outcomes.

6.3 Regular lines of communication will be between each authority's Planning Policy Manager/Lead, usually via email, telephone or Teams.

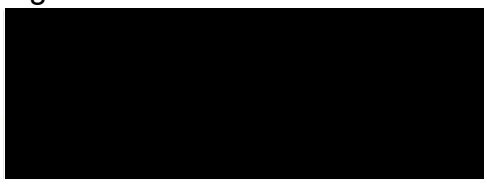
6.4 In relation to requests for comments or feedback on shared information outside of official consultation periods, the Councils will allow a minimum period of two weeks (10 working days) for responses.

7.0 Review and Termination

7.1 The Councils will keep this MoU under review to ensure it remains fit for purpose. Any amendment would be duly signed by both the Councils' respective authorised persons.

7.2 The MoU will remain in place either until the adoption of new Local Plans, until the Councils wish to terminate it, or until the duty to co-operate is no longer required by legislation.

7.3 In the event of either Council wishing to terminate (rather than amend) the MoU, then at least two months' notice will be given in writing. Agreement to or withdrawal from the MoU does not remove a Council's Duty to Co-operate pursuant to the Localism Act.

On behalf of Eastbourne Borough Council Signed:  ……. (*Position*) Head of Planning	On behalf of Wealden District Council Signed:  ……. (*Position*) Head of Policy & Economic Development

Appendix B – SoCG between WDC and EBC – July 2022

Statement of Common Ground

Wealden District Council and Eastbourne Borough Council

Contents

1. Introduction

2. Key Principles for the Duty to Cooperate Process

3. Development on Administrative Boundaries between Eastbourne Borough and Wealden District

4. Housing

4.1 *Housing Market Area*

4.2 *Housing Requirements*

4.3 *Gypsy, Travellers and Travelling Showpeople*

5. Economy

5.1 *Functional Economic Market Area (FEMA)*

5.2 *Retail Catchment Area*

6. Cross Boundary Strategic Infrastructure Matters

6.1 *Principles and Joint Working*

6.2 *Highways*

6.3 *Education*

6.4 *Rail Infrastructure*

6.5 *Wastewater Treatment Works (WwTW) Infrastructure*

6.6 *Green Infrastructure*

7. Natural Environment

7.1 *Ashdown Forest European Site*

7.2 *Ashdown Forest Special Area of Conservation (SAC)*

7.3 *Biodiversity*

7.4 *South Downs National Park (SDNP)*

8. Climate Change

8.1 *Strategic Flood Risk Assessment (SFRA) and Fluvial Flooding*

9. Governance

10. Actions Going Forward

11. Signatories / Declarations

Appendices

Appendix A: The Administrative Areas of Wealden and Eastbourne

Appendix B: Letter from EBC to WDC regarding unmet development needs (November 5th 2021)

Appendix C: Letter from WDC to EBC in response to the request to meet their unmet development needs (21st December 2021)

1. Introduction

1.1 The Statement of Common Ground (SoCG) has been prepared by Wealden District Council (WDC) and Eastbourne Borough Council (EBC). It sets out the position and understanding with respect to key relevant strategic cross boundary matters between the two authorities, and agreed actions to resolve outstanding matters. It is not binding on any party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

1.2 The purpose of this SoCG is to set out the basis on which WDC and EBC have actively and positively agreed to work together to meet the requirements of the duty to cooperate process.

1.3 The current development plan for WDC consists of the Wealden District Core Strategy Local Plan that was adopted in February 2013, the Affordable Housing Delivery Local Plan (adopted in May 2016) and saved policies from the Wealden Local Plan (adopted in 1998). WDC had prepared its Local Plan for regulation 19[1] stage during the summer/autumn of 2018 that was submitted to the Planning Inspectorate on 18 January 2019. The draft Wealden Local Plan (January, 2019) was examined in the spring/summer of 2019. The Planning Inspectorate issued a letter reporting on the findings of stage one of the examination and concluded that the submitted plan could not proceed further. A reason for the Inspectors conclusion into the draft Wealden Local Plan was that the duty to cooperate between EBC and WDC had not been met. WDC did not challenge the outcome contained in the Inspector's letter and withdrew the Draft Wealden Local Plan (January, 2019) following its Full Council meeting on 19 February 2020. The Council adopted an updated Local Development Scheme (LDS) in July 2020 and has commenced work on a new Local Plan, including undertaking an eight week early Regulation 18 consultation[2] which concluded on 18 January 2020. The next formal stage in plan making will be the Regulation 18 consultation on a Draft Local Plan, which is due to take place in 2022.

1.4 The current development plan for EBC consists of the Eastbourne Borough Core Strategy Local Plan that was adopted in February 2013, the Eastbourne Town Centre Local Plan (adopted in November 2013), the Eastbourne Employment Land Local Plan (adopted in November 2016) and saved policies from the Eastbourne Borough Local Plan (adopted in 2003). EBC is currently in the process of replacing these documents with a new Local Plan. EBC has commenced work on a new Local Plan and has undertaken a twelve week early Regulation 18 consultation, which concluded on 24 January 2020. The next

[1] The Town and Country Planning (Local Planning) (England) Regulations 2012
[2] The Town and Country Planning (Local Planning) (England) Regulations 2012

formal stage in the plan making process will be a second Regulation 18 consultation on a draft Local Plan, which will take place in 2022.

1.5 This SoCG relates to the emerging Local Plans that are to be, or are being, produced by WDC and EBC and contains the appropriate amount of detail for both authorities on matters such as housing need (including unmet housing need), housing distribution, gypsy and traveller provision, employment and retail needs, cross boundary infrastructure requirements and impacts upon natural environment that includes the Ashdown Forest Special Area of Conservation (SAC), the South Downs National Park (SDNP) and fluvial flood risk. In addition, the SoCG provides a section on how both Councils will seek to address both planned and windfall development close to or on the administrative boundary for both authorities.

1.6 Under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by section of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) (July 2021), it is a requirement under the duty to cooperate process for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development plan documents.

1.7 Paragraph 27 of the NPPF (July, 2021) states that in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. This notes that the SoCG should be produced using the approach set out in the national planning guidance and be made publicly available throughout the plan-making process to ensure transparency.

1.8 The Planning Practice Guidance (PPG)[3] confirms that a SoCG is a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It states that the SoCG should document where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities, it also forms part of the evidence base required to demonstrate that they have complied with the duty to cooperate.

[3] Paragraph: 010 Reference ID: 61-010-20190315

1.9 The administrative areas that are set out in **Appendix A** show that WDC and EBC share a common administrative border at the southern part of Wealden District, which surrounds Eastbourne Borough on all sides, albeit that the western boundary of Eastbourne Borough adjoins the South Downs National Park (SDNP). Both WDC and EBC are therefore required to work cooperatively in an effective way to address key strategic matters for both areas.

1.10 The plan at **Appendix A** also shows that the administrative boundary of Wealden District is hard up against the northern and eastern part of the built development of Eastbourne and forms a semi-contiguous urban area with settlements in Wealden District that includes Polegate, Willingdon, Stone Cross, Westham, Pevensey and Pevensey Bay. Historically, development on either side and hard up against this administrative boundary has proved contentious and is therefore a key area for future cooperation between the two authorities.

Structure of the SoCG

1.11 The remainder of the SoCG is structured as follows:

- *Section 2* – This section outlines the key principles that both local authorities agree are needed in order to meet the duty to cooperate for their respective Local Plans.
- *Section 3* – This section relates to further work between officers and elected members to agree a protocol and set of principles for dealing with development on or close to the border of Eastbourne and Wealden District.
- *Section 4* – This section relates to housing provision for both local authority's and specifically addresses housing need (including unmet housing need), the Housing Market Area (HMAs) for each respective area, housing distribution and gypsy and traveller provision.
- *Section 5* – This section relates to the economy and specifically addresses the Functional Economic Market Area (FEMA) and retail catchment area for each respective local authority area.
- *Section 6* – This section relates to cross boundary infrastructure requirements for both local authorities.
- *Section 7* – This section relates to the natural environment and specifically the Ashdown Forest that is located within Wealden District.
- *Section 8* – This section relates to climate change and specifically fluvial flooding issues that are associated with both local authority areas.
- *Section 9* – This section deals with governance arrangements.

- *Section 10* – This section outlines the agreed actions between WDC and EBC going forward with respect to their emerging Local Plans and future plan-making.

2. Key Principles for the Duty to Cooperate Process

2.1 In July 2021, both Council's agreed to a Memorandum of Understanding (MoU) concerning the preparation of new Local Plans in the two local planning authority areas. Both Councils have acknowledged the need for cooperation and an understanding at a strategic level that there is a common shared goal to deliver sustainable development across the area.

2.2 In order to meet the duty to cooperate, both Councils agreed to a number of shared key principles within the MoU (July, 2021) that have been identified below:

- Engage constructively, actively and on an ongoing basis in relation to strategic planning matters under the duty to cooperate;
- Ensure a broadly consistent approach to strategic planning and development issues across Eastbourne and South Wealden area;
- Support better alignment between strategic planning and infrastructure delivery across Eastbourne and Wealden;
- Keep each other up to date on progress in plan-making, including advanced notice of commissioning evidence studies, proposed consultation periods and any delays to timetables;
- Act in a timely manner, recognising the time critical nature of consultations, projects and plan preparation;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Acknowledge any differences of opinion or understanding at an early stage, and allow sufficient time for any differences to be worked through, understood and where possible resolved;
- Respect each other's views, and where different, ensure proper understanding of the reasons for such differences;
- Operate a 'no surprises' policy, based on notifying each other in advance, wherever possible, of changes in priorities or thinking; and
- Use all reasonable endeavours to comply with the terms and spirit of this SoCG.

2.3 These key principles will apply to both WDC and EBC through its duty to cooperate process and when drafting/amending this SoCG. The section below deals with development on the administrative boundary between Eastbourne

Borough and Wealden District and highlights a specific set of principles for dealing with this issue. This should be read in conjunction with the main principles above.

3. Development on the Administrative Boundary between Eastbourne Borough and Wealden District

3.1 Development on the edge of Eastbourne is constrained to the north and east by the Wealden District administrative boundary. Therefore, development within Eastbourne Borough on the northern edge of Eastbourne may result in a need to resolve cross border issues such as service provision, landscape, infrastructure and impacts on communities within Wealden District. Similarly, development that occurs within Wealden District on or close to the administrative boundary with Eastbourne Borough, either allocated or as windfall development, may result in the need to resolve cross border issues such as service provision, infrastructure, landscape, the economy and impacts on communities within Eastbourne. As plans for proposed development on administrative boundaries are progressed by both authorities or as and when windfall development occurs that raises cross boundary issues or even straddles boundaries, there is a clear need for a common understanding of how such developments will be treated and the matters they will be expected to address and how relevant infrastructure will be delivered (e.g. provision of highway improvements or developer contributions for community/education facilities).

3.2 It is noted that the most significant development of this type within the Wealden District is the Mornings Mill Farm, Eastbourne Road, Willingdon site. The site comprises farmhouses and farmland to the south east of Polegate, on the northern edge of Lower Willingdon, a short distance from the administrative boundary of Eastbourne. The site has been assessed within WDCs latest Strategic Housing and Economic Land Availability Assessment (SHELAA) (January, 2019)[4] under site reference 236/3370. Mornings Mill Farm has a site area of approximately 62 hectares (gross) and borders the Eastbourne Road (A2270) to the west and the East Coast railway line between Hampden Park Station and Polegate Station to the north and east. The site was considered at a high level as 'suitable' in the SHELAA. The site has also been previously identified within Wealden District Core Strategy Local Plan (February, 2013) as a Strategic Development Area (SDA) for residential, employment, leisure, recreation and community uses[5].

[4] The Strategic Housing and Economic Land Availability Assessment (SHELAA), January 2019, page 467

[5] The site was named as 'Urban extension south of Polegate and east of Willingdon (SD4)'.

3.3 It is recognised within the SHELAA assessment that transport is a particular constraint for the site and that there is a likely need for further off-site highway works including junction improvements and capacity works on the local network. It is suggested that a full transport assessment and modelling work will be required to evaluate these impacts fully, to assess the impact of the A27 to the north of the site and to ensure good connectivity to the town centre, including demonstrating that the A2270/Polegate High Street junction is capable of withstanding the growth to be delivered. It should be noted that a formal planning application was lodged with WDC for the development of this site (see reference WD/2021/0174/MEA) incorporating 700 (net) dwellings, 8,600 sqm of employment floorspace and community facilities, including a primary school. This planning application was refused by WDC in December 2021 for several reasons that included highways impact and surface water drainage (amongst other matters) and is now the subject of a planning appeal. The Council is reviewing its SHELAA in the near future and will seek to work with EBC and the landowner (as appropriate) on this matter.

3.4 In addition to Mornings Mill Farm, both authorities have had sites submitted within their respective SHELAAs for cross-boundary development within East Langney Levels. The majority of the East Langney Levels is within the functional floodplain, and therefore, the sites are unlikely to be suitable for development.

3.5 The term ‘development’ in this context can relate to all types of development such as housing, employment, gypsy and traveller accommodation, retail, leisure and recreational facilities, community and educational facilities, amongst others. Both EBC and WDC will liaise with each other on new development that is proposed on the administrative boundaries between the two authorities.

3.6 EBC and WDC have agreed a protocol and set of principles for dealing with development on or close to the border between Eastbourne and Wealden District. These are as follows:

a. Each local authority will share location plans for SHELAA submissions that are on or located near to each other’s administrative boundary[6].
b. Following site visits, each local authority will discuss the opportunities and constraints and provide information as relevant as SHELAA assessments progress at various stages.
c. Where a local plan strategy is considering allocating sites on or near to the administrative boundary of the authorities, this will be discussed as part of the duty to cooperate process and will be documented in the SoCG.

[6] The mapping of individual SHELAA sites is undertaken on regular intervals by WDC and can be found at the following webpage: https://maps.wealden.gov.uk/WebMap/.

d. East Sussex County Council on planning matters relating to the development option(s) will be contacted by each local authority, as relevant.
e. Should development sites cross administrative boundaries, then joint meetings will be arranged with developers / stakeholders and will include officers from both EBC and WDC and county council partners, as relevant.
f. The Local Plan strategy for growth (for both authorities) as relevant to cross boundary working will be discussed as part of the duty to cooperate process.
g. Draft policies that have cross boundary impacts will be provided to each local authority and/or the County Council, at the earliest opportunity and at a minimum of two weeks prior to any Regulation 18 or 19 consultation.
h. The public will be consulted via statutory consultation stages.
i. Discussions relating to infrastructure provision requirements (Section 106) including cross boundary provision will take place with the relevant parties and agreements will be reached based on an evidenced need for the infrastructure as a result of the development.

4. Housing

4.1 *Housing Market Area (HMA)*

4.1.1 A Housing Market Area (HMA) is defined in the PPG[7] as 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. These can be broadly defined by analysing:

- The relationship between housing demand and supply across different locations, using house prices and rates of change in house prices. This should identify areas which have clearly different price levels compared to surrounding areas.
- Migration flow and housing search patterns. This can help identify the extent to which people move house within an area, in particular where a relatively high proportion of short household moves are contained, (due to connections to families, jobs, and schools).
- Contextual data such as travel to work areas, retail and school catchment areas. These can provide information about the areas within which people move without changing other aspects of their lives (e.g. work or service use).

[7] See Paragraph: 018 Reference ID: 61-018-20190315

4.1.2 WDC has published its Local Housing Needs Assessment (September 2021)[8] that updates the previous Strategic Housing Market Assessment (SHMA) that was undertaken in 2016. The Local Housing Needs Assessment provides a map at Figure 2.16 (page 27) that outlines the HMA boundary areas for WDC (including the element of the SDNP contained within the WDC administrative area). This shows that a substantial proportion of the southern part of the administrative area of WDC is located within the Eastbourne HMA, including the settlements of Polegate, Willingdon, Stone Cross, Westham, Pevensey, Pevensey Bay and Hailsham. The percentage of Wealden's overall population within the Eastbourne HMA is approximately 41%.

4.1.3 However, given the scale of WDC administrative area, it was also found that a number of other HMAs are present within Wealden, most notably the Sevenoaks, Tunbridge Wells and Tonbridge HMA, with which there are close links specifically to Tunbridge Wells; this incorporates the settlements of Crowborough, Heathfield and Wadhurst. The percentage of Wealden's overall population considered to be within the Sevenoaks, Tunbridge Wells and Tonbridge HMA is approximately 34%.

4.1.4 It is noted that the Sussex Coastal HMA, that in a Wealden context, particularly links Uckfield with Lewes, is also present within WDC administrative area. The percentage of Wealden's overall population within the Sussex Coastal HMA is approximately 19%. In addition, there are only small population numbers in those parts of Wealden that fall within Northern West Sussex HMA[9] (6%) (i.e. Forest Row) and the Hastings and Rother HMA (2%) (i.e. Ninfield).

4.1.5 In conclusion, the evidence suggests that the WDC administrative area overlaps with a number of HMAs within Sussex and Kent, albeit that it's most strong and consistent relationships are with the Eastbourne HMA to the south and the Sevenoaks, Tunbridge Wells and Tonbridge HMA to the north. However, it is considered that Uckfield and its surrounding areas are in a zone of transition, but are more closely linked to the Sussex Coastal HMA and specifically Lewes District.

4.1.6 Eastbourne Borough Council last published its Strategic Housing Market Assessment (SHMA) in December 2016[10] and this considered Eastbourne's HMA at chapter 3 based on the analysis of 2011 Census data. It notes under paragraph 3.27 that the 2011 Census migration data '*suggests that the origin self-containment ratio is 60.8% and the destination ratio is 65.3% but this increases to 70.2% (origin) and 75.7% (destination) with the inclusion*

[8] Wealden Local Housing Needs Assessment, September 2021
[9] This HMA includes Mid Sussex District, Horsham District and Crawley Borough.
[10] Eastbourne Borough Strategic Housing Market Assessment (SHMA), December 2016

interactions with Wealden District and therefore Eastbourne is part of a wider housing market area which extends into Wealden District.' It was also concluded that although Eastbourne can be considered to be self-contained in terms of travel to work, there are still strong interactions with settlements that border Eastbourne in Wealden District. It was therefore recommended that Eastbourne is part of a wider housing market area that extends into Wealden District, albeit that this was not defined in terms of a geographic boundary within the report.

4.1.7 As part of the preparation of the local plan, a Housing Needs Assessment for Eastbourne will be prepared. It is anticipated this will be completed by consultants by June 2022.

4.1.8 Given the evidence above, both Council's agree that there are clear linkages between them in terms of the HMA, especially for the towns and villages in the south of Wealden District that are in close proximity to Eastbourne. Both WDC and EBC share administrative boundaries and are required to cooperate on strategic cross boundary matters, such as housing, through the duty to cooperate process.

4.2 *Housing Requirements*

4.2.1 The last adopted housing requirement for WDC was cited within the Wealden District Core Strategy Local Plan that was adopted in February 2013 and confirms under policy WCS1 (Provision of Homes and Jobs 2006-2027) that some 9440 dwellings will be delivered over the plan period, equating to 450 dwellings per annum (dpa). WDC considers this housing requirement to be out of date and therefore calculates its five year housing land position for planning applications/appeals using the 'standard methodology' for calculating the housing requirement under the NPPF (July, 2021). At the time of writing, the calculation for Wealden's housing need requirement under the 'standard methodology', irrespective of constraints, is 1,212 dwellings per annum (dpa). This would equate to 24,240 dwellings over a twenty-year period. This does not include any unmet housing needs from neighbouring authorities should this need to be considered through the duty to cooperate process.

4.2.2 The last adopted housing requirement for EBC was contained within the Eastbourne Borough Core Strategy Local Plan (adopted in February 2013) and confirms under Policy B1 (Spatial Development Strategy and Distribution) that 5,022 (net) dwellings will be provided within Eastbourne Borough in the period between 2006 and 2027, equating to 239 dpa. It should be noted that this housing requirement is also considered out of date and EBC therefore calculates the housing need requirement similarly using the 'standard

methodology' under the NPPF (July, 2021). At the time of writing, the calculation for Eastbourne's housing need requirement under the 'standard methodology', irrespective of constraints, is 738 dpa. This would equate to 14,760 dwellings over a twenty-year period. It is noted that national policy clarifies that this would be a minimum target.

4.2.3 The table below shows the respective housing targets of WDC and EBC at the time of writing. This will be updated as the calculation under 'standard method' changes and once draft Local Plans reach the Regulation 18 or 19 stages.

Housing Target Source	**WDC**	**EBC**
Statutory Development Plan	450 dpa under Wealden District Core Strategy Local Plan (adopted February 2013)	239 dpa under Eastbourne Borough Core Strategy Local Plan (adopted February 2013)
'Standard Methodology' under NPPF (July, 2021)	1,212 dpa	738 dpa
Housing Target in Emerging Local Plan	Not yet published.	Not yet published.

4.2.4 At the time of writing, WDC intends to meet its own objectively assessed housing needs through development within its own administrative boundary. This will need to be tested through the production of its new Local Plan and work has commenced on this. In addition, WDC has also instructed independent consultants to undertake an Urban Capacity and Density study. This study will provide an analysis of the potential urban capacity of Wealden's various settlements for housing, so as to identify sites and the scale of brownfield land available to accommodate the authority's housing requirements up to 2039.

4.2.5 EBC published its early engagement consultation document under Regulation 18 named Eastbourne's Direction of Travel: Issues and Options for the Eastbourne Local Plan 2018-2038[11] in November 2019. This outlined six high level scenarios (named Options W: Strategy for delivering homes) for delivering land for housing as part of the Local Plan process. The range of options presented could deliver between 191 dpa and 358 dpa, so significantly short of the housing needs figure produced under the 'standard methodology' for Eastbourne of 693 dpa at that time.

[11] Eastbourne's Direction of Travel: Issues and Options for the Eastbourne Local Plan 2018-2038

4.2.6 Following the Issues and Options consultation, further work has been undertaken by EBC in relation to Land Availability. EBC have shared an updated Land Availability Assessment (LAA) Methodology with WDC and considered WDC's feedback. EBC have updated the LAA and progressed an Urban Capacity Study of the existing built up area to identify further sites that may have potential to accommodate future development. EBC have also comprehensively reviewed their own land for potential future development capacity and inclusion within the LAA. EBC have used an updated Density Study to review the LAA sites and increase density assumptions where possible.

4.2.7 The LAA Report provided to WDC sets out the steps EBC have undertaken to assess the capacity of the Borough and therefore the ability to meet its own local housing need. Eastbourne is severely constrained in terms of land for potential development. Over 40% of the Borough is within the South Downs National Park, which is to the west of the town. The English Channel bounds the south of the Borough, with Wealden District entirely enveloping the Borough, particularly to the north where the northern urban area of Eastbourne is contiguous with Willingdon, Polegate and Stone Cross in Wealden District. Much of the central and eastern areas of Eastbourne are constrained by flood risk.

4.2.8 The LAA report provided to WDC on 5 November concludes that at this time it is considered that the Eastbourne Local Plan will plan for between 6040 and 6938 homes at an average of between 302 and 345 homes per year. This would result in an unmet need of between 393 and 436 homes per year, equivalent to between 7822 and 8720 homes over 20 years. The range provided is to take account of current unknown suitability or availability of some sites. EBC requires further evidence to demonstrate a number of sites are developable within the plan period.

4.2.9 Under the 2011 Localism Act and the provisions of the NPPF (July, 2021), EBC have written to WDC to formally ask whether WDC would be able to meet any of Eastbourne's unmet housing need on the 5 November 2021. WDC responded to EBC's formal request to meet their unmet housing need on 21 December 2021. This letter also provided key areas that WDC consider EBC should address as part of their evidence gathering. Both letters are provided at Appendix B and C, respectively.

4.2.10 Both WDC and EBC will continually consider its position on potential unmet housing needs in the future. EBC will update the LAA and therefore potential housing supply figures as soon as possible when evidence required is

completed and unknown availability confirmed. WDC and EBC will continue to work together on housing matters and identify the position on unmet housing needs as both WDC and EBC prepare to review their respective Local Plans.

4.2.11 As set out in the minutes of the DTC meeting on 24 November 2021, EBC accept that it would be difficult for WDC to include an allowance for any unmet need in Eastbourne in the emerging Regulation 18 version of the WDC plan, pending further evidence from EBC.

Actions:

- WDC will consider EBCs emerging evidence base for housing as part of its Local Plan when this becomes available and/or is updated, including its new local housing needs assessment.
- Following the above, WDC will, as necessary, consider any EBC unmet need, and whether this can be accommodated in the emerging WDC Local Plan (subject to the timing of any request from EBC).
- WDC and EBC will engage through the wider duty to cooperate forum with other neighbouring authorities both within and outside of each other's HMA in relation to housing related matters, including unmet housing need, five year housing trajectory, best fit HMAs, affordability, large scale development and opportunities for meeting unmet need.
- Both authorities to undertake a review of their Local Plan at least within 5 years' of adoption.

4.3 *Gypsy, Traveller and Travelling Showpeople*

4.3.1 In November 2020, all East Sussex Authorities, including WDC and EBC jointly commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) for the period 2021-2040. A draft GTAA has now been received.

4.3.2 The draft GTAA 2022 shows an accommodation need between 2021 and 2040 for WDC of 32 pitches (based on the PPTS 2015 definition), and no need for EBC (based on the PPTS 2015 definition). Given this GTAA is draft and recently received, both Council's will review its position in terms of ability to meet this need. Both Councils will continue to operate existing joint working arrangements through the wider duty to cooperate forum to ensure that suitable provision can be made as appropriate and will consider the outputs of the final joint GTAA that will be published in due course.

Actions:

- That both WDC and EBC continue dialogue on matters relating to Gypsy, Traveller and Travelling Showpeople accommodation through the review of their respective Local Plans.
- That both WDC and EBC consider the final outputs of the new joint GTAA and any implications thereof for their respective Local Plans.
- Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.

5. Economy

5.1 *Functional Economic Market Area (FEMA)*

5.1.1 In terms of a Functional Economic Market Area (FEMA) the PPG[12] states that patterns of economic activity vary from place to place and that there is no standard approach to defining a functional economic market area, although 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;
- Flows 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.

5.1.2 The Wealden Economy Study[13] was first published in December 2016 and updated in March 2018. Section 2 of the Wealden Economy Study (December, 2016) named 'Defining the Functional Economic Area' assesses the FEMA for WDC based on the relevant PPG. The issue of the FEMA for Wealden District was considered in the subsequent update to this study in 2018.

5.1.3 Paragraph 2.9 of the Wealden Economy Study (December, 2016) confirms that '*Wealden District is influenced primarily by two Travel to Work Areas (TTWAs), which are Eastbourne TTWA covering the area south of Uckfield and stretches to Eastbourne, and the Tunbridge Wells TTWA which is primarily influenced by Tunbridge Wells. In addition, parts of Wealden are also influenced by the Crawley and Hastings TTWAs respectively*'. The study also confirms that Wealden District sees strong commuting flows with Eastbourne, amongst a

[12] See Paragraph: 019 Reference ID 61-019-20190315
[13] Wealden Economy Study, December 2016

number of other authorities that includes Tunbridge Wells, Lewes, Crawley, Mid Sussex and Brighton and Hove.

5.1.4 The Wealden Economy Study (December, 2016) concludes at paragraph 2.37, taking into account all the factors identified in the PPG, that the following districts and boroughs form part of the FEMA for Wealden:

- Eastbourne;
- Tunbridge Wells;
- Lewes;
- Mid Sussex; and
- Rother.

5.1.5 This position was repeated in paragraph 2.3 of the Wealden Economy Study Update (2013-2028) that was published in March 2018[14].

5.1.6 The Eastbourne Economic Development Needs Assessment[15] was published in October 2017 provides EBC evidence of its FEMA, particularly at section 5. Paragraph 5.42 of the Eastbourne Economic Development Needs Assessment confirms in summary that '*it is evident from analysis of various factors that Eastbourne's FEMA is considerably more self-contained than the FEMA identified for adjoining Wealden. This is partly a function of geography, with Eastbourne's coastal location inevitably constraining the spatial extent of its market areas. It is also a result of … the relative self-containment of Eastbourne's commercial property market and limited travel to work area which generally extends as far as southern parts of Wealden District'.*

5.1.7 Figure 5.7 (page 51) of the Eastbourne Economic Development Needs Assessment identifies that Eastbourne's 'core' FEMA incorporates the Eastbourne local authority area and southern parts of Wealden District, most notably the towns of Polegate and Hailsham.

5.1.8 The Councils have since commissioned a joint Economic Development Needs Assessment that reconsiders the FEMA for the two local authority areas. WDC and EBC are in receipt of the final Economic Development Needs Assessment, which is to be published in due course. The report aligns the Eastbourne FEMA with the existing HMA that includes Eastbourne and South Wealden (which includes Hailsham and some urban settlements surrounding Eastbourne). However, WDC is a more complex picture with WDC having multiple FEMA's within its administrative boundary, given the complex set of economic

[14] Wealden Economy Study Update 2013-2028, March 2018
[15] Eastbourne Economic Development Needs Assessment, Final Report, October 2017

relationships of a large district without a major settlement. This includes connections with a number of other local authority areas, including a strong connection (commuting patterns) with Tunbridge Wells.

5.1.9 Both Council's agree that there are clear linkages between them in terms of the FEMA, especially for the towns and villages in the south of Wealden District and the town of Eastbourne. Both WDC and EBC share administrative boundaries and are required to cooperate on strategic cross boundary matters, such as employment needs, through the duty to cooperate process.

5.1.10 The Eastbourne and Wealden Employment and Economic Study (April 2022) identifies a need for 80,457 sqm of employment (office 21,946sqm and industrial and warehouse 54,238sqm) floorspace between 2021 and 2039 for Eastbourne.

5.1.11 The Economy Study identifies a supply, based on commitments and assessed opportunities, of 37,884 sqm (office 14,792sqm and industrial and warehouse - 3,948sqm). In addition, the draft EBC LAA provided to WDC identifies that there is capacity for an additional 27,000sqm of industrial and warehouse floorspace. This means that, based on the floorspace requirements set out in the Economy Study and taking into account supply identified in the Economy Study and the LAA, there is a shortfall against the identified need between 2021 and 2039 of 38,340sqm of employment floorspace. This consists of a shortfall of 7,154sqm of office floorspace and 31,186sqm of industrial and warehouse floorspace. The findings from the Economy Study will be incorporated into the next version of the EBC LAA.

5.1.12 The Eastbourne and Wealden Employment and Economic Study (April 2022) identifies a need for between for between 195,242sqm and 213,738sqm of employment floorspace (including office floorspace between 10,743sqm and 29,239sqm and 184,499sqm of industrial and warehouse floorspace) between 2021 and 2039 for Wealden.

5.1.13 At this stage in the plan-making process, based on emerging evidence within the SHELAA, WDC considers that it would be able to meet its own employment need (i.e. offices (Use Class E) as well as industrial and warehousing (Use Class B2 and B8) through existing commitments and allocations within the new Local Plan.

5.2 *Retail Catchment Area*

5.2.1 In December 2016, WDC published the Town Centre and Retail Study[16] that was undertaken by Carter Jonas on behalf of WDC. The study area included broad geographic/catchment areas such as Hailsham, Heathfield, Uckfield, Crowborough, Royal Tunbridge Wells, East Grinstead, Lewes, Polegate and Eastbourne. In summary, the survey-derived market shares showed that the retention of all food shopping trips and expenditure in the Hailsham zone was just over half at 51.8%, with 39.4% 'leaking' to stores outside the District. This demonstrates that expenditure in terms of convenience goods within southern towns and villages of Wealden District is mainly retained in those areas, albeit that there was some significant leakage to food stores in Eastbourne at 24.4%.

5.2.2 In terms of comparison goods shopping, paragraph 4.7 of the Town Centre and Retail Study (2016) states that it is '*apparent that the District's Town Centres do not have the critical mass of retailing in terms of the scale, quality and choice of shops to compete with the larger competing centres and shopping destinations outside the District; principally Eastbourne, Royal Tunbridge Wells and East Grinstead'.* WDC considers that these three destinations outside the District, including Eastbourne are likely to remain the main draw for residents in Wealden District for comparison shopping particularly. Indeed, the study states at paragraph 5.2 that the '*survey results show that Eastbourne is the main shopping destination for residents living to the south of Wealden District, whereas Tunbridge Wells is generally the preferred shopping destination for those living in the north of the District*'. WDC accepts that the retail offering at Eastbourne is a significant draw for residents in the south of Wealden District for comparison goods and services.

5.2.3 WDC is in the process of reviewing the Town Centre and Retail Study (2016) and has commissioned consultants to undertake this work. It is not anticipated that the overarching key messages from the Town Centre and Retail Study (2016) for the retail catchment of Wealden District will significantly alter. It is also anticipated that there will only be a limited need for retail and leisure floorspace between 2021 and 2039 in Wealden District and that there will be no requirement to allocate specific sites for this.

5.2.4 The Eastbourne Economic Development Needs Assessment (October 2017) also includes a consideration of the retail and leisure market and its retail catchment area. It is noted within the study that from a regional perspective Eastbourne is secondary to the larger retail attractions of Brighton to the west, and Tunbridge Wells to the north. Hastings and Bexhill are to the east, with Hastings being on par with Eastbourne as a shopping destination. There are also a number of smaller centres and retail parks within Eastbourne that

[16] Town Centre and Retail Study 2016, December 2016

includes the Admiral and Hampden retail park, Sovereign Harbour retail park, Hampden retail park and Langney shopping centre.

5.2.5 Paragraph 4.67 of the Eastbourne Economic Development Needs Assessment (October 2017) confirms that the Eastbourne catchment area '*includes a good number of villages and small towns particularly in the rural areas to the north, including Hailsham and Heathfield along with numerous prosperous villages. However, the further north the greater the attraction of Tunbridge Wells.'* This conclusion is generally in line with evidence gathered within the Town Centre and Retail Study (2016) undertaken by WDC.

5.2.6 WDC and EBC agree that particularly in terms of comparison shopping, those residents located within the southern part of Wealden District, particularly in the settlements of Polegate, Stone Cross, Willingdon, Westham, Hailsham and Pevensey Bay, use Eastbourne as their primary retail offer. This is demonstrated in both WDC and EBC evidence base documents on retail as highlighted above.

Actions:

- That both WDC and EBC continue dialogue on matters relating to the retail catchment areas through the review of their respective Local Plans.
- That both WDC and EBC consider the final outputs of the new joint Economic Development Needs Assessment and any implications thereof for their respective Local Plans.
- Following the above, WDC will, as necessary, consider any EBC unmet need, and whether this can be accommodated in the emerging WDC Local Plan (subject to the timing of any request from EBC).
- Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.

6. Cross Boundary Strategic Infrastructure Matters

6.1 *Principles and Joint Working*

6.1.1 Through the production of the joint MoU between EBC and WDC (July, 2021), a protocol and set of principles for dealing with the delivery of infrastructure improvements for development was established and this has been reiterated within this SoCG.

6.1.2 EBC and WDC work with a number of infrastructure providers that seek to address matters relating to healthcare facilities, water supply, sewerage treatment works, gas and power networks and public transport provision,

amongst other issues. Where cross boundary issues do arise on such matters, EBC and WDC will seek to agree the delivery of such infrastructure improvements, including the securing of any necessary funding.

6.1.3 It was agreed under the joint MoU (July, 2021) that the two authorities will seek to prepare a joint Infrastructure Delivery Plan (IDP) for strategic cross boundary infrastructure, in consultation with appropriate infrastructure providers. The joint IDP will be comprised of one single document, within which relevant strategic infrastructure requirements will be split by sub-areas. This will be used in support of the Council's respective Local Plans.

6.1.4 It was also noted that WDC and EBC will inform each other when the Community Infrastructure Levy (CIL) pots are opened, and allow each other to bid for CIL funding to deliver infrastructure projects that the bidding authority is responsible for. The Councils will also inform each other when bids are received for CIL funding to deliver other cross-boundary infrastructure projects.

6.2 *Highways and the Road Network*

6.2.1 In terms of cross boundary infrastructure, both EBC and WDC are in a two tier authority, where highways matters are managed by East Sussex County Council (ESCC). Given the above, it is noted that highway matters will require input from the agencies/stakeholders above and National Highways[17] in relation to any impacts / mitigation on the strategic road network (i.e. the A27).

6.2.2 Along with other Local Authorities in East Sussex, both WDC and EBC are working with ESCC and National Highways to develop a Shared Transport Evidence Base (STEB) model and a County Wide Transport Model to assess Local Plan impacts across East Sussex. The work also includes the consideration of an integrated package of transport improvements that both mitigates any adverse impacts of Local Plan proposals, as well as also seeking to improve accessibility by sustainable modes of transport. Both WDC and EBC sit on the steering group for the STEB model / County Wide model and this work is currently progressing with the East Sussex Countywide Model to be completed in 2022.

6.2.3 Whilst the East Sussex County Wide Model is being developed, early option testing is underway using the STEB model. This approach has been agreed by all parties including ESCC and National Highways to provide assessments ahead of Regulation 18 consultations. The work to consider the in combination impact of each local authority's local plans is dependent on each local authority

[17] Formerly known as Highways England.

providing suitable and realistic options to test in accordance with the project timetable.

6.2.4 EBC and WDC in the drafting of their Local Plans will liaise with ESCC and Highways England as relevant on matters relating to highways infrastructure. Where substantial development, particularly on the administrative boundary of EBC and WDC, is planned for, then there will be a need to coordinate the delivery of highway infrastructure improvements including the securing of any necessary funding.

6.2.5 The road network, particularly in the south of Wealden and on major routes (particularly junctions on the A27/A22) is already in a situation of stress and has required interventions to improve capacity and reduce congestion. It is clear that junction improvements in South Wealden and Eastbourne are required to support housing and employment growth within the respective local authority areas, including the need to consider an off-line A27 for growth post 2028. Both WDC and EBC will work alongside ESCC and National Highways (where applicable) to consider this issue within their respective Local Plans in order to support such infrastructure improvements. The delivery of strategic highway improvements is dependent on the ability to secure substantial external funding. Both WDC and EBC will work with key local stakeholders and strategic transport providers to enable the funding and delivery of strategic road infrastructure.

6.2.6 Both Councils' are supportive of Major Road Network (MRN) improvements for the A22/A27 in the South Wealden/Eastbourne area given the issues highlighted above. An outline business case for the A22 Major Road Network junction improvement package had previously been submitted to the Department for Transport (DfT) for around £35 million including a 15% contribution coming from development contributions and CIL monies. The package of capacity improvements to five roundabouts will support housing and employment growth in Eastbourne and South Wealden area and many of the development sites already have planning permission. The outcome of the MRN bid is unlikely to be known until 2022. Both Councils are endeavouring to support ESCC in bids for transport interventions in the Eastbourne/South Wealden, which is an infrastructure priority.

6.3 *Education*

6.3.1 As discussed above, both EBC and WDC are in a two-tier authority, where education provision is managed by ESCC. Both Councils work collaboratively with ESCC to share information on known housing commitments with their respective administrative areas, including projections as to when and where

new housing development will come forward. This allows for ESCC to plan for the future school places at both primary and secondary schools and to increase capacity on existing school sites where this is appropriate. Both EBC and WDC will work with ESCC on this issue and with each other where new housing development in close proximity to each other's administrative boundaries.

6.3.2 Both WDC and EBC will work collaboratively with ESCC on new education provision as part of their respective Local Plans. This will be particularly important when significant housing allocations are included within emerging Local Plans and where it is not possible for educational capacity in such locations to be increased. Each Council will work with ESCC and developers to ensure that new educational provision is delivered either on site, or in close proximity to the new development. Both Councils are endeavouring to support ESCC in ensuring that it is able to deliver the appropriate education capacity in locations where new growth is expected.

6.4 *Rail Infrastructure*

6.4.1 In terms of the railway network, WDC supports the safeguarding of both Uckfield/Lewes railway line and the Tunbridge Wells/Eridge railway line under its 'saved policies' from the Wealden Local Plan (adopted 1998). Both policies TR17 (Uckfield to Lewes railway line) and TR19 (Eridge to Tunbridge Wells railway line) confirm that development which would significantly prejudice the reinstatement of either line will not be permitted. Both WDC and EBC agree that both rail routes should be safeguarded given the significant opportunities to increase rail travel for commuting and retail trips and subsequently reducing the reliance upon car-borne journeys.

6.5 *Wastewater Treatment Works (WwTW) Infrastructure*

6.5.1 In terms of wastewater, during the preparation of the Wealden's Core Strategy Local Plan (adopted in February, 2013) it was apparent that additional discharges into the Pevensey Levels SAC and Ramsar site may become an effective limit to housing growth until an acceptable solution for treating wastewater had been identified. Southern Water has worked to complete these upgrades recently. There are also general capacity issues for Wastewater Treatment Works (WwTW) in South Wealden and Eastbourne. Depending on the direction and pace of new growth, WDC and EBC may need to consider this issue further and will be proactive in working with Southern Water and other associated statutory bodies in relation to sewerage capacity. This would specifically include Wastewater Treatment Works (WwTW) capacity at Hailsham South and Hailsham North WwTW and Eastbourne WwTW.

6.6 *Green Infrastructure*

6.6.1 In terms of Green Infrastructure (GI), there may be some opportunities through new planned development on the administrative boundaries between EBC and WDC to improve existing GI and/or create new GI that links development within Wealden District to the settlement of Eastbourne particularly. To achieve such aims, both WDC and EBC will need to liaise with each other on the types, scale and extent GI required for planned development on the administrative boundaries.

Actions:

- EBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles in order to coordinate and agree the delivery of infrastructure improvements for development on or close to the administrative border of EBC and WDC. This will in some cases require the participation and overall agreement on matters from other infrastructure providers.
- EBC and WDC will seek to prepare a joint Infrastructure Delivery Plan (IDP) for strategic cross boundary infrastructure, in consultation with appropriate infrastructure providers.

7. Natural Environment

7.1 *Ashdown Forest European Site*

7.1.1 EBC and WDC will continue to work positively together in relation to the Ashdown Forest which is a European Site and is designated as a SAC for its heathland habitat and as a SPA for the bird species named the Dartford Warbler and nightjars during their breeding seasons.

7.2 *Ashdown Forest Special Area of Conservation (SAC) – Air Quality*

7.2.1 Both authorities are active members and attend regular meetings of the Ashdown Forest SAC Working Group, which is chaired by the South Downs National Park Authority (SDNPA). The Planning Advisory Service worked alongside the group in relation to duty to cooperate matters in relation to the SAC. EBC are signatories of the Ashdown Forest Air Quality Statement of Common Ground (SoCG)[18] published in April 2018. Although WDC contributed to the Ashdown Forest SoCG, WDC did not become signatories to the Ashdown

[18] See Ashdown Forest Statement of Common Ground, April 2018

Forest Air Quality SoCG and published a Position Paper outlining the reasons why WDC had not become a signatory to the document.

7.2.2 Both EBC and WDC will continue to participate in the Ashdown Forest SAC Working Group which will seek to work with Natural England on addressing Air Quality issues in relation to Local Plan preparation and will endeavour to support wider initiatives to improve background air quality.

7.2.3 All future work in relation to air quality at Ashdown Forest will be developed in discussion with the Ashdown Forest SAC Working Group agreeing where possible on methodology and to cost sharing where appropriate. All future traffic modelling and ecological interpretation to inform Habitats Regulation Assessments in respect of air quality for Ashdown Forest by both EBC and WDC will be developed in discussion with the Ashdown Forest SAC Working Group and where possible agreement sought on both methodology and findings. This work is necessary to ensure a strategic and consistent approach to the identified issues and assist with a common approach to HRA matters relevant to the SAC designation.

Actions:

- That both authorities continue to work as part of the Ashdown Forest working group for air quality in order to secure a common understanding and agreement on effects, mitigation and monitoring and where possible to agree and cost share future studies or surveys as required.

7.3. *South Downs National Park (SDNP)*

7.3.1 It is noted that the administrative areas of both EBC and WDC incorporate an element of the South Downs National Park (SDNP) as shown on the map within Appendix A of this SoCG. For WDC, the area of SDNP within its administrative boundary is located to the south of existing A27 trunk road and includes small villages such as Alfriston, East Dean, Wilmington, Berwick and Lillington to name a few. For EBC, the element of the SDNP included within its administrative boundary lies to west of the town, and although accounts for over 40% of the area of the Borough, it is largely unhabituated.

7.3.2 The South Downs National Park Authority ultimately makes decisions for both plan-making and decision taking within the National Park. However, there is the potential to have the impact of growth on the SDNP within both South Wealden and Eastbourne, including the provision of an off-line A27. Paragraph 176 of the NPPF (July 2021) confirms that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. It goes on to

state that the scale and extent of development within all these designated areas (including National Parks) should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

7.3.3 Given the housing needs referred to in Section 3 of this SoCG, it is likely that there will be a need for future discussions on the provision of major development within the setting of the SDNP and specific requirements of this paragraph. Both authorities are committed to continue working together in partnership, alongside the SDNPA, to deliver the aims and objectives of the National Park including to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

7.4. *Biodiversity*

7.4.1 Under paragraph 179(b) of the NPPF (July, 2021) it has been stated that Local Plans should seek to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. There may be some opportunities through new planned development on the administrative boundaries between EBC and WDC to provide net gains in biodiversity and this could be explored through the duty-to-cooperate process. To achieve such aims, both WDC and EBC will need to liaise with each other through their Local Plans to ensure that no opportunities are missed in terms of ensuring net gains in biodiversity.

7.4.2 In terms of cross-boundary biodiversity sites, both EBC and WDC will continue to liaise with each other on such sites and ensure that they continue to be safeguarded in line with the hierarchy of biodiversity sites identified at paragraph 179(a) of the NPPF (July, 2021) and their respective Local Plans.

8. Climate Change

8.1. *Strategic Flood Risk Assessment (SFRA) and Fluvial Flooding*

8.1.1 It is noted that both local authority areas are incorporated either partly (Wealden District) or wholly (Eastbourne Borough) within the Cuckmere and Sussex Havens catchment area. Making appropriate provision for managing flood risk is considered to be one of these strategic matters under paragraph 20(b) of the NPPF (July, 2021). It is also noted that planning guidance on preparing SFRA's[19] highlights that working jointly with other local planning authorities to

[19] https://www.gov.uk/guidance/local-planning-authorities-strategic-flood-risk-assessment

produce an SFRA might help find better ways to deal with the causes and impacts of flooding, particularly where this is a shared priority.

8.1.2 Given the above, both EBC and WDC have jointly commissioned a new SFRA and fluvial modelling work for their respective Local Plans and this will ensure that both local authorities have a strategic and consistent approach to dealing with flood risk within their respective local authority areas, including mitigation where appropriate.

9. Governance Arrangements

9.1 It is noted under the PPG[20] that a SoCG is expected to outline governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date.

9.2 The main officers from each Council to be engaged on a regular basis in relation to cross-boundary cooperation are the respective Local Plan managers or designated lead officers. They will be responsible for drafting and maintaining an up-to-date SoCG between the Councils.

9.3 Service Heads (or in their absence, relevant senior officer/deputy) will be responsible for making any formal requests, and providing responses, in relation to unmet (or potentially unmet) development needs.

9.4 Signing of the SoCG, and any subsequent reviews, will be at the elected member level, normally the Portfolio Holder whose responsibilities cover strategic planning.

9.5 Liaison in relation to the SoCG and the wider duty to cooperate will be on a regular basis between relevant officers and, where appropriate elected members. It will be for the respective lead officer to keep their Service Head and Portfolio Holder briefed on activities in relation to the duty to cooperate and the SoCG, as appropriate.

10. Actions Going Forward

10.1 The agreed key issues and actions originating from this SoCG are detailed below. As discussed above, the agreed actions will have a specific timetable moving forward once agreed. This SoCG is an iterative document and any progress on the actions will be detailed in the next publication of this SoCG.

[20] See Paragraph: 011 Reference ID: 61-011-21090315

The SOCG will be updated on a regular basis as and when matters arise and/or are resolved, and each version will be saved as a record of discussions.

Key Issue	Agreed Actions	Progress on Actions
Timetable for DtC Actions	1) Both EBC and WDC will seek to agree a new timetable for the actions listed below to be reviewed, including schedule meetings between the two authorities.	Ongoing
Development on the Administrative Boundary between EBC and WDC	2) EBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles for dealing with development on or close to the administrative border of EBC and WDC.	Complete. Set of principles provided above.
Housing	3) WDC will, as necessary, consider any EBC unmet need, and whether this can be accommodated in the emerging WDC Local Plan (subject to the timing of any request from EBC). 4) WDC and EBC will engage through the wider duty to cooperate forum with other neighbouring authorities both within and outside of each other's HMA in relation to housing related matters, including unmet housing need, five year housing trajectory, best fit HMAs, affordability, large scale development and opportunities for meeting unmet need. 5) WDC will consider EBCs emerging evidence base for housing as part of its Local Plan when this becomes available and/or is updated, including its new local housing needs assessment. 6) Both authorities to undertake a review of their Local Plan at least within 5 years' of adoption	Ongoing
Gypsy, Traveller and	7) That both WDC and EBC continue dialogue on matters relating to Gypsy, Traveller and Travelling Showpeople	Ongoing

Travelling Showpeople	accommodation through the review of their respective Local Plans. 8) That both WDC and EBC consider the final outputs of the new joint GTTA and any implications thereof for their respective Local Plans. 9) Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.	
Employment and Retail	10) That both WDC and EBC continue dialogue on matters relating to the retail catchment areas through the review of their respective Local Plans. 11) That both WDC and EBC consider the final outputs of the new joint Economic Development Needs Assessment and any implications thereof for their respective Local Plans. 12) WDC will, as necessary, consider any EBC unmet need, and whether this can be accommodated in the emerging WDC Local Plan (subject to the timing of any request from EBC). 13) Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.	Ongoing
Cross Boundary Infrastructure	14) EBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles in order to coordinate and agree the delivery of infrastructure improvements for development on or close to the administrative border of EBC and WDC. This will in some cases require the participation and overall agreement on matters from other infrastructure providers.	Ongoing

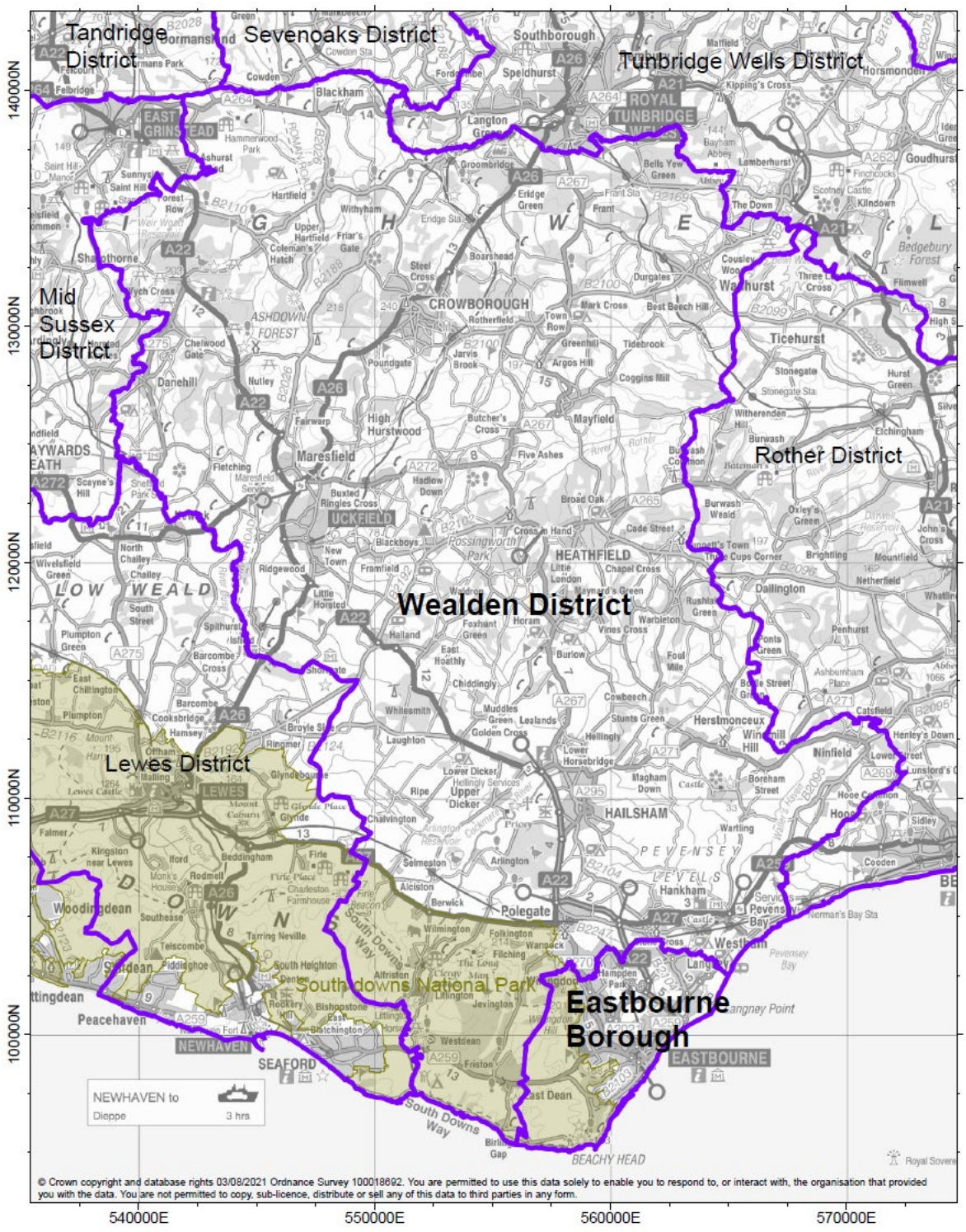
	15) EBC and WDC will seek to prepare a joint Infrastructure Delivery Plan (IDP) for strategic cross boundary infrastructure, in consultation with appropriate infrastructure providers.	
Natural Environment	16) That both authorities continue to work as part of the Ashdown Forest working group for air quality in order to secure a common understanding and agreement on effects, mitigation and monitoring and where possible to agree and cost share future studies or surveys as required.	Ongoing

11. Signatories / Declarations

Signed on behalf of Wealden District Council (Councillor)	**Signed on behalf of Wealden District Council (Director of Planning, Policy and Environmental Services)**
[redacted]	[redacted]
Position: Leader and Planning Development Portfolio Holder	**Position: Director of Planning, Policy and Environmental Services**
Date: 12 July 2022	**Date: 12 July 2022**

Signed on behalf of Eastbourne Borough Council (Councillor)	**Signed on behalf of Eastbourne Council (Chief Executive)**
[redacted]	[redacted]
Position: Cabinet Member for Climate Change and Place Services	**Position: Deputy Chief Executive and Director of Regeneration & Planning**
Date: 25 July 2022	**Date: 14 July 2022**

Appendix A – The Administrative Areas of Wealden and Eastbourne



Appendix B - Letter from EBC to WDC regarding unmet development needs (November 5th 2021)

[redacted]
Head of Policy & Economic Development
Wealden District Council
Council Offices
Vicarage Lane
Hailsham
BN27 3AX

By Email only

Friday 5th November 2021

Dear [redacted]

Eastbourne Borough Council Local Plan: Duty to Co-operate

In accordance with 2011 Localism Act and the provisions of the National Planning Policy Framework (NPPF), I am writing to you to formally ask whether your authority is able to meet Eastbourne's unmet development needs.

As you are aware Eastbourne Borough Council are currently preparing a new Local Plan for Eastbourne. As with a number of Local Planning Authorities in the South East, one of the biggest challenges facing Eastbourne is meeting our housing need (as set by the Governments standard methodology) against a backdrop of significant environmental and planning constraints with a severe lack of available land.

Eastbourne is severely constrained in terms of land for potential development. Over 40% of the Borough is within the South Downs National Park to the west. The English Channel bounds the south of the Borough, and Wealden District entirely envelops the borough with the northern urban area of Eastbourne being contiguous with Willingdon, Polegate and Stone Cross. Much of the central and eastern areas of

Eastbourne are constrained by flood risk making large seemingly undeveloped parts of the borough undevelopable.

At the time of writing, the calculation for Eastbourne's housing need requirement under the 'standard methodology', irrespective of constraints, is 693 dpa. This would equate to 13,860 dwellings over a twenty-year period.

Eastbourne have undertaken significant work to identify land with potential for future development and to maximise the number of homes that the Borough is able to provide. A Land Availability Assessment has been undertaken to assess the capacity of the Borough and the extent to which local housing need can be met.

This evidence confirms that it is realistic that the Eastbourne Local Plan will only be able to plan for between 6,040 and 6,938 homes at an average of between 302 and 345 homes per year. This would result in an unmet need of between 348 and 391 homes per year, equivalent to between 6,960 and 7,820 homes over 20 years.

This delivery rate is significantly higher than the requirement previously set for the borough by the Eastbourne Core Strategy (2013) of 239 (dpa). This is also significantly more than the rate of delivery over the recent years. In the last five years, 890 new homes have been built at an average of 178 homes per year. This is despite the Core Strategy reaching the fifth anniversary of adoption in 2018, resulting in the absence of a five-year housing land supply and the application of the NPPF's presumption in favour of sustainable development.

In addition, it is significant increase on the capacity identified in the 2019 version of the Eastbourne Strategic Housing & Employment Land Availability Assessment, which indicated a capacity of 4,965 homes at an average of 248 homes per year. This clearly demonstrates that Eastbourne Borough Council has taken issues of making the most efficient use of land seriously to meet as much of the local housing need as possible.

In addition, the current draft Eastbourne and Wealden Employment and Economy Study (September 2021) identifies a need for between 36,387 sqm and 75,809 sqm of employment (office, industrial and warehouse) floorspace. Further evidence is required to establish Eastbourne's future need for retail and leisure

The LAA identifies that there is capacity for 66,450sqm of employment floorspace, comprising 15,450 sqm of retail and leisure floorspace, 16,000 sqm of office floorspace, 32,000 sqm of industrial and warehouse floorspace, and 3,000 sqm of hotel floorspace. This means that there is sufficient capacity to meet the future needs for office floorspace in Eastbourne, but there could be a shortfall of up to 26,852 sqm of industrial and warehouse floorspace.

Whilst acknowledging that there is a high level of unmet need, the Council has evidence to demonstrate this is a realistic calculation of capacity through the Land Availability Assessment. Eastbourne Borough is too constrained to deliver a level of development equivalent to its needs and there is no way that a higher proportion of development needs can be delivered in a sustainable manner.

We appreciate and understand the very real pressure you have in meeting your own needs. However, under the 2011 Localism Act and the provisions of the National Planning Policy Framework (NPPF), I am writing to you now to formally ask whether your authority would be able to meet any of Eastbourne's unmet development needs.

I would be happy to discuss this request with you further, and I understand that a meeting will be set up shortly to provide an opportunity to discuss this or any other queries you may have. This meeting will also allow for a discussion about the Statement of Common Ground that we would like to have in place between our respective authorities.

If you have any queries, please do not hesitate to contact me by email at Leigh.Palmer@lewes-eastbourne.gov.uk or phone 07939 578 235

Yours Sincerely



Head of Planning
Lewes District and Eastbourne Borough Councils

Appendix C - Letter from WDC to EBC in response to the request to meet their unmet development needs (21st December 2021)

ASK FOR [redacted]
DATE: Planning Policy
YOUR REF: 21st December 2021

Wealden District Council

[redacted]
Head of Policy and Economic Development

Sent by E-mail only

Dear [redacted]

Re: Eastbourne Borough Council Local Plan: Duty to Cooperate

Thank you for your letter dated 5 November 2021 in relation to a formal request to accommodate development needs from Eastbourne. We can confirm that our Duty to Cooperate discussions have been both positive and pragmatic to date and we welcome the approach we have taken so far to continue as we both progress with our Local Plans.

The formal request set out in your letter refers to Wealden District Council (WDC) accommodating some, or all, of Eastbourne Borough Council's (EBC's) unmet development needs. Our response to this request is set out below.

Background

EBC has calculated Eastbourne's housing need under the 'standard methodology', irrespective of constraints, as 693 dwellings per annum (dpa). This would equate to 13,860 (net) dwellings over a twenty-year period. It is suggested by EBC that its evidence confirms that it is realistic that the Eastbourne Local Plan will only be able to plan for between 6,040 and 6,938 homes at an average of between 302 and 345 dpa. This would result in an unmet need of between 348 and 391 dpa, equivalent to

between 6,960 and 7,820 homes over a twenty-year period. At most this equates to Eastbourne meeting just under half its need, or at worst just 44%.

In addition, we note that the current draft Eastbourne and Wealden Economic Study (September, 2021) identifies a need for between 36,387 sqm and 75,809 sqm of employment (office, industrial and warehouse) floorspace in Eastbourne over the Plan period. It is stated that EBC has the capacity for 66,450 sqm of employment floorspace that would include retail and leisure uses, office, hotel uses and industrial and warehouse uses. It is stated that there is sufficient capacity to meet the future needs for office floorspace in Eastbourne, but there could be a shortfall of up to 26,852 sqm of industrial and warehouse floorspace. It is noted that further evidence is required to establish Eastbourne's future floorspace requirements for retail and leisure as this has yet to be undertaken.

Following a letter from the Planning Inspectorate relating to stage one of the Examination in Public (EiP) process in 2019, WDC withdrew the Draft Wealden Local Plan (January, 2019) following a Full Council meeting on 19 February 2020. The Council has since adopted an updated Local Development Scheme (LDS)[21] in July 2020 and has commenced work on a new Local Plan, including undertaking an eight week early consultation[22], which concluded on 18 January 2021. The next formal stage in the plan making process will be the Regulation 18 consultation on a Draft Local Plan, which is due to take place in the spring of 2022. WDC then plans for the Proposed Submission Version of the Local Plan to be published under Regulation 19 in the winter of 2022/2023. The LDS then sets out that a Draft Wealden Local Plan will be submitted to the Secretary of State shortly thereafter in the spring of 2023, with an expected adoption date by the end of 2023.

As part of our early work on a new Local Plan, we have progressed work on the Strategic Housing and Economic Land Availability Assessment (SHELAA) including a 'call for sites'. The 'call for sites' ran from 1 June 2020 to 10 August 2020. We will continue to accept new sites to our SHELAA throughout the Local Plan process with acceptable cut of dates for publication at the various stages. For example, sites submitted after 15 November 2021 will not be considered in our Regulation 18 SHELAA published report, however, we will consider sites submitted after this date in our Regulation 19 SHELAA report.

During the SHELAA process we have made the sites submitted publicly available via our online mapping system, so that our partners, stakeholders and communities can understand the location and scale of all sites submitted. In January, ahead of our Regulation 18 consultation in the Spring, we aim to publish our Draft Regulation 18 SHELAA. We hope that early publication will allow us to consider any assessment

[21] Wealden District Council Local Development Scheme (LDS) 2020-2023
[22] Wealden Local Plan – Direction of Travel Consultation (November, 2020)

anomalies ahead of the Regulation 18 consultation alongside discussing sites with Members, Town and Parish Council's, partners, stakeholders and communities, as relevant. The principle around this approach is to test our assessment findings to achieve a robust and sound growth strategy for our Regulation 18 Draft Plan which will be published for consultation in Spring.

Wealden District is a highly constrained authority with over 53%[23] of the district being located within the High Weald Area of Outstanding Natural Beauty (AONB), predominantly in the northern part of the district. The district also contains part of the South Downs National Park (SDNP), with over 7% of the district falling within the National Park area. Thus together, the High Weald AONB and the SDNP cover some 60% of the District, in formal recognition of its landscape quality[24]. The local authority area also contains the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) and the Pevensey Levels SAC and Ramsar site that are European / Internationally designated biodiversity sites. Almost 10% of the district is covered by these sites alongside other Sites of Special Scientific Interest (SSSI)[25]. There are a number of other notable constraints in the District such as infrastructure provision (particularly major highway improvements), Ancient Woodland and areas that fall within Flood Zones 2 and 3.

In terms of the Council's own housing needs requirement, under the current 'standard method' described in paragraph 61 of the National Planning Policy Framework (NPPF) (July, 2021), this equates to 1,221 dwellings per annum (dpa). Over a twenty year plan period (2019-2039), this equates to a total of 24,420 dwellings to be delivered, excluding any potential unmet housing needs of other neighbouring local authorities. The Council will aim to meet its own housing needs through its new Local Plan, but given the constraints listed above, whether we can meet our own needs will need to be tested through the Council's Local Plan process, including its evidence base that we are still progressing. We are part way through this process and we are therefore unable to confirm at this time whether we can meet our own housing needs. A key element of our local plan evidence will be transport modelling and testing options to understand the capacity of different locations for growth, which we are undertaking in partnership with all East Sussex local authorities, including of course EBC. However, we are also undertaking a number of other key evidence base studies to understand whether there are other constraints for bringing forward sites. Relevant here is both our landscape assessments and also a Habitats Regulations Assessment.

Consideration of Unmet Housing and Employment Need from EBC

Housing Market Area (HMA)

[23] The High Weald AONB Management Plan 2019-2024
[24] Wealden District Core Strategy Local Plan, (adopted February 2013)
[25] It is noted that some of these SSSIs are located within the High Weald AONB also.

The Wealden Local Housing Needs Assessment (LHNA)[26] was published in August 2021. The previous Wealden Strategic Housing Market Assessment[27] (August 2016) took a Wealden centric view of the Housing Market Area (HMA), and identified one large HMA which covered Wealden, Mid-Sussex District Council, Lewes District Council, Eastbourne Borough Council, Rother District Council and Tunbridge Wells Borough Council.

However, the latest LHNA report for WDC (August, 2021) concludes that Wealden is instead overlapped by a number of different HMAs, which cross and fall within the district boundary in several locations. The Wealden LHNA confirms that the migration analysis undertaken identifies that Wealden has close links to Eastbourne and to a lesser degree with Tunbridge Wells and Lewes. In terms of the commuting analysis, this illustrates the main commuting routes for Wealden residents are to Eastbourne, Tunbridge Wells, Lewes and Mid Sussex. In terms of the LHNA conclusions on the HMA, it is suggested that the Eastbourne HMA overlaps with South Wealden and includes the settlements surrounding Eastbourne[28] and Hailsham specifically. This HMA incorporates approximately 41% of Wealden's own population and is the largest (in population terms) HMA that overlaps into Wealden District, followed shortly behind by the Sevenoaks and Tunbridge Wells HMA that contains 34% of Wealden's population (predominantly in Crowborough, Heathfield and Wadhurst).

However, it is clear from the current evidence base that the southern part of Wealden District (as described above) falls within the Eastbourne HMA and that the administrative area of Wealden surrounds (along with South Downs National Park (SDNP) to the west) Eastbourne. It is noted that paragraph 24 of the National Planning Policy Framework (NPPF) (July, 2021) confirms that 'local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on a strategic matter that cross administrative boundaries'. This would include unmet housing needs[29].

Eastbourne's Potential Unmet Housing Needs

As stated above, EBC have requested WDC to consider an 'potential' unmet housing need of between 348 and 391 dpa, equivalent to between 6,960 and 7,820 homes over a twenty-year period. It is emphasised that this number is not fixed and is still in a 'draft' form at this stage in the plan-making process for EBC. From the housing evidence submitted to WDC, it appears that this range has been provided to take

[26] Wealden Local Housing Needs Assessment, August 2021
[27] Wealden District Council Strategic Housing Market Assessment (SHMA), August 2016
[28] This includes Polegate, Willingdon, Stone Cross, Westham and Pevensey/Pevensey Bay specifically.
[29] It should also be noted that the Functional Economic Market Area (FEMA) is similarly drawn to the HMA within the Draft Eastbourne and Wealden Economy Study (September, 2021).

account of ‘current’ unknown suitability or availability of some sites for housing development.

In May 2021, WDC received advice from PAS as part of its Local Plan Gateway Review. This advice was shared with EBC. The advice focuses on the risks / issues for WDC’s Local Plan delivery and provides options to mitigate these risks. The potential unmet housing need from Eastbourne was a clear focus in the report and issues around politics, proactive engagement, environmental constraints, comprehensive and robust evidence bases, sufficient housing sites and testing the implications of accommodating both WDC’s / EBC’s unmet need were raised in relation to infrastructure, landscape and Habitats Regulations Assessment testing. The report also provided a section on Duty to Cooperate and the report set out that:

> ‘Officers have been taking a positive and proactive approach to engaging with EBC on the issue of unmet need. This has been hampered by the timescales for producing Eastbourne’s Local Plan falling behind Wealden’s.’

The mitigation / option section considered this further setting out that any delays could significantly impact the progress of meaningful duty to cooperate discussions. The report referenced paragraph 012 of the Planning Practice Guidance (PPG) on plan-making which considers the information required to progress a statement of common ground. This provides a focus on the capacity for an authority to meet its own needs, the extent of any unmet need and agreeing / disagreeing about the extent to which unmet needs can be redistributed between authority areas. The report sets out that:

> ‘Within this context it is recognised that it would be unreasonable to expect that the Council delay progress on its Plan or to have regard to any request to accommodate any unmet need (should it be robustly demonstrated by evidence that this is necessary) at later stages in the development of its plan. Nevertheless, the Council will need to clearly demonstrate that it has done everything it can to progress discussions in order to avoid delays or the need to potentially withdraw its Plan at independent examination.’

In light of the PAS advice, WDC asked EBC to confirm its unmet housing need by the end of October 2021. To date, EBC’s unmet housing need has not been identified due to it still being subject to further consideration, testing and public consultation by EBC. Instead EBC has provided an unmet housing need range.

WDC considers that it would not be prudent to test a ‘draft’ number or range that neither local authority has full confidence in. As noted later in this letter, WDC, considers that its existing infrastructure constraints, including the strategic road network, is potentially a key impediment to growth within the district and that the uncertainty over unmet housing needs means that we cannot test those assumptions

with any certainty ourselves. WDC does not consider this to be critical at this stage in the plan-making process as discussions can and will continue, including opportunities for both Councils to consider options to meet any shortfall in housing provision. Instead in the meeting of 24 November 2021 it was agreed between WDC and EBC that WDC would set out in its Regulation 18 Local Plan and associated background papers, EBC's potential shortfall, and that work was ongoing by EBC to identify further options to meet this shortfall, noting however that options to deliver this to the full extent may be limited. WDC will also be clear that discussions are still taking place between EBC / WDC and that if WDC can meet its own housing need, then at that stage any quantified remaining unmet need (either all or part) of EBC will be considered/tested for inclusion in the Wealden Regulation 19 Local Plan. This approach will allow WDC to progress and meet its Local Plan timescale.

In early 2022, it will be important for both sides to set out shared timescales for this work, to follow the advice from PAS and make sure that either plan is not delayed by these ongoing discussions, noting the plan review and other mechanisms open to the Councils.

Eastbourne's Draft Housing Evidence Base Documents

We note EBCs recent response to WDCs queries regarding the draft Land Availability Assessment (LAA) methodology (October, 2021) and the draft 'Assessment of Residential Study' (October, 2021). We thank EBC for its responses to our comments (including on the draft Statement of Common Ground (SoCG)) but there are still several issues that remain relevant, given the draft nature of the housing evidence base.

Firstly, the latest draft SoCG between EBC and WDC states that a Local Housing Needs Assessment for Eastbourne will be prepared, but there are no timescales given for this. As such, is EBC in a position to formally request WDC to meet its unmet housing needs, given that the local assessment has yet to be undertaken, notwithstanding the 'standard methodology' requirement? For example, such work may provide robust justification to deviate from standard methodology, potentially reducing any potential shortfall in the EBC plan.

Secondly, within the draft LAA methodology (October 2021), WDC is still concerned over the treatment of 'large-scale' sites that may be subject to a change of use to residential use. EBC have noted that:

> 'large sites that could have potential for change of use such as large office blocks have been identified in Stage 1 but excluded from further assessment on the basis that they are likely to be a change of use. It is not possible to

> identify in advance if and when a large house might convert to flats, so past trends would be the only way to establish an allowance for this'.

WDC accepts that for smaller sites, such as a large house converting to flats, it may not be possible to identify this in advance and that a 'windfall allowance' would be appropriate. However, for larger sites, particularly office buildings and town centre sites (e.g. former department stores), it is suggested that specific sites assessments would be helpful in identifying levels of housing development in such locations and that a reliance on 'historic trends' through a windfall allowance may not fully account for such housing growth in future years, particularly given the sharp decline in office and retail floorspace in recent years. WDC remains concerned that any approach that looks at future growth in Eastbourne only through the prism of recent/past delivery will simply not deliver the step change in housing delivery required to meet the challenge posed by EBC's housing need.

Lastly, it is noted that WDC has not seen evidence with regards to flood risk and new housing development within the borough. As noted in your letter, much of the central and eastern areas of Eastbourne are constrained by flood risk making large parts of the borough 'undevelopable'. As noted in paragraph 161 of the NPPF, all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and current and future impacts of climate change. From our discussions (24 November 2021) we understand that only sites designated as Flood Risk Zone 3B have been excluded in the LAA and that the sites designated as 3A sites have been included for further assessment.

It is noted that the issues put forward by WDC above may impact housing numbers in Eastbourne and that this will need to be considered as EBC seeks to clarify the quantum of unmet housing need within the borough.

<u>Eastbourne's Potential Unmet Employment Floorspace Needs</u>

As stated within your letter to WDC dated 5 November 2021, the draft Eastbourne and Wealden Economic Study (September, 2021) identifies a need for between 36,387 sqm and 75,809 sqm of employment (office, industrial and warehouse) floorspace in Eastbourne over the Plan period. We note that this is a very wide range for economic need in Eastbourne and we would anticipate that EBC will need to consider this evidence base further in order to clarify what to plan for as part of its Local Plan process. At the time of writing, this is not yet known and it would therefore be difficult for WDC to consider such 'potential' unmet employment needs at this stage in the plan-making process.

However, it is noted that at the lower end of the 'employment needs' range (at 36,387 sqm), it appears from the EBCs LAA that there is capacity for EBC to meet its own

'employment needs' as 48,000 sqm of employment floorspace has been identified as suitable (this includes offices (16,000 sqm) and industrial and warehouse floorspace (32,000 sqm)). If this is the case, then EBC may not have any unmet employment needs as part of its Local Plan process and could accommodate such uses within the borough.

In addition, the make-up of the lower end of 'employment needs' range includes only 4,255 sqm for office floorspace, 7,886 sqm for industrial floorspace (Use Class B2) and 24,246 sqm for storage and distribution (Use Class B8). If EBC was able to meet the industrial and warehousing floorspace needs requirement from sites determined as suitable for such uses within its LAA, then the remaining sites determined as suitable for office use (approximately 11,745 sqm) could come forward as an alternative use, such as housing if in an appropriate location.

In short, WDC considers that the evidence provided so far in terms of a 'potential' unmet employment need for EBC is unclear, particularly given the draft nature of the Eastbourne and Wealden Economy Study (September, 2021). Indeed, as evidenced above, there may not be any 'unmet employment needs' for EBC at the lower end of the range for 'employment needs' identified in that draft study. However, it is likely that WDC will potentially have surplus land suitable for employment uses within the southern part of Wealden District as part of its Local Plan and may be able to support EBC in meeting their own employment needs if there is sufficient evidence that there is an 'unmet' employment need identified; this would require further dialogue in terms of both quantum and the specific employment uses required.

WDC remain of the view that the provision of additional employment floor space within Wealden, to meet any EBC shortfall, whilst ensuring that EBC are able to deliver as much of your housing need as possible is the most appropriate solution. In short, this will help to ensure that homes are delivered in the most sustainable locations, where they are needed, with employment space located to reduce cross-boundary commuting placing greater pressure on the transport networks.

<u>Infrastructure</u>

WDC, as part of its Local Plan process will also need to consider its existing infrastructure constraints and to test how and where we can accommodate growth, including the strategic road network. It is not yet known whether WDC's own development needs can be met through its existing infrastructure and/or what new infrastructure is required to deliver growth in the longer term.

As part of our local plan production, we are working with East Sussex County Council, National Highways and other local authority partners (Rother, the South Downs National Park Authority, Lewes, Hastings and yourselves) to test growth options,

specifically in relation to existing road networks. A countywide transport model is currently being devised for this purpose. We will also need to consider as part of our growth strategy whether an offline A27 is required to support growth. RIS2 was published in March 2020 and identifies further work that will be undertaken in order to progress developing proposals for the A27 between Lewes and Polegate as a potential pipeline scheme for construction between 2025 and 2030. We will need further clarification as to the potential of this scheme in order to inform housing delivery and options for delivery. In the meantime, we are waiting to hear the outcome of a Major Road Network (MRN) bid to support the delivery of a number of junction improvements for the A22/A27 to facilitate growth. We hope to know more on this next year.

Housing Land Availability within Wealden

In the interest of the no surprises rule, as we finalise the work to assess our SHELAA, it is only right that Wealden highlight the limited extent of land available to WDC to meet any updated request from EBC. As indicated above, at this stage of the process, we are aware that we are likely (but not certain) to have a surplus of suitable economic land; however there is far less certainty for suitable housing land. In seeking to meet WDC's housing needs under the 'standard methodology', early indications are that, constraints aside, there will be little, if any, residual suitable sites, despite multiple calls for sites in recent years, proactive land searches and developing urban capacity work. This work is not yet finalised and so we will be in a position to update more early in the New Year. However, we should all be clear that the current projected EBC shortfall range simply could not be met by land currently within the WDC's local plan process.

Conclusions

WDC has identified a number of issues above that demonstrates that meeting the housing requirement for Wealden will be challenging and that we are at the stage in our local plan making process where we need to test our growth options in order to meet our LDS timetable.

Turning to your specific request, the formal request from EBC on unmet housing needs came after a point of time where we are able to consider, test and progress a request. In addition, the unmet housing needs identified are a 'range'. Therefore, WDC will not be able to include an allowance at the Regulation 18 Draft Local Plan stage for EBCs unmet housing need, as we are unable to test an option without a definitive number. WDC does not consider this to be critical at this stage in the plan-making process as discussions can and will continue, including opportunities for both Councils to consider options to meet any shortfall in housing provision.

Similarly, WDC considers that the evidence provided so far in terms of a 'potential' unmet employment need for EBC is unclear, particularly given the draft nature of the Eastbourne and Wealden Economy Study (September, 2021).

Given the above, as agreed (24 November 2021) WDC would not be able to commit at this stage of its plan-making process that it could deliver the suggested amount of unmet housing and employment needs of EBC. However, the Council is developing its evidence base for its new Local Plan and will naturally consider any changes to its evidence base as it progresses through the relevant plan-making stages. We welcome the opportunity to continue having dialogue on these matters as we advance the Local Plan and its supporting evidence base.

I trust that the above comments are helpful and clear at this stage. If you have any further queries, then please do not hesitate to contact us.

Yours sincerely,



Head of Policy and Economic Development

Appendix C – SoCG between WDC and MSDC – June 2020

Mid Sussex District Council: Site Allocations Development Plan Document
April 2020

Statement of Common Ground
Parties to the Agreement

The Agreement involves the following local planning authorities:

- Mid Sussex District Council
- Wealden District Council

Introduction

This Statement of Common Ground is an update to the Memorandum of Understanding signed in January 2016 between the Parties to the Agreement. More specifically its overall aim is to demonstrate that ongoing and appropriate engagement and co-ordination is taking place between the parties that includes planning for the identified cross-boundary strategic planning issues that exist and/or likely to arise resulting from the Mid Sussex District Council emerging Site Allocations Development Plan Document (DPD) that has been published for 'Preferred Options' Consultation 9th October to 20th November 2019.

Wealden District Council and Mid Sussex District Council also signed a Statement of Common Ground in July 2019 that was prepared to inform the Wealden Local Plan. It should be noted that the Wealden Local Plan was subject to independent examination by the Planning Inspectorate in 2019. Following an Inspector's letter (December 2019) regarding the examination of the Wealden Local Plan that concluded that the Local Plan could not proceed further in the examination process, Wealden District Council resolved to withdraw the Wealden Local Plan on 19 February 2020. The Council is currently identifying and considering options in relation to the best approach to prepare a new local plan and will be seeking to adopt a timetable through Local Development Scheme (LDS) shortly.

Current Position

Mid Sussex District Council adopted the District Plan (2014 – 2031) in March 2018. The District Plan identified a housing requirement for the district of 16,390 dwellings up to 2031. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.

The emerging Mid Sussex Site Allocations DPD has four main aims, which are:

i. To allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan;

ii. To allocate sufficient employment land to meet the residual need and in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development;

iii. To allocate a site for a Science and Technology Park west of Burgess Hill in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development, and

iv. To set out additional Strategic Policies necessary to deliver sustainable development.

The Site Allocations DPD policies are strategic and, once adopted, will form part of the Development Plan for the district.

The Site Allocations DPD proposes 22 housing site allocations and 7 employment site allocations to ensure that the housing and employment requirements as identified by the District Plan are met in full.

The Site Allocations DPD has been informed by a comprehensive suite of technical evidence, including Sustainability Appraisal and Habitats Regulations Assessment.

Strategic Planning Issues

The following strategic/cross-boundary planning issues have been identified that relate to the Mid Sussex Site Allocations DPD and the parties:

1. Housing Provision

Mid Sussex District Council adopted the District Plan (2014 – 2031) in March 2018. The District Plan identified a housing requirement for the district of 16,390 dwellings up to 2031. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.

One of the aims of the Site Allocations DPD is to allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan. District Plan Policy DP4: Housing indicates that, as at 1st April 2017, there was a residual amount of 2,439 dwellings to be allocated through future Neighbourhood Plans and the Site Allocations DPD. This residual amount has been updated as at 1st April 2019, and is now 1,507 dwellings.

Policy SA11: Additional Housing Allocations of the Site Allocations DPD proposes to allocate 22 housing sites, that will deliver around 1,962 dwellings. This amount ensures the residual is fully met and provides a reasonable over-allocation to provide flexibility.

The parties agree that the Site Allocations DPD is seeking to allocate sufficient sites to ensure the housing requirement for Mid Sussex is met in full. The Parties agree these allocations do not raise any cross-boundary issues and offer an opportunity to make a positive contribution to delivering sustainable residential development.

2. Ashdown Forest Special Protection Area and Special Area of Conservation

The Site Allocations DPD is informed by a suite of technical evidence including the Habitats Regulations Assessment and air quality modelling work that comprehensively tests the emerging Site Allocations DPD options to ensure there is no adverse effect on the integrity of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

The Regulation 18 Habitats Regulations Assessment concludes that at this point in time, the Site Allocations DPD does not present any potential risks to European sites that it is considered are not capable of being mitigated. New SANG options are proposed and are considered to present a viable option for additional SANG capacity to meet the growth provided for by the site allocations. The preferred growth scenario as presented in the Site Allocations DPD does not present air quality impacts that are significantly higher than other growth scenarios and includes additional measures in terms of highways improvements that will serve to improve the functioning of the road network and reduce congestion. The modelling results for the growth scenarios are such that the breaches of 1% of the critical loads are so

low that, having regard for the wider context, are considered to be a minor retardation low enough to be ruled out from adverse effects. The Habitats Regulations Assessment will be updated and expanded accordingly to inform the Regulation 19 stage.

SAC – Air Quality

Both parties are active members and attend regular meetings of the Ashdown Forest SAC Working Group, which is chaired by the South Downs National Park Authority. A separate Statement of Common Ground was prepared by the group and Mid Sussex District Council is a signatory of the Ashdown Forest Statement of Common Ground that was published in April 2018. Although Wealden District Council attended the Working Group and made amendments to the Ashdown Forest Statement of Common Ground, it did not become a signatory. Wealden District Council published a Position Paper outlining the reasons why the Council was not a signatory to the document. Following the withdrawal of the Wealden Local Plan and its associated evidence base, Wealden District Council is working collaboratively with the Ashdown Forest working group and in due course an updated SoCG will be drafted to reflect the current position.

The Ashdown Forest SAC Working Group is ongoing and both parties continue to work together alongside the other partners of the group.

SPA – Recreational Disturbance

Both parties are signatories to another Statement of Common Ground setting out a joint approach to the Ashdown Forest SPA in relation to visitor pressure. This sets out agreement that there is a role for a Strategic Access Management and Monitoring (SAMM) partnership for all relevant local authorities as they work together as part of a joint approach to mitigation for recreational disturbance for new residential development. Both parties have agreed that 7km is the appropriate mitigation zone to collect SAMM contributions, based on the technical evidence of the Ashdown Forest Visitor Survey. The SAMM partnership of six local authorities and the Conservators of Ashdown Forest works together on the formation and operation of a legal partnership for SAMM regarding the Ashdown Forest SPA to address issues arising from visitor pressure.

There is ongoing partnership work to progress the Joint SAMM Strategy.

Liaison

The parties have engaged on an ongoing basis throughout the preparation of the Site Allocations DPD. Specific engagement has taken place at key stages during plan preparation including revision of the methodology for identifying sites for potential allocation, including for the Strategic Housing and Employment Land Availability Assessment (SHELAA) and for site selection, and during preparation of the Draft Plan at 'Preferred Options' (Regulation 18) stage. Wealden District Council did provide a formal response to Mid Sussex District Council for its Draft Plan at the 'Preferred Options' (Regulation 18) stage.

Conclusion

Wealden District Council and Mid Sussex District Council agree that they have engaged on an ongoing basis throughout preparation of the Site Allocations DPD and on this basis that the Duty-to-Cooperate has been met.

Wealden District Council and Mid Sussex District Council agree that there are no areas of disagreement between the parties relating to the emerging Site Allocations DPD and to

continue to work together on the areas of ongoing work discussed in this Statement of Common Ground.

Signed:  Dated: 22nd June 2020	Signed:  Dated: 22nd June 2020
 Deputy Leader and Planning and Development Portfolio Holder Wealden District Council	 Cabinet Member for Housing and Planning Mid Sussex District Council

Appendix D - SoCG between WDC and SDC – April 2019

Statement of Common Ground

as agreed between

Wealden District Council and Sevenoaks District Council

Contents

1. Introduction

The basis for preparing this Statement of Common Ground

2. Key Matters

Housing

Gypsies and Travellers

Ashdown Forest

High Weald Area of Outstanding Natural Beauty (AONB)

3. Actions going forward

4. Signatories / Declaration

Appendix A: Administrative Areas

Appendix B: Wealden HMA

1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by Sevenoaks District Council (SDC) and Wealden District Council (WDC). It reflects the agreed position between the parties.

1.2 The purpose of this SCG is to set out the basis on which WDC and SDC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. WDC prepared their Local Plan (named the 'Wealden Local Plan') for Regulation 19 consultation in the summer/autumn of 2018 and formally submitted its Local Plan in January 2019 to the Secretary of State. SDC prepared their Local Plan for Regulation 19 consultation during the winter of 2018/19 and intend to submit their Local Plan in April 2019. This statement describes the established mechanisms for ongoing cooperation on strategic matters.

1.3 Under section 33A of the Planning and Compulsory Purchase Act 2004 (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) 2019 it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage and is an additional requirement to the test of soundness. The Wealden Local Plan will be considered for examination purposes under the NPPF published in March 2012 owing to its submission date[1]. Notwithstanding different NPPF versions, the Duty to Cooperate process for Local Plans has remained similar.

1.4 The NPPF (2019) states at paragraph 27 that "*In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these*".

1.5 The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG) "*local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.*" The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

---

[1] Paragraph 214 of the NPPF (2019) confirms that the policies of the previous Framework published in March 2012 will apply for the purpose of examining plans, where the plans were submitted on or before 24 January 2019.

1.6 The administrative areas set out in Appendix A and B show that WDC and SDC share a common boundary and are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas.

2. Key Matters

2.1 Housing

2.1.1 Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. Paragraph 65 of NPPF is very clear that *'Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. ...'.*

2.1.2 The Wealden Local Plan is supported by the Wealden District Strategic Housing Market Assessment (SHMA)[2] published in August 2016. Section 2 of this document (Defining the Housing Market Area) assesses the wider Housing Market Area (HMA) for WDC based on Planning Practice Guidance. The Wealden SHMA identifies that **Eastbourne Borough, Tunbridge Wells Borough, Rother District, Lewes District and Mid Sussex District** have the strongest and most consistent migration and commuting relationships with Wealden, as well as linkages in house prices.

2.1.3 It is noted within the Wealden SHMA Report that the Housing Market Area defined for Wealden "...is not regarded as a definitive or exclusive HMA and is better understood as a grouping of the local authorities which have the strongest relationships with Wealden" (Paragraph 2.10, page 13). Whilst the HMA identified above is centred on Wealden District, it is accepted that there are HMAs which are centred on other centres such as Tunbridge Wells, Hastings and Eastbourne, which in the case of Tunbridge Wells, Lewes and Mid Sussex overlap with the Wealden HMA, but may have different local authority inclusion. Appendix B provides a map taken from the Wealden Local Plan (Figure 1, page 23) which identifies HMAs relevant to Wealden District.

2.1.4 In the case of Sevenoaks, the Wealden SHMA document indicates that average flows into Wealden District from Sevenoaks District amounted to 2% of the total inflows between 2010 and 2013 (the seventh highest local authority behind the five defined Wealden HMA authorities and Brighton and Hove). The average outflows from Wealden District to Sevenoaks did not feature in the SHMA, as there were at least ten local authorities who had greater inflows of Wealden District residents between 2010 and 2013. The Wealden SHMA also concluded that in and out commuting patterns for Wealden and Sevenoaks were limited. Overall the Wealden SHMA determines that there is a strong housing market relationship between Wealden and Tunbridge Wells, but this is not evidenced for the remaining authorities in the West Kent HMA through the Wealden District SHMA.

2.1.5 The Sevenoaks and Tunbridge Wells SHMA[3] published in 2015 identified that Sevenoaks and Tunbridge Wells fall within a West Kent Housing Market Area (HMA) which includes **Sevenoaks, Tonbridge and Tunbridge Wells**.

2.1.6 The Sevenoaks and Tunbridge Wells SHMA goes on to state that *"There is a close set of interactions between the towns of Sevenoaks, Tonbridge and Tunbridge Wells which reflect their geographical proximity. There is also a relationship into the northern part of Wealden.*

---

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

[3] Sevenoaks District Council – Strategic Housing Market Assessment – September 2015

There are cross-boundary interactions between Swanley and Dartford and a stronger commuting relationship to London. Links from Tandridge are stronger to other authorities in Surrey and West Sussex."

2.1.7 The Sevenoaks and Tunbridge Wells SHMA conclude that *"The principal adjoining authorities with a strong relationship would be Tonbridge & Malling, Wealden and Rother. Equally the commissioning authorities would need to engage with those authorities in respect of any unmet housing needs arising from these other authorities' areas. We would also advise the Councils to engage with the Greater London Authority and London Boroughs in respect of any unmet needs arising from London".* It should be noted that the SHMA was prepared jointly with Tunbridge Wells BC and the references to the relationships with Wealden and Rother are *"between Tunbridge Wells and the northern part of Wealden and Rother Districts" (Paragraph 3.70).*

2.1.8 Paragraph 26 of the NPPF states that *"effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere".*

2.1.9 The submission Wealden Local Plan (January, 2019) confirms under policy WLP 1 (Provision for Homes and Jobs) that some 14,228 dwellings (net) will be delivered between 2013 and 2028, equating to 950 dwellings per annum. This was based on the WDC SHMA, and subsequent evidence base updates to the Objectively Assessed Housing Need assessment (OAN)[4]. This housing requirement is based upon the methodology applied in the NPPF (March, 2012) and the 2014-based sub-national household projections.

2.1.10 The Wealden District does have a number of significant environmental, infrastructure (transport and sewage treatment) and landscape constraints, with the High Weald Area of Outstanding Natural Beauty (AONB) covering just over 53% of the District and the South Downs National Park (SDNP) covering over 7% of the District[5]. There are also two significant Natura 2000 sites within Wealden District including the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) and the Pevensey Levels SAC and Ramsar site. These sites along with other sites including the Lewes Downs SAC have been considered within the Habitats Regulation Assessment (HRA) (January, 2019)[6] that accompanied the Wealden Local Plan. It was concluded within the HRA that mitigation measures would be required to ensure that development in the District would not adversely affect the integrity of the relevant Natura 2000 sites above. Owing to the constraints identified above, Wealden District Council consider that it is unable to provide additional housing beyond its own housing need requirements at the current time.

2.1.11 If Wealden District Council was in a position to meet the unmet housing needs of other local authorities, then the Wealden SHMA identifies that it has the strongest and most consistent migration and commuting relationships with Eastbourne, as well as linkages in house prices and trend. Indeed, the most substantial in-migration and out-migration flows to and from the Wealden between 2010 and 2013 were from Eastbourne. Consequently, it is accepted that if

[4] Wealden District Council – Wealden OAN Update Draft Paper: 2013-2028

[5] The South Downs National Park Authority (SDNPA) is the local planning authority for this portion of the Wealden District.

[6] Wealden Local Plan – Habitats Regulations Assessment (January, 2019), Submission Document A35.

Wealden District Council was able to meet the unmet housing needs of other local authorities, then it is likely that the Council would first seek to meet unmet housing needs of Eastbourne Borough Council.

2.1.12 SDC has undertaken Regulation 19 consultation on a Plan which includes proposed Green Belt release but also outlines a degree of unmet housing need. Sevenoaks District Council is constrained by the Green Belt (93%) and the AONB (60%) and it is noted that SDC cannot meet its own need in full within the District. Discussions have taken place with neighbouring authorities, in the first instance in the HMA, and then more widely, to discuss assistance with unmet need, but no authority to date has been in a position to assist SDC with unmet need.

2.1.13 SDC's Regulation 19 Plan outlines a Housing Supply of 10,568 units, which includes 1,104 completions in the period 2015-18. Based on a requirement of 707 units per annum, or 11,312 units in total over a 16 year period (2019-2035), this leads to an unmet housing need of approximately 1,800 dwellings.

2.1.14 **It is understood that at present, neither authority is able to assist the other with unmet housing need, due to the constraints on the local authorities, and their inability to meet housing needs beyond their own, irrespective of unmet needs elsewhere.**

2.1.15 Consequently, both councils will continue to work together and identify the position as both WDC and SDC prepare to review their Local Plan at least every 5 years.

Actions

- WDC and SDC will engage through the wider Duty to cooperate forum with other neighbouring authorities outside each other's HMA in relation to housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale developments and opportunities for meeting unmet need.
- Both authorities to undertake a review of the Local Plan at least within 5 years' time.

2.2 Gypsies and Travellers

2.2.1 There has been a need to cooperate with neighbouring authorities to assist in meeting unmet need for Gypsies and Travellers.

2.2.2 SDC are looking to allocate sufficient gypsy and traveller sites through their submission draft Local Plan to meet their need but are unable to assist with any unmet need due to district-wide constraints. WDC are able to accommodate their own needs within their administrative area through allocations within the submission Wealden Local Plan. WDC have also allocated a further three gypsy and traveller pitches above its own requirements for the Plan period (i.e. up until 2028). On 7 December 2018, prior to the submission of its Local Plan on 21 December 2018, Lewes District Council (LDC) identified a need of three Gypsy and Traveller pitches. It was requested that the Council consider meeting its undersupply. The Council has considered that request and has identified that subject to the examination of the Wealden Local Plan and negotiations with the landowner to provide that site, WDC could meet that need.

2.2.3 Both Councils will continue to operate existing joint working arrangements through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

Actions:

- Both authorities to engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the HMA in relation to housing related matters, including gypsy and traveller provision.
- Both authorities to undertake a review of the Local Plan at least within 5 years' time.

2.3 Natural Environment - Ashdown Forest

2.3.1 SDC and WDC will continue to work positively together in relation to the Ashdown Forest. The Ashdown Forest is a European Site and designated as a Special Area of Conservation (SAC) for its heathland habitat and a Special Protection Area (SPA) for bird species Dartford warbler and nightjar during their breeding seasons.

2.3.2 Both authorities are active members and attend regular meetings of the Ashdown Forest SAC Working Group, which is chaired by the South Downs National Park Authority (SDNPA). The Planning Advisory Service worked alongside the group in relation to Duty to Cooperate matters in relation to the SAC. SDC are signatories of the Ashdown Forest Air Quality Statement of Common Ground (SoCG)[7] published in April 2018. Although WDC contributed to the Ashdown Forest SoCG, WDC did not become signatories to the Ashdown Forest Air Quality SoCG and has published a Position Paper[8] outlining the reasons why the Council has not become a signatory to the document.

2.3.3 Both SDC and WDC will continue to work together as part of the Ashdown Forest SAC Working Group which will seek to work with Natural England to reduce levels of nitrogen deposition on the Ashdown Forest.

2.3.4 Both authorities are signatories to a Statement of Common Ground, setting out a joint approach to the Ashdown Forest Special Protection Area (SPA) in relation to visitor pressure. This sets out agreement that there is a role for a Strategic Access Management and Monitoring (SAMM) partnership for all relevant local authorities as they work together as part of a joint approach to mitigation. Both WDC and SDC have agreed that 7km is the appropriate mitigation zone to collect SAMM contributions, based on the technical evidence of the Ashdown Forest Visitor Survey which WDC and SDC jointly commissioned, together with other local authorities. WDC also collect contributions for SANGS within 7km. Applications outside of the 7km will be assessed in relation to any impact on a case-by-case basis. The SAMM Partnership works together on the formation and operation of a legal partnership for SAMM regarding Ashdown Forest SPA to address issues arising from visitor pressure.

Actions:

[7] The Ashdown Forest Statement of Common Ground, (April 2018)
[8] Wealden District Council – Position Paper – Ashdown Forest SAC Statement of Common Ground (October 2018)

- Both authorities to continue to form part of the working group and undertake the actions set out in the signed Statements of Common Ground and SAMM partnership.

2.4 High Weald Area of Outstanding Natural Beauty (AONB)

2.4.1 As indicated on the map at appendix A, the High Weald AONB covers a substantial proportion of both Districts, but is largely located in Sussex (i.e. within Wealden District). The Kent Downs AONB also covers a large area in the north of Sevenoaks District. Wealden District does not contain any of the Kent Downs AONB.

2.4.2 Both authorities form part of the Joint Advisory Committee (JAC) and officer steering group for the High Weald AONB.

2.4.3 The High Weald AONB unit has recently produced the High Weald AONB Management Plan 2019-2024, which was agreed by the Joint Advisory Committee in November 2018 after public consultation and with input from both authorities. The management plan sets out the key characteristics of the High Weald in terms of natural beauty and is an important guidance document for development within the AONB.

2.4.4 Both authorities are committed to continue working together in partnership, with the aim of ensuring that the objectives and actions set out in the High Weald AONB Management Plan are delivered in a timely manner over the period of the WDC and SDC Local Plan.

3. Actions going forward

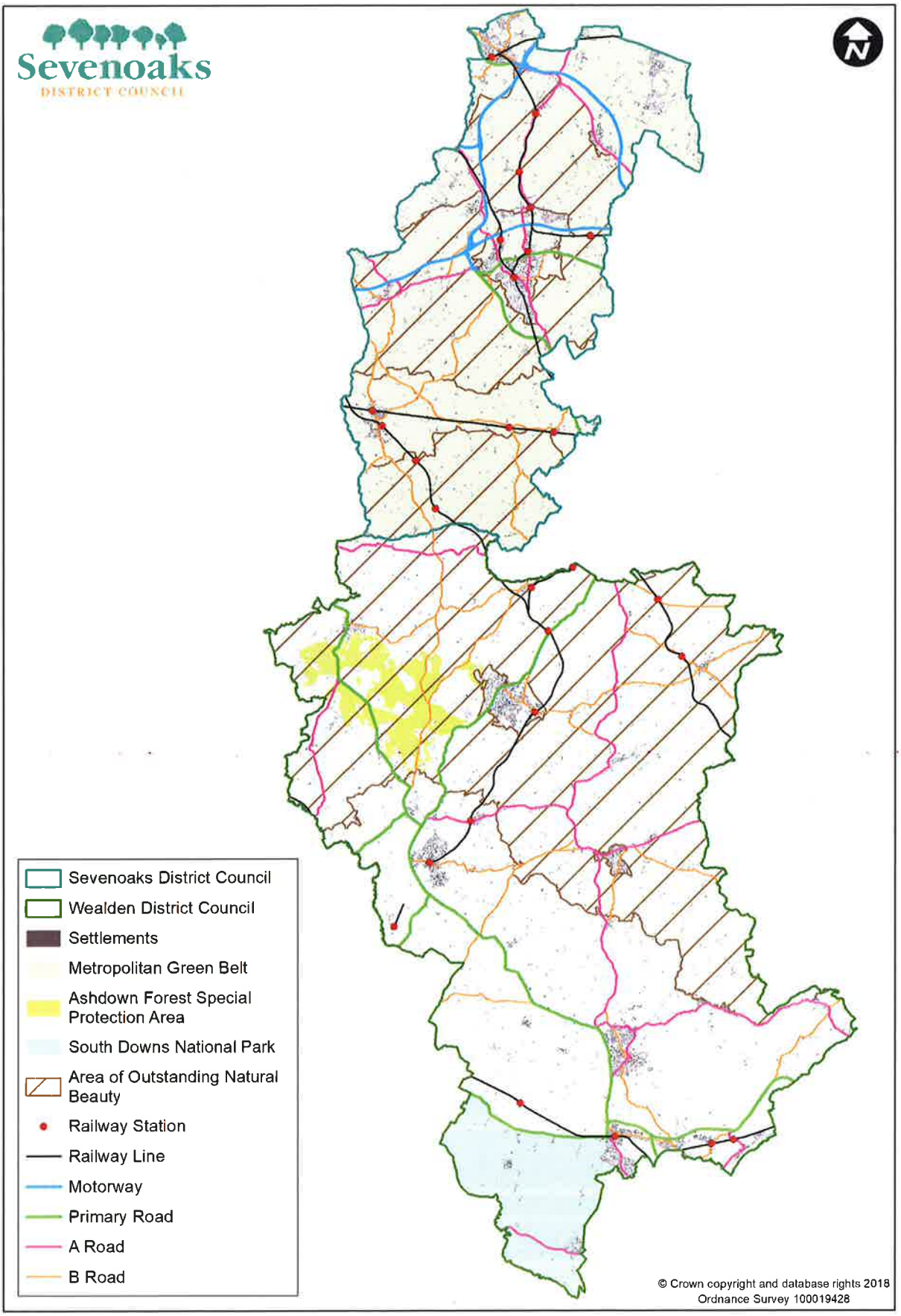
Key Issue	Agreed Action	Other comments
Housing / Gypsy and Traveller	WDC and SDC will engage through the wider Duty to Cooperate forum on all housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale developments and opportunities for meeting unmet need, prior to the review of the Local Plans.	
Ashdown Forest	WDC and SDC will continue to form part of the Ashdown Forest Working Group and implement actions set out in the signed Statement of Common Ground and SAMM partnership agreement as relevant to each local authority.	
High Weald AONB	Continue to liaise on cross-boundary natural environment matters and implement the Management Plan for the High Weald AONB.	

4. Signatories/Declaration

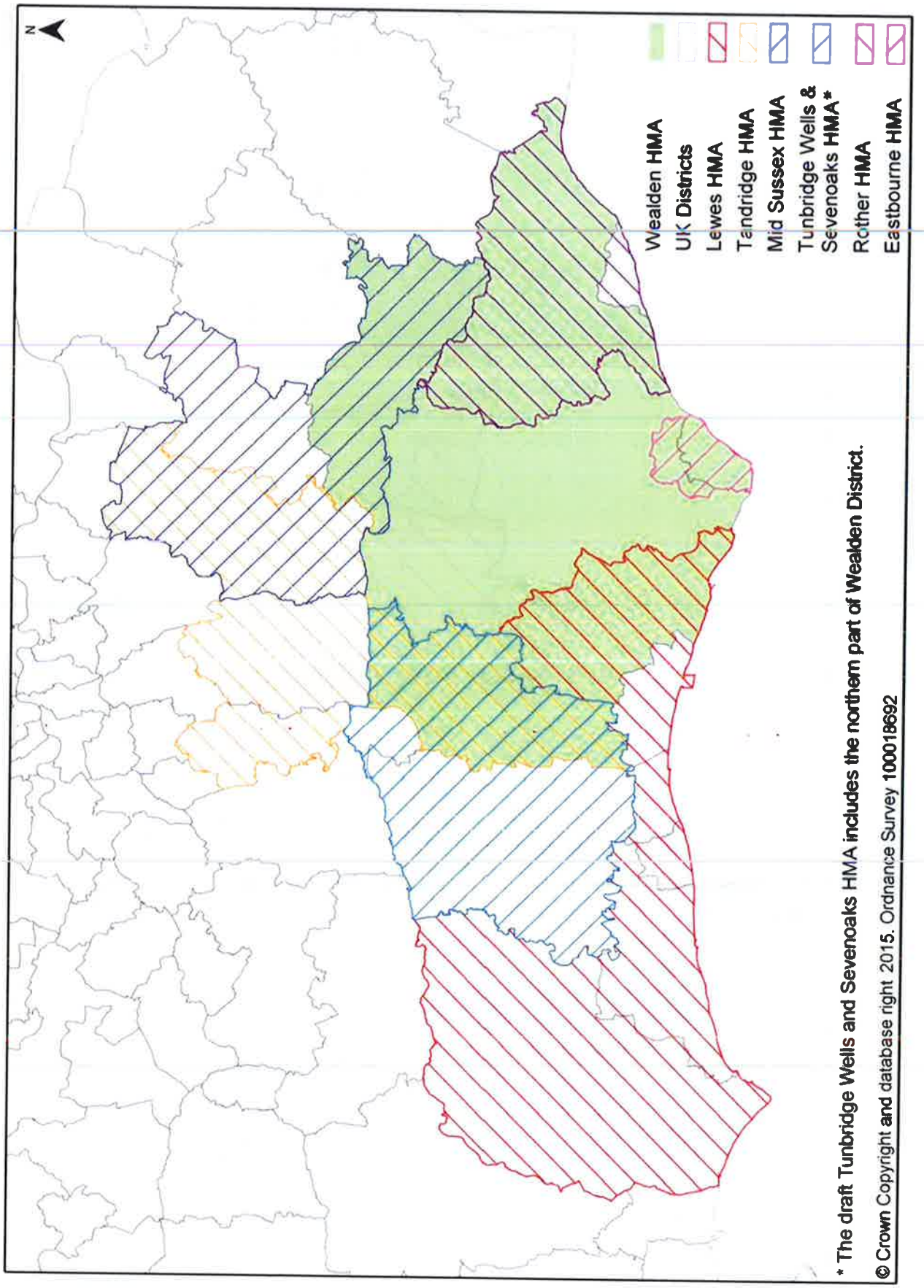
Signed on behalf of Wealden District Council (Councillor)	Signed on behalf of Wealden District Council (Chief Executive)
[redacted]	[redacted]
Position: Portfolio Holder for Planning + Executive	Position: CHIEF EXECUTIVE
Date: 15/4/2019	Date: 15/04/2019

Signed on behalf of Sevenoaks District Council	Signed on behalf of Sevenoaks District Council (Chief Executive)
[redacted]	[redacted]
Position: PORTFOLIO HOLDER - PLANNING	Position: Chief Executive
Date: 23/4/19.	Date: 23/4/19.

Appendix A: Administrative Areas



Appendix B: Wealden HMA



Appendix E – SoCG between WDC and SDNPA – April 2018

South Downs
National Park Authority

DUTY TO COOPERATE STATEMENT OF COMMON GROUND

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

DATE: April 2018

1. Introduction

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

2. Context

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

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

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

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

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

2.5 The district of Wealden including that part which is within the SDNP is considered by WDC as falling wholly within the wider Wealden HMA, as identified in the WDC Housing Market Position Statement[1] and the Wealden District Council's Strategic Housing Market

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

Assessment (SHMA)[2]. Based on the documents above, it is also considered by WDC that the wider Wealden HMA would include Eastbourne Borough and Tunbridge Wells Borough, as having the strongest relationships with the Wealden District, and would also include the Districts of Lewes, Mid Sussex and Rother to a lesser extent[3].

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

3. Purpose and objectives

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

3.2 The purpose of this SCG is to demonstrate clearly and concisely how strategic cross-boundary matters relevant to the SDLP, which are specific to both authorities, have been and will continue to be jointly addressed. These focus on the issue of addressing objectively assessed development needs, particularly housing needs, and on how points of disagreement between the parties are being positively resolved. Further detail is given in the South Downs National Park Duty to Cooperate Statement[4], and in the jointly prepared documents referred to below.

4. Addressing unmet housing need

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

[2] Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016)
[3] Wealden District Council Strategic Housing Market Assessment Final Report, (August, 2016), Section 2 (Defining the Housing Market Area).
[4] South Downs National Park Duty to Cooperate Statement, 2017

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

	A	B	C	D	E	F	G	H
HMA / District area	***SDLP housing provision (total)***[1]	**SDLP housing provision** (A divided by 19 years)	**OAN inside SDNP**[2]	**Unmet need inside SDNP**[3] (C minus B)	**Local Authority Local Plan provision for whole area**[4]	**Local Authority Actual Net Housing Provision since adoption of Core Strategy**[5]	**Local Authority OAN per annum (whole area)**[6]	**Total annual unmet need against current Joint Core Strategy target**[7] (E-G)
Wealden	*48*	3	10	7	450	579	950	500

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

[2] South Downs HEDNA 2017 (Table 4)

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

[4] Wealden figure derived from Wealden Joint Core Strategy

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

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

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

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

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

5.0 Ashdown Forest

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

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

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

Signed on behalf of Wealden District Council [redacted]
Date: 26th April 2018
Position: Director of Planning Policy and Economic Development

Signed on behalf of the South Downs National Park Authority [redacted]
Date 26|4|18
Position DIRECTOR OF PLANNING.

South Downs Centre, North Street,
Midhurst, West Sussex, GU29 9DH

T: 01730 814810
E: info@southdowns.gov.uk
www.southdowns.gov.uk

Chief Executive: Trevor Beattie

Appendix F – SoCG between WDC and TDC – December 2018

Statement of Common Ground

as agreed between

Tandridge District Council and Wealden District Council

Tandridge District Council Local Plan: Statement of Common Ground with Wealden District Council, November 2018

Contents

1. **Introduction**

The basis for preparing this Statement of Common Ground

2. **Key Matters**

2.1 Housing
2.2 Travellers
2.3 Conservation and enhancement of natural and historic environment

3. **Actions going forward**

4. **Signatories / Declarations**

Appendix A: Administrative Areas

Tandridge District Council Local Plan: Statement of Common Ground with Wealden District Council, November 2018

1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by Tandridge District Council (TDC) together with Wealden District Council (WDC). It reflects the agreed position between the parties.

1.2 The purpose of this SCG is to set out the basis on which TDC and WDC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. TDC have prepared their Local Plan for Regulation 19 consultation during the summer of 2018. This statement also describes the established mechanisms for ongoing cooperation on strategic matters.

1.3 Under section 33A of the Planning and Compulsory Purchase Act 2004 (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) 2012 it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage and is an additional requirement to the test of soundness.

1.4 The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG) *"local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination."* The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

1.5 The administrative areas set out in Appendix A show that TDC and WDC share a common boundary and hence are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas.

2. Key Matters

2.1 Housing

2.1.1 Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. Paragraph 47 of NPPF is very clear that *'local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this framework...'.*

2.1.2 TDC prepared a Housing Market Assessment (HMA) Paper[1] as part of their Strategic Housing Market area Assessments (SHMAs) in 2015 and updated this in 2018. The TDC SHMA 2018 identifies that there is a small flow from Bromley to Tandridge at 2.5% and a commonality with Bromley house prices in the settlements of Oxted, Woldingham, Limpsfield and Warlingham.

2.1.3 The TDC HMA papers set out that *"...evidence points towards Tandridge being a functional component of a HMA including Croydon, Reigate and Banstead and Mid Sussex,"* which does not include Wealden District Council. This correlates with the Wealden SHMA published in August 2016 and concludes:

"...the definition of a broader HMA which includes Wealden, Eastbourne and Rother with the addition of Tunbridge Wells, Lewes and Mid Sussex. However, it is not a completely exclusive geography for understanding influences on Wealden as other authorities or parts of authorities may also have some migration, commuting and house price relationships and influences with Wealden, albeit these will be less significant"

2.1.4 WDC's SHMA therefore indicates that Tandridge is not one of the authorities found to share a strong relationship with Wealden. TDC's SHMA recognises that whilst Wealden has accommodated the fifth largest outflow from Tandridge over the past five years, it did not feature amongst the ten largest flows recorded at the 2011 Census. This suggests an increasingly strong migration relationship between Tandridge and Wealden, albeit at a level which is notably lower than those authorities identified as consistently having the strongest relationships and therefore does not form part of its immediate HMA.

2.1.5 TDC's 2015 SHMA has identified an objectively assessed housing (OAN) need for the district of 470 houses per annum which amounts to 9,400 dwellings over 20 years. Following the publication of the 2018 household projections, TDC updated their OAN paper in line with the NPPF 2012[2], which includes the uplift of the projections based on market signals. The 2018 paper identified an OAN of 398 dwellings per annum.

2.1.6 TDC's Housing Land Supply Paper 2018 sets out when considering all the evidence, including the constraints within the District, a total of 6,150 dwellings over 20 years is the maximum capacity achievable in the District. This includes a buffer of 5%. This will lead to an unmet housing need of approximately 1,904 dwellings in Tandridge based against the OAN 2018. In seeking to meet their unmet housing need, TDC has engaged with neighbouring councils within their HMA to explore the possibility of them assisting TDC to meet this need.

2.1.7 Paragraph 179 states *"Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework".*

---

[1] https://www.tandridge.gov.uk/Portals/0/Documents/Planning%20and%20building/Planning%20strategies%20and%20policies/Local%20plan/Evidence%20base%20and%20technical%20studies/SHMA-2018-Defining-Housing-Market-Area.pdf

[2] TDC are aiming to submit their Local Plan by January 2019, which is within the 6 month transitional window where existing plans are to be examined against the NPPF 2012.

2.1.8 Through duty to cooperate meetings, WDC have identified that they sit within a different HMA which are meeting their own needs[3] and there is no available capacity to meet TDC's unmet need due to constraints. Discussions would need to first occur with neighbouring authorities in the HMA to assist with any unmet need.

Actions

- TDC and WDC will engage through a wider Duty to Cooperate forum with other neighbouring authorities outside TDC HMA in relation to housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale developments and opportunities for meeting unmet need.
- TDC to undertake a 5 year review of the Local Plan.
- WDC to undertake a review of the Wealden Local Plan in accordance with Policy.

2.2 Gypsy and Travellers

2.2.1 In March 2014 TDC issued a "call for sites" to establish land in the District that may be suitable for traveller accommodation, but there was a limited response. TDC also reviewed existing unauthorised sites and temporary permissions. However, through a robust assessment of the sites, insufficient sites have been identified to meet the need of 5 traveller sites and 21 travelling showpeople plots.

2.2.2 There are currently some planning applications submitted to TDC that could assist in meeting the 5 traveller sites; these applications are to be determined by the end of the year. However, there are no suitable sites in the first 10 years, until the GC comes forward for travelling showpeople.

2.2.3 There has been a need to cooperate with neighbouring authorities to assist in meet TDC unmet need. WDC have identified two sites to meet Gypsy and Traveller needs but have no suitable sites to meet TDC travelling showpeople's unmet need.

2.2.4 TDC will to work with WDC through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

Actions:

- TDC and WDC engage through the wider Duty to Cooperate forum with other neighbouring authorities outside TDC HMA in relation to housing related matters, including traveller provision.
- TDC to undertake a 5 year review of the Local Plan.

[3] WDC identify that under the NPPF 2012 the objectively assessed housing need for the District is 950 dwellings per annum or 14,250 dwellings between 2013 and 2028. This OAHN includes part of the South Downs National Park that is located within the District. The Proposed Submission Wealden Local Plan was subject to representations under Regulation 19 between August and October 2018 and is anticipating submission of the Wealden Local Plan with a proposed housing requirement of 14,228 dwellings between 2013 and 2028.

2.3 Conservation and enhancement of natural and historic environment

Ashdown Forest

2.3.1 TDC and WDC continue to work positively together in relation to the Ashdown Forest. The Forest is an internationally protected Special Area of Conservation (SAC) and Special Protection Area (SPA).

2.3.2 In order to mitigate recreational impacts upon the SPA, TDC and WDC are both signatories to the Inter Authority Agreement (IAA) for the Ashdown Forest, which sets the process of collecting contributions to Strategic Access Management and Monitoring (SAMM) to mitigate impacts upon the Forest. Both WDC and TDC have agreed that 7km is the appropriate mitigation zone to collect SAMM contributions, based on the technical evidence of the Ashdown Forest Visitor Survey which WDC and TDC jointly commissioned, together with other authorities. An updated IAA 2018 agreement is currently in the process of being discussed between WDC and TDC, as well as other relevant authorities, and is anticipated to be signed before the end of 2018. Both WDC and TDC have an ongoing commitment (set out in the IAA) to meet at least quarterly in relation to recreational pressures on the SPA, and SAMM in particular. In addition, TDC have initiated discussions with WDC with a view to possibly sharing Suitable Alternative Natural Greenspace (SANG) to further mitigate recreational impacts upon the Forest.

2.3.3 Both WDC and TDC also attend regular meetings of the Ashdown Forest Air Quality Working Group, which is chaired by South Downs National Park Authority. TDC are signatories of the Ashdown Forest Air Quality Statement of Common Ground (SoCG) – WDC are not a signatory[4] but both parties will continue to work together as part of the Group. This will include a forthcoming Site Nitrogen Action Plan (SNAP) to be led by Natural England which will proactively seek to reduce levels of nitrogen deposition on the Forest over the longer term.

2.3.4 Whilst TDC do not feel development within their District will have an impact on the air quality within the Ashdown Forest, TDC and WDC have actively promoted measures to reduce nitrogen deposition on the Forest, as part of good stewardship and will continue to do so as part of the ongoing process of producing a SNAP.

Actions

- Update the Inter Authority Agreement
- Consider the opportunities for sharing SANG
- Prepare a Site Nitrogen Action Plan

[4] Wealden District Council published a Position Statement in relation to the Ashdown Forest Statement of Common Ground which is available on the Council's website

3. Actions going forward

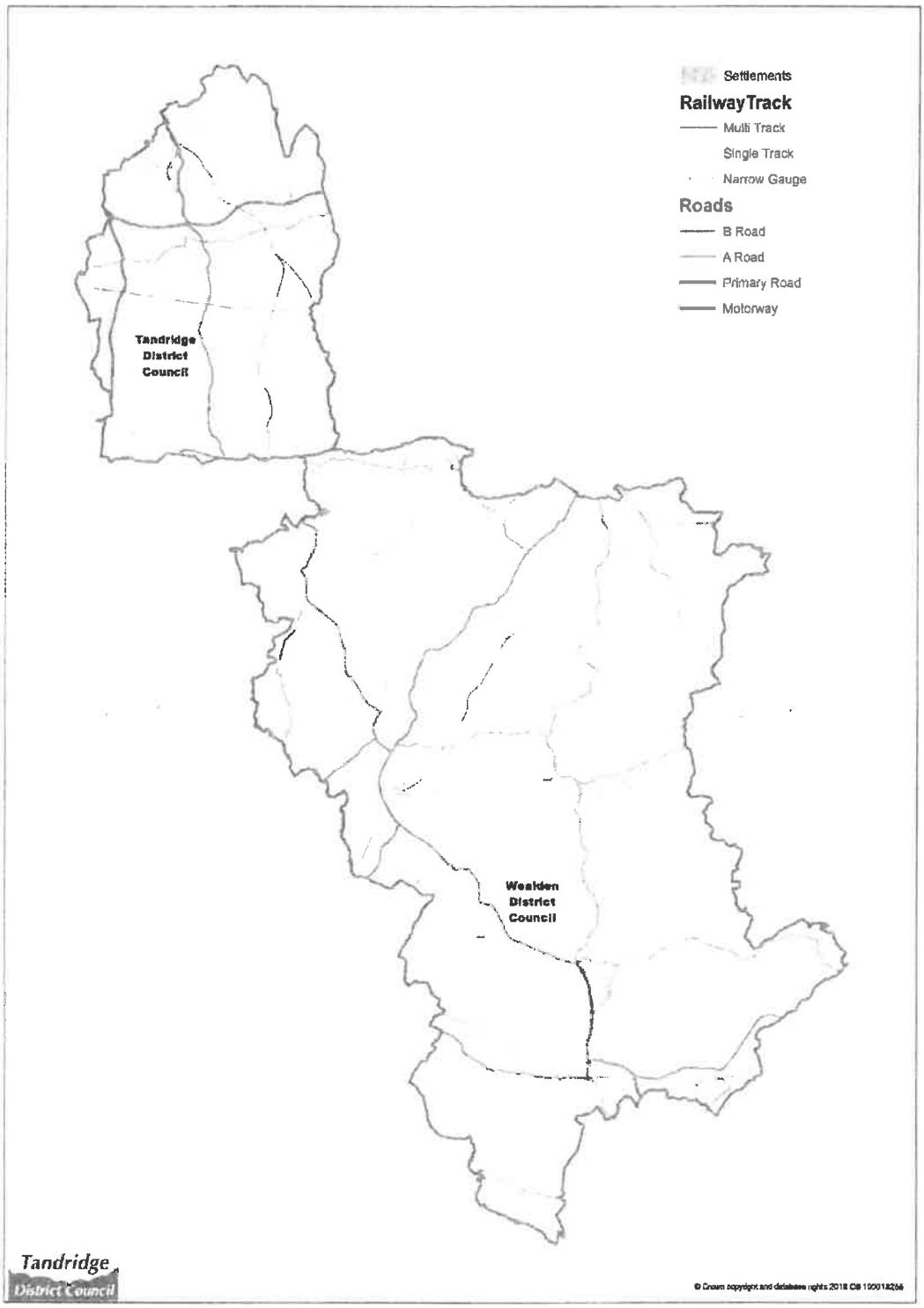
Key Issue	Agreed Action	Other comments
Housing / Gypsy and Traveller	TDC and WDC will engage through the wider Duty to Cooperate forum on all housing related matters to identify where unmet need will be met, prior to the review of the TDC and WDC Local Plan.	
Ashdown Forest	Update the Inter Authority Agreement	
	Consider the opportunities for sharing SANG	
	Prepare a Site Nitrogen Action Plan	

4. Signatories/Declaration

Signed on behalf of Tandridge District Council (Councillor)	**Signed on behalf of Tandridge District Council (Chief Executive)**
[redacted]	[redacted]
Position: Chair Planning Policy	**Position:** CHIEF EXECUTIVE
Date: 6.12.18	**Date:** 11/12/18

Signed on behalf of Wealden District Council (Councillor)	**Signed on behalf of Wealden District Council (Chief Executive)**
[redacted]	[redacted]
Position: CABINET MEMBER: PLANNING	**Position:** CHIEF EXECUTIVE
Date: 05/12/18	**Date:** 05/12/18

Appendix A: Administrative Areas



Appendix G – SoCG between WDC and TWBC – March 2021

Statement of Common Ground

Wealden District Council and Tunbridge Wells Borough Council

Contents

1. Introduction

2. Development on Administrative Boundaries

3. Housing

3.1 *Housing Market Area*

3.2 *Housing Requirements*

3.3 *Gypsy, Travellers and Travelling Showpeople*

4 Economy

4.1 *Functional Economic Market Area*

4.2 *Retail Catchment Area*

5. Cross Boundary Infrastructure Issues

6. Natural Environment

6.1 *Ashdown Forest European Site*

6.2 *Ashdown Forest Special Area of Conservation (SAC)*

6.3 *Ashdown Forest Special Protection Area (SPA)*

6.4 *High Weald Area of Outstanding Natural Beauty (AONB)*

6.5 *Biodiversity*

7. Governance

8. Actions Going Forward

9. Signatories / Declarations

Appendices

Appendix A: The Administrative Areas of Wealden and Tunbridge Wells

1. Introduction

1.1 This Statement of Common Ground (SoCG) has been prepared by Wealden District Council (WDC) and Tunbridge Wells Borough Council (TWBC). It sets out the position and understanding with respect to key relevant duty to cooperate matters, and agreed actions to resolve outstanding matters. It is not binding on any party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

1.2 The purpose of this SoCG is to set out the basis on which WDC and TWBC have actively and positively agreed to work together to meet the requirements of the duty to cooperate.

1.3 The current development plan for WDC consists of the Wealden District Core Strategy Local Plan that was adopted in February 2013, the Affordable Housing Delivery Local Plan (adopted in May 2016) and saved policies from the Wealden Local Plan (adopted in 1998). WDC had prepared its Local Plan for regulation 19[1] stage during the summer/autumn of 2018 that was submitted to the Planning Inspectorate on 18 January 2019. The Submission Wealden Local Plan (January, 2019) was examined in the spring/summer of 2019. The Planning Inspectorate issued a letter reporting on the findings of stage one of the examination and has concluded that the submitted plan cannot proceed further. WDC did not challenge the outcome contained in the Inspector's letter and withdrew the Submission Wealden Local Plan (January, 2019) following its Full Council meeting on 19 February 2020. The Council adopted an updated Local Development Scheme in July 2020 and has commenced work on a new Local Plan, including undertaking an eight week early Regulation 18 consultation which concluded on 18th January 2020. The next formal stage in plan making will be the Regulation 18 consultation on a Draft Local Plan, which is due to take place in spring 2022.

1.4 The development plan for TWBC currently consists of the Tunbridge Wells Core Strategy Development Plan Document (DPD) that was adopted in June 2010, the Site Allocations Local Plan (adopted in July 2016) and saved policies in the Tunbridge Wells Borough Local Plan (adopted in March 2006). TWBC is currently in the process of replacing these documents with a new Local Plan. The draft Local Plan was consulted upon in the autumn of 2019 under regulation 18[2]. The draft Local Plan set out that the plan period starts from 2020 and plans for all types of development across the borough until 2036.

[1] The Town and Country Planning (Local Planning) (England) Regulations 2012
[2] The Town and Country Planning (Local Planning) (England) Regulations 2012

1.5 TWBC has agreed and published an updated Local Development Scheme (June 2020). TWBC Full Council has, on 3rd February 2021, approved the Regulation 19 Local Plan and agreed that consultation should be undertaken from 26th March – 21st May 2021, with a target submission in July. The plan period is from 2020 – 2038.

1.6 This SoCG relates to the emerging Local Plans that are to be, or are being, produced by WDC and TWBC and contains the appropriate amount of detail for both authorities on matters such as housing need (including unmet housing need), housing distribution, gypsy and traveller provision, employment and retail needs, cross boundary infrastructure requirements and impacts upon Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA). In addition, the SoCG provides a section on how both Councils will seek to address both planned and windfall development close to or on the administrative boundary for both authorities, and particularly the town of Royal Tunbridge Wells.

1.7 Under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) (February 2019), it is a requirement under the duty to cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development plan documents.

1.8 Paragraph 27 of the NPPF (February, 2019) states that in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. This notes that such SoCG should be produced using the approach set out in the national planning guidance, and be made publicly available throughout the plan-making process to ensure transparency.

1.9 The Planning Practice Guidance (PPG)[3] confirms that a SoCG is a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters. It states that the SoCG should document where effective co-operation is and is not happening throughout the plan-making process, and is a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries. In the case of local planning authorities, it also forms part of the evidence base required to demonstrate that they have complied with the duty to cooperate.

[3] Paragraph: 010 Reference ID: 61-010-20190315

1.10 The administrative areas that are set out in **Appendix A** shows that WDC and TWBC share a common administrative boundary at the north of Wealden District and to the south of Tunbridge Wells Borough and are required to work cooperatively in an effective way to address key strategic matters for both areas. The plan at **Appendix A** shows that the administrative boundary of Wealden District is hard up against part of the built development of the southern edge of Royal Tunbridge Wells, the largest settlement in Tunbridge Wells Borough. Historically, development on either side and hard up against this administrative boundary has proved contentious due to the area falling within the High Weald Area of Outstanding Natural Beauty (AONB) and is therefore a key area for future cooperation between the two authorities.

Structure of the SoCG

1.11 The remainder of the SoCG is structured as follows:

- *Section 2* – This section relates to further work between officers and elected members to agree protocol and set of principles for dealing with development on or close to the border of Royal Tunbridge Wells and Wealden District.
- *Section 3* – This section relates to housing provision for both local authority's and specifically housing needs (including unmet housing need), the Housing Market Areas (HMAs) for each respective area, housing distribution and gypsy and traveller provision.
- *Section 4* – This section relates to the economy and specifically the Functional Economic Market Area (FEMA) and retail catchment area for each respective local authority area.
- *Section 5* – This section relates to cross boundary infrastructure requirements for both local authorities.
- *Section 6* – This section relates to the natural environment and specifically the Ashdown Forest Natura 2000 site that is located within Wealden District and the High Weald AONB that is located in both authorities.
- *Section 7 – This deals with governance*
- *Section 8* – This section outlines the agreed actions between WDC and TWBC going forward with respect to their emerging Local Plans and future plan-making.

2. Development on the Administrative Boundary between Tunbridge Wells Borough and Wealden District

2.1 Development on the southern edge of Royal Tunbridge Wells is constrained by the Wealden District administrative boundary. Therefore, development within Tunbridge Wells Borough on the southern edge of Royal Tunbridge Wells may result in a need to resolve cross border issues such as service provision, landscape, infrastructure and impacts on communities within Wealden District. Similarly, development that occurs within Wealden District on or close to the administrative boundary with Tunbridge Wells Borough, either allocated or as windfall development, may result in a need to resolve cross border issues such as service provision, infrastructure, landscape, the economy and communities within Royal Tunbridge Wells. As plans for proposed development on administrative borders are progressed by both authorities or as and when windfall developments occur that raises cross boundary issues or even straddles boundaries, there is a clear need for a common understanding of how such developments will be treated and the matters they will be expected to address and how relevant infrastructure will be delivered (e.g. provision of highways improvements or developer contributions for community/education facilities).

2.2 As discussed above, TWBC has formally consulted on its draft Tunbridge Wells Local Plan under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This included a draft housing allocation named 'Land to the West of Eridge Road at Spratsbrook'[4] that shares a border with Wealden District to the southwest of the draft allocation site. The site was put forward by TWBC as a draft allocation for residential development of approximately 270 dwellings and a seven form entry secondary school. WDC responded to this consultation on the draft Tunbridge Wells Local Plan and will undertake further work with TWBC in relation to this specific site.

2.3 The Pre-Submission version of the Local Plan, as agreed by TWBC Full Council for Regulation 19 consultation and submission, indicates an allocation of 120 houses, and no secondary school. This reflects draft landscape evidence and advice from Kent County Council Education on secondary school requirements.

2.4 It should be noted that the landowners for this draft site allocation have also submitted land adjoining the site within Wealden District that has been assessed within Wealden District Council's latest (January 2019) Strategic Housing and Economic Land Availability Assessment (SHELAA)[5] under site reference 729/1610. The site submitted to WDC, named Land at Ramsyle Farm (Spratsbrook Farm), has a site area of approximately 40 hectares (gross) and

[4] Policy AL/RTW 18 – Land to the west of Eridge Road at Spartsbrook Farm (SHELAA reference: Site 137) of the draft Tunbridge Wells Borough Local Plan, page 108.
[5] The Strategic Housing and Economic Land Availability Assessment (SHELAA), January 2019, Page 137

is split in two parts, with a smaller land parcel adjoining the proposed TWBC Local Plan draft allocation to the south west, and a further significant parcel of land being located adjacent (to the west of) Eridge Road (A26). This site was considered 'unsuitable' in the assessment. The site submitted to WDC is wholly located within the High Weald AONB and was classified within WDC's landscape evidence base as having very high landscape sensitivity and being highly visible in the wider landscape. Given the scale and extent of the development area, WDC would need to consider the exceptional circumstances listed under paragraph 172 of the NPPF. WDC will be reviewing its SHELAA in the near future and will seek to work with TWBC and the landowner (as appropriate) on this matter.

2.5 The term 'development' in this context can relate to all types of development such as housing, employment, Gypsy and Traveller accommodation, retail, leisure and recreational facilities, community and educational facilities, amongst others. Both TWBC and WDC will liaise with each other on new development that is proposed on the administrative boundaries between the two authorities.

2.6 TWBC and WDC have agreed a protocol and set of principles for dealing with development on or close to the border between Royal Tunbridge Wells and Wealden District. These are as follows:

a) Each local authority will share location plans for SHELAA submissions that are on or located near to each other's administrative boundary.
b) Following site visits, each local authority will discuss the opportunities and constraints and provide information as relevant as SHELAA assessments progress at various stages.
c) Where a local plan strategy is considering allocating sites on or near to the administrative boundary of the authorities this will be discussed as part of the duty to cooperate process and will be documented in SoCG.
d) Respective County Council's on planning matters relating to the development option(s) will be contacted by each local authority, as relevant. Where cross County discussions are required on matters of infrastructure then the process, format and attendees will be agreed and the meeting facilitated by the relevant local authority.
e) Should development sites cross administrative boundaries, then joint meetings will be arranged with developers / stakeholders and will include officers from both TWBC and WDC and county council partners, as relevant.
f) The Local Plan strategy for growth for both authorities and as relevant to cross boundary working will be discussed as part of the duty to cooperate process.
g) Draft policies that have cross boundary impacts will be provided to each local authority and / or the County Councils', at the earliest opportunity and at a minimum of two weeks prior to any Regulation 18 or 19 consultation.

h) The public will be consulted via statutory consultation stages.
i) Discussions relating to infrastructure provision requirements (S106) including cross boundary provision will take place with the relevant parties and agreements will be reached based on an evidenced need for the infrastructure as a result of the development.

3. Housing

3.1 *Housing Market Area (HMA)*

3.1.1 A Housing Market Area (HMA) is defined in the PPG[6] as 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. These can be broadly defined by analysing:

- The relationship between housing demand and supply across different locations, using house prices and rates of change in house prices. This should identify areas which have clearly different price levels compared to surrounding areas.
- Migration flow and housing search patterns. This can help identify the extent to which people move house within an area, in particular where a relatively high proportion of short household moves are contained (due to connections to families, jobs, and schools).
- Contextual data such as travel to work areas, retail and school catchment areas. These can provide information about the areas within which people move without changing other aspects of their lives (e.g. work or service use).

3.1.2 The Wealden District Strategic Housing Market Assessment (SHMA)[7] was published in August 2016. Section 2 of this document (Defining the Housing Market Area) assesses the wider HMA for WDC based on PPG. The Wealden SHMA identifies that Eastbourne Borough, Tunbridge Wells Borough, Rother District, Lewes District and Mid Sussex District have the strongest and most consistent migration and commuting relationships with Wealden, as well as linkages in house prices and rates of change.

3.1.3 It is noted within the Wealden SHMA Report that the HMA defined for Wealden *"…is not regarded as definitive or exclusive HMA and is better understood as a grouping of the local authorities which have the strongest relationships with Wealden*" (paragraph 2.10, page 13). Whilst the HMA identified above is centred on Wealden District, it is accepted that there are HMAs which are centred on other centres such as Tunbridge Wells, Hastings and Eastbourne.

[6] Paragraph: 018 Reference ID: 61-018-20190315
[7] Wealden District Council – Strategic Housing Market Assessment (SHMA) Final Report, August 2016

In the case of Tunbridge Wells, Lewes and Mid Sussex, it is considered by WDC that such authorities overlap with the Wealden HMA, but may have different local authority inclusion.

3.1.4 In terms of migration trends, the Wealden SHMA Report indicated that average in-migration to Wealden District from Tunbridge Wells amounted to 7% of all in-migration to Wealden District between 2010 and 2013 (behind only Lewes and Eastbourne). In terms of out-migration from Wealden District to Tunbridge Wells, this also amounted to 7% of the total moves out of Wealden District between 2010 and 2013 (behind only Eastbourne and Rother).

3.1.5 The Wealden SHMA Report also concluded that in terms of out commuting, at least 8% of working Wealden residents were employed within Tunbridge Wells Borough (only Eastbourne Borough at 13%, had a higher percentage of Wealden residents working in their administrative area), and moreover, Tunbridge Wells residents make up approximately 4% of the workforce within Wealden District (Census 2011). Given the above, the Wealden SHMA Report concluded that Tunbridge Wells Borough should be included within the wider Wealden HMA, amongst a number of other authorities (paragraph 10.3, page 235).

3.1.6 The Sevenoaks and Tunbridge Wells SHMA[8] published in 2015 identified that Sevenoaks District, Tonbridge and Malling Borough and Tunbridge Wells Borough all fall within the West Kent HMA.

3.1.7 The Sevenoaks and Tunbridge Wells SHMA goes on to state that *"there is a close set of interactions between the towns of Sevenoaks, Tonbridge and Tunbridge Wells which reflects their geographical proximity. There is also a relationship into the northern part of Wealden. There are cross-boundary interactions between Swanley and Dartford and a stronger commuting relationship to London. Links from Tandridge are stronger to other authorities in Surrey and West Sussex".*

3.1.8 The Sevenoaks and Tunbridge Wells SHMA states that "*the principal adjoining authorities with a strong relationship would be Tonbridge & Malling, Wealden and Rother. Equally the commissioning authorities would need to engage with those authorities in respect of any unmet housing needs arising from these other authorities' areas. We would also advise the Councils to engage with the Greater London Authority and London Boroughs in respect of any unmet needs arising from London".* It should be noted that this SHMA was prepared jointly between Sevenoaks and TWBC and the references to the relationships with

[8] Sevenoaks and Tunbridge Wells Strategic Housing Market Assessment (SHMA) Final Report, September 2015

Wealden and Rother are "*between Tunbridge Wells and the northern part of Wealden and Rother Districts"* (paragraph 3.70, page 45).

3.1.9 In conclusion, the Sevenoaks and Tunbridge Wells SHMA defines the West Kent Housing Market Area (HMA) to "*include Sevenoaks, Tonbridge and Tunbridge Wells and extends to include Crowborough, Hawkhurst and Heathfield*" (paragraph 9.2, page 166) with both the towns of Crowborough and Heathfield being located within Wealden District.

3.1.10 Given the evidence above, both Council's agree that there are clear linkages between them in terms of the HMA, especially for towns and villages in the north of Wealden District and the town of Royal Tunbridge Wells. Both WDC and TWBC share administrative boundaries and are required to cooperate on strategic cross boundary matters, such as housing, through the duty to cooperate process.

3.2 *Housing Requirements*

3.2.1 The last adopted housing requirement for WDC was cited within the Wealden District Core Strategy Local Plan that was adopted in February 2013 and confirms under policy WCS1 (Provision of Homes and Jobs 2006-2027) that some 9440 dwellings will be delivered over the plan period, equating to 450 dwellings per annum (dpa). WDC considers this housing requirement to be out of date and therefore calculates its five year housing land position for planning applications/appeals using the 'standard methodology' for calculating the housing requirement under the NPPF (February, 2019). At the time of writing, the calculation for Wealden's housing requirement under the 'standard methodology', irrespective of constraints, is 1,225 dwellings per annum (dpa). This would equate to 24,500 dwellings over a twenty-year period. This does not include any unmet housing needs from neighbouring authorities that would need to be considered through the duty to cooperate process. The Government announced revisions to the Standard Method in December 2020.

3.2.2 The last adopted housing requirement for TWBC was within the Core Strategy Development Plan Document (DPD) that was adopted in June 2010 and confirms under Core Policy 6 (Housing Provision) that 6,000 dwellings (net) will be provided in the Tunbridge Wells Borough in the period between 2006 and 2026, equating to 300 dpa. It should be noted that the new housing requirement for the TWBC Local Plan will now be considered under NPPF published in February 2019 and the standard methodology for calculating housing need, unless there are exceptional circumstances and subject to any revisions, as detailed above. It is stated in the Pre-Submission version of the Local Plan, at paragraph 4.9, page 35) that "*The standard method housing need figure for the*

borough is 678 dwellings per year; over the full plan period, 2020-2038, this equates to a need of some 12,200 dwellings. It is noted that national policy clarifies that this would be a minimum target."

3.2.3 The table below shows the respective housing targets of WDC and TWBC at the time of writing: once the revisions to the standard method have been provided, TWBC will review the position based on the new plan period.

Housing Target Source	**WDC**	**TWBC**
Statutory Development Plan	450 dpa under Wealden District Core Strategy Local Plan (adopted February 2013)	300 dpa under Tunbridge Wells Core Strategy DPD (adopted June 2010)
'Standard Methodology' under NPPF (February, 2019)	1,225 dpa	678 dpa
Housing Target in Emerging Local Plan	Not yet published.	12,204 (net) dwellings between 2020 and 2038

3.2.4 Both TWBC and WDC at the time of writing intend to meet its own objectively assessed housing needs through development within their own respective administrative boundaries. Albeit that WDC will need to test this through the production of its new Local Plan and the TWBC approach is based on the release of land from the Green Belt. However, neither WDC nor TWBC at this time has requested each other to meet the unmet housing needs of their own District/Borough as part of the duty to cooperate process. It is recognised by both WDC and TWBC that housing requirements (including potential binding requirements, as suggested in the Planning for the Future White Paper), HMAs and constraints to development may change over time.

3.2.5 In April 2019, TWBC received a request from Sevenoaks District Council (SDC) to meet its unmet housing need of 1,900 houses. Between 2015 and early 2019 TWBC, whilst flagging the constraints in TW borough which may make accommodating its own need (or unmet need from neighbouring authorities) problematic, was only in a position (through the progression of work on its own Plan) to provide more definitive comments regarding the ability or otherwise to accommodate unmet need in early 2019, as work on the spatial strategy for the Draft Local Plan progressed.

3.2.6 TWBC advised SDC that it was not in a position to help meet this unmet need, given the difficulties in meeting its own needs and the findings of the Sustainability Appraisal that considered this option. Notwithstanding these

comments, TWBC has continued throughout 2019 and 2020 to consider whether there is scope to accommodate SDC's unmet need, including through the assessment of additional sites submitted in the Regulation 18 consultation on the Draft Local Plan in autumn 2019 and beyond well into 2020, and through the Sustainability Appraisal of the Pre-Submission Local Plan.

3.2.7 Given that the NPPF (paragraph 137) requires LPAs to look beyond the Green Belt first before releasing such land for development, as well as limiting major developments in the AONB to where there are exceptional circumstances and in the public interest (paragraph 172). TWBC raised this issue with its neighbouring LPAs, including WDC, and formally wrote in early October 2020 to ask what capacity they may have to assist, ahead of further consideration of these options in preparing the Pre-Submission version of the Local Plan.

3.2.8 WDC responded to this request on 20th November 2020. This set out:

- WDC has identified a number of issues indicating that meeting the housing requirement for Wealden will be challenging:

- WDC is not at present in a position to consider whether we can meet any unmet need from adjacent local authorities;

- WDC considers that given the geography of both the AONB and Housing Market Areas around northern Wealden and TWBC, the options for WDC to take some or all of the housing or employment land set out in the letter would result in building in AONB in WDC as opposed to AONB/Green Belt in TWBC, in a less sustainable location, or to seek to do so outside the AONB in WDC, which would be well outside the HMA, therefore not meeting the needs of TWBC residents and again in a less sustainable location;

For these reasons, WDC does not consider that providing this growth in Wealden provides a suitable alternative with reference to paragraphs 137 and 172 of the NPPF that refers to exceptional circumstances required to alter Green Belt boundaries or the exceptional circumstances required to allow major development within the AONB.

3.2.9 Given the above, both WDC and TWBC will continually consider its position on unmet housing needs in the future.

3.2.10 WDC and TWBC will continue to work together on housing matters and identify the position on unmet housing needs as both WDC and TWBC prepare to review their respective Local Plans.

Actions

- WDC and TWBC will engage through the wider duty to cooperate forum with other neighbouring authorities both within and outside of each other's HMA in relation to housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale development and opportunities for meeting unmet need.
- Both authorities to undertake a review of the Local Plan at least within 5 years' time of adoption.

3.3 *Gypsy, Traveller and Travelling Showpeople*

3.3.1 WDC published its Gypsy and Traveller Accommodation Assessment (GTAA) in November 2016 following the revised definition for Gypsies and Travellers in the Planning Policy for Traveller Sites (PPTS) (August, 2015) document. This identified a requirement for 21 permanent pitches between 2016 and 2038 for those who met the new PPTS definition of a Gypsy and Traveller.

3.3.2 As stated at paragraph 1.3 of this SoCG, the Submission Wealden Local Plan (January, 2019) was examined in the spring/summer of 2019. The Planning Inspectorate issued a letter reporting on the findings of Stage One of the examination and concluded that the submitted plan cannot proceed further, and the Plan has been withdrawn. The Submission Wealden Local Plan (January, 2019) did contain site allocations to meet the full accommodation needs for Gypsies and Travellers during the plan period. WDC will now review the published GTAA (November 2016) in light of the submitted plan not proceeding to adoption. This work will be taking place in collaboration with other East Sussex local authority partners.

3.3.3 TWBC published its GTAA in January 2018 in support of its draft Tunbridge Wells Local Plan and in line with the revised definition for Gypsies and Travellers in the PPTS (August, 2015) document. This identified a requirement for 32 permanent residential pitches for Gypsies and Travellers over a twenty year period between 2017 and 2037.

3.3.4 The draft Tunbridge Wells Local Plan under policy H13 (Gypsies and Travellers) confirms that proposals for the establishment of Gypsy and Traveller sites will be permitted provided a set of criteria is satisfied. This includes the site forming part of, or being located adjacent to, an existing lawful permanent Gypsy and Traveller site, or is allocated within a policy in the Local Plan, or is provided as part of wider residential or mixed use scheme. TWBC confirms under its Housing Supply and Trajectory Paper (September, 2019) that following a

review of its pitch completions and planning permissions since the base date of the draft Local Plan, that there is an outstanding need for 28 residential pitches as of 1 April 2019. TWBC consider that based on their understanding of existing sites and the nature of demand that the most appropriate way of meeting the identified need should largely be through the intensification and/or expansion of existing sites. TWBC considers that it is evident that there is potential at existing sites to meet the likely need over the plan period. Discussions are ongoing with other Kent authorities regarding the provision of a transit site.

3.3.5 There has been no request from TWBC to WDC to provide Gypsy and Traveller accommodation at this time and it is anticipated that each authority will be able to meet its own needs through their own Local Plans. Both Councils will continue to operate existing joint working arrangements through the wider duty to cooperate forum to ensure that suitable provision can be made as appropriate.

Actions:

- That both WDC and TWBC continue dialogue on matters relating to Gypsy, Traveller and Travelling Showpeople accommodation through the review of their respective Local Plans.
- Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.

4. Economy

4.1 *Functional Economic Market Area (FEMA)*

4.1.1 In terms of a Functional Economic Market Area (FEMA) the PPG[9] states that patterns of economic activity vary from place to place and that there is no standard approach to defining a functional economic market area, although 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;
- Flows 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.

[9] Paragraph: 019 Reference ID 61-019-20190315

4.1.2 The Wealden Economy Study[10] was first published in December 2016 and updated in March 2018. Section 2 of the Wealden Economy Study (December, 2016) named 'Defining the Functional Economic Area' assesses the FEMA for WDC based on the relevant PPG. The issue of the FEMA for Wealden District was considered in the subsequent update to this study in 2018.

4.1.3 Paragraph 2.9 of the Wealden Economy Study (December, 2016) confirms that '*Wealden District is influenced primarily by two Travel to Work Areas (TTWAs), which are Eastbourne TTWA covering the area south of Uckfield and stretches to Eastbourne, and the Tunbridge Wells TTWA which is primarily influenced by Tunbridge Wells. In addition, parts of Wealden are also influenced by the Crawley and Hastings TTWAs respectively'.* The study also confirms that Wealden District sees strong commuting flows with Tunbridge Wells, amongst a number of other authorities that include Eastbourne, Lewes, Crawley, Mid Sussex and Brighton and Hove.

4.1.4 The Wealden Economy Study (December, 2016) concludes at paragraph 2.37, taking into account all the factors identified in the PPG, that the following districts and boroughs form part of the FEMA for Wealden:

- Eastbourne;
- Tunbridge Wells;
- Lewes;
- Mid Sussex; and
- Rother.

4.1.5 This position was repeated in paragraph 2.3 of the Wealden Economy Study Update (2013-2028) that was published in March 2018[11].

4.1.6 The Pre-Submission version of the Tunbridge Wells Borough Local Plan is supported by the Sevenoaks and Tunbridge Wells Economic Needs Study (August, 2016) that was undertaken by Turley on behalf of both Sevenoaks District Council and TWBC. This includes a section that endeavours to identify a FEMA for the borough.

4.1.7 Paragraph 2.32 of the Sevenoaks and Tunbridge Wells Economic Needs Study (2016) defines the Functional Economic Market Area and states '*while Tunbridge Wells Borough draws upon a more localised workforce, there is also an important inflow of commuters from Tonbridge and Malling and Wealden'*. It also states that this relationship is evidenced in the 2011 TTWA published by

[10] Wealden Economy Study, December 2016
[11] Wealden Economy Study Update 2013-2028, March 2018

the Office of National Statistics (ONS) that identifies a single TTWA centred on Royal Tunbridge Wells, which entirely covers Tunbridge Wells borough but also extends to Tonbridge, Crowborough and surrounding villages. Notwithstanding this, on the basis of the evidence presented, it is considered that Tunbridge Wells, Sevenoaks and Tonbridge and Malling share a functional economic market area evidenced through commuting flows and has become defined as a sub-regional economy through the West Kent Partnership.

4.1.8 TWBC were consulted on the Wealden Retail and Economic Study produced by Regeneris where TWBC noted that the study included Tunbridge Wells within WDC FEMA. TWBC recognises that although the Sevenoaks and Tunbridge Wells Economic Needs Study (2016) does not include Wealden specifically, it does make reference as above to the fact that there are links between Royal Tunbridge Wells and Wealden with regards to travel to work areas etc. TWBC also recognises that a similar methodology and forecasting model has been used in both studies. The range of factors identified in the PPG to define a FEMA has also been used for both studies.

4.1.9 Given the evidence above, both Council's agree that there are clear linkages between them in terms of the TTWA, especially for towns and villages in the north of Wealden District and the town of Royal Tunbridge Wells. Both WDC and TWBC share administrative boundaries and are required to cooperate on strategic cross boundary matters, such as employment needs, through the duty to cooperate process.

4.2 *Retail Catchment Area*

4.2.1 In December 2016, WDC published the Town Centre and Retail Study[12] that was undertaken by Carter Jonas on behalf of WDC. The study area included broad geographic/catchment areas such as Hailsham, Heathfield, Uckfield, Crowborough, Royal Tunbridge Wells, East Grinstead, Lewes, Polegate and Eastbourne. In summary, the survey-derived market shares showed that the retention of all food shopping trips and expenditure in the Heathfield, Uckfield and Crowborough zones is strong at between 77.1% and 88.8%. This demonstrates that expenditure in terms of convenience goods within northern towns and villages of Wealden District is largely retained in those areas.

4.2.2 However, in terms of comparison goods shopping, paragraph 4.7 of the Town Centre and Retail Study (2016) states that it is '*apparent that the District's Town Centres do not have the critical mass of retailing in terms of the scale, quality and choice of shops to compete with the larger competing centres and shopping destinations outside the District; principally Eastbourne, Royal Tunbridge Wells*

[12] Town Centre and Retail Study 2016, December 2016

and East Grinstead'. WDC considers that these three destinations outside the District, including Royal Tunbridge Wells are likely to remain the main draw for residents in Wealden District for comparison shopping particularly. Indeed, the study states at paragraph 5.2 that the *'survey results show that Eastbourne is the main shopping destination for residents living to the south of Wealden District, whereas Tunbridge Wells is generally the preferred shopping destination for those living in the north of the District'.* WDC accepts that the retail offering at Royal Tunbridge Wells is a significant draw for residents in the north of Wealden District for comparison goods and services.

4.2.3 For TWBC, the retail and leisure study (April, 2017) carried out by consultants Nexus on behalf of TWBC used the previously established study area used for previous retail studies for the borough. It covers the Tunbridge Wells Borough boundary area as well as surrounding areas within Sevenoaks, Tandridge, Mid Sussex, Lewes, Wealden, Rother, Ashford, Maidstone and Tonbridge and Malling where shoppers may be attracted to Tunbridge Wells retail and leisure offer. This encompasses parts of Crowborough and Heathfield who travel to Royal Tunbridge Wells for the primary retail offer.

4.2.4 Nexus also undertook a Tunbridge Wells Retail, Leisure and Town Centre Uses Study Update (2020). This has identified that the retail economy has changed significantly over recent years and the trends which were emerging have accelerated exponentially as a result of the 2020/2021 Covid-19 pandemic. It is also expected that the increased movement towards home working and different times of working, hastened as a result of the Covid-19 'lockdown' periods, will structurally change the need, make up, and use of office space (including shared and flexible accommodation), and through this the operation of those town centre retailers which previously were linked to footfall associated with office employment. The TWBC PSLP therefore proposes a Town Centre Area Plan for Royal Tunbridge Wells (which will be prepared and adopted by 2025), together with the revitalisation of Paddock Wood Town Centre.

4.2.5 WDC and TWBC agree that in terms of comparison shopping, those residents located within the northern part of Wealden District, particularly in the towns of Crowborough and Heathfield, use Royal Tunbridge Wells as their primary retail offer. This is demonstrated in both WDC and TWBC evidence base documents on retail as highlighted above.

Actions:

- That both WDC and TWBC continue dialogue on matters relating to Functional Economic Market Areas (FEMA) and retail catchment areas through the review of their respective Local Plans.

- Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.

5. Cross Boundary Infrastructure Issues

5.1.1 In terms of cross boundary infrastructure, both TWBC and WDC are in two tier authorities, where both education and highways are managed by their respective County Council's, which in the case of TWBC, is Kent County Council and in the case of WDC, is East Sussex County Council. Given the above, it is noted that both education provision and highway matters may require input from both the agencies/stakeholders above, and if relevant Highways England.

5.1.2 TWBC and WDC in the drafting of their Local Plans will liaise with their respective County Councils' on matters relating to education provision and highways infrastructure. Where substantial development, particularly on the administrative boundary of TWBC and WDC, is planned for, then there will be a need to coordinate the delivery of infrastructure improvements including the securing of any necessary funding.

5.1.3 TWBC and WDC will therefore undertake further work at a high level between officers and elected members to agree a protocol and set of principles for dealing with the delivery of infrastructure improvements for development on or close to the administrative border of TWBC and WDC.

5.1.4 It should be noted that TWBC and WDC also work with a number of infrastructure providers that seek to address matters relating to healthcare facilities, water supply, sewerage treatment works, gas and power networks and public transport provision, amongst other issues. Where cross boundary issues do arise on such matters, TWBC and WDC will seek to agree the delivery of such infrastructure improvements, including the securing of any necessary funding.

5.1.5 In terms of railway transport, the Pre-Submission version of the TWBC Local Plan at policy TP 5 (Safeguarding Railway Land) confirms that the local planning authority will safeguard the Tunbridge Wells Central to Eridge railway line, by seeking to refuse proposals that would compromise the reopening of the rail line and/or its use as a green infrastructure corridor. It is considered that this policy is necessary in order that the opportunity to link the London to Uckfield railway line with the London to Hastings railway line is not lost.

5.1.6 WDC also supports the safeguarding of both Uckfield/Lewes railway line and the Tunbridge Wells/Eridge railway line under its 'saved policies' from the

Wealden Local Plan (adopted 1998). Both policies TR17 (Uckfield to Lewes railway line) and TR19 (Eridge to Tunbridge Wells railway line) confirm that development which would significantly prejudice the reinstatement of either line will not be permitted. Both TWBC and WDC are therefore in agreement that both rail routes should be safeguarded given the significant opportunities to increase rail travel for commuting and retail trips and subsequently reducing the reliance upon car-borne journeys.

5.1.7 In terms of Green Infrastructure (GI), there may be some opportunities through new planned development on the administrative boundaries between TWBC and WDC to improve existing GI and/or create new GI that links development within Wealden District to the settlement of Royal Tunbridge Wells particularly. To achieve such aims, both WDC and TWBC will need to liaise with each other on the types, scale and extent GI required for planned development on the administrative boundaries.

5.1.8 Lastly, in terms of sport pitch provision, it is noted that TWBC are in principle supportive of the expansion of Tunbridge Wells Rugby Football Club that lies at the southern edge of Royal Tunbridge Wells adjacent to the administrative boundary of WDC. It is likely that any expansion of the Tunbridge Wells Rugby Football Club will require land within WDC administrative area. Given the above, WDC are committed to work with TWBC on any potential options relating to the development of the rugby club that come forward from the landowner through the Local Plan process.

Actions:

- TWBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles in order to coordinate and agree the delivery of infrastructure improvements for development on or close to the administrative border of TWBC and WDC. This will in some cases require the participation and overall agreement on matters from other infrastructure providers.

6. Natural Environment

6.1 *Ashdown Forest European Site*

6.1.1 TWBC and WDC will continue to work positively together in relation to the Ashdown Forest which is a European Site and is designated as a SAC for its heathland habitat and a Special Protection Area (SPA) for the bird species Dartford warbler and nightjar during their breeding seasons.

6.2 *Ashdown Forest Special Area of Conservation (SAC) – Air Quality*

6.2.1 Both authorities are active members and attend regular meetings of the Ashdown Forest SAC Working Group, which is chaired by the South Downs National Park Authority (SDNPA). The Planning Advisory Service worked alongside the group in relation to Duty to Cooperate matters in relation to the SAC. TWBC are signatories of the Ashdown Forest Air Quality Statement of Common Ground (SoCG)[13] published in April 2018. Although WDC contributed to the Ashdown Forest SoCG, WDC did not become signatories to the Ashdown Forest Air Quality SoCG and published a Position Paper[14] outlining the reasons why WDC had not become a signatory to the document. In view of the Inspector's letter on the Submission Wealden Local Plan (January, 2019), WDC will seek to review its position on air quality at the Ashdown Forest SAC and will become a signatory to any revised SoCG.

6.2.2 Both TWBC and WDC will continue to participate in the Ashdown Forest SAC Working Group which will seek to work with Natural England on addressing Air Quality issues in relation to Local Plan preparation and will endeavour to support wider initiatives to improve background air quality.

6.2.3 All future work in relation to air quality at Ashdown Forest will be developed in discussion with the Ashdown Forest SAC Working Group agreeing where possible on methodology and to cost sharing where appropriate. All future traffic modelling and ecological interpretation to inform Habitats Regulation Assessments in respect of air quality for Ashdown Forest by both TWBC and WDC will be developed in discussion with the Ashdown Forest SAC Working Group and where possible agreement sought on both methodology and findings. This work is necessary to ensure a strategic and consistent approach to the identified issues and assist with a common approach to HRA matters relevant to the SAC designation.

6.3 *Ashdown Forest Special Protection Area (SPA) – Recreational Disturbance*

6.3.1 Both authorities participate in the Strategic Access Management and Monitoring Strategy (SAMMS) partnership and are signatories to a legal agreement with other participating local authorities and The Conservators of Ashdown Forest. This sets out agreement on the collection of developer contributions and the administration of the SAMM Strategy as part of a joint approach to provide mitigation at Ashdown Forest for recreational disturbance from new residential development. Mitigation is provided through a scheme of access management and monitoring and contributions are collected between

[13] The Ashdown Forest Statement of Common Ground, (April 2018)
[14] Wealden District Council Position Statement – Ashdown Forest SAC Statement of Common Ground (October, 2018)

400m and 7km from Ashdown Forest SPA. The 7km zone is the appropriate zone of influence, agreed by all partner local authorities and Natural England within which to collect SAMMS contributions. This is based on technical evidence from the Ashdown Forest Visitor Survey which the SAMM Strategy partnership jointly commissioned. Applications outside of the 7km will be assessed in relation to any impact on a case-by-case basis and in accordance with the planning policies of the relevant authority.

6.3.2 WDC has also provided two Suitable Alternative Natural Greenspaces. One in Uckfield and one in Crowborough. The purpose of these are to divert dog walkers from using Ashdown Forest as a recreational location. TWBC will collect contributions for SANGS from any applicable development within the 7km zone of influence which will be used for SANGS provision. Discussions will take place with partner authorities, as appropriate, to consider the delivery of SANGs in Tunbridge Wells Borough or adjoining authorities.

6.3.3 Both authorities will continue to participate in the SAMM Strategy partnership and work together to agree and jointly commission any future studies or surveys to inform the collective understanding of effects, and the most effective measures for mitigation and monitoring to ensure a consistent and strategic approach to the identified issues and a common approach to HRA.

Actions:

- That both authorities continue to work as part of the Ashdown Forest working group for air quality and the SAMM Strategy partnership to address visitor pressure in order to secure a common understanding and agreement on effects, mitigation and monitoring and where possible to agree and cost share future studies or surveys.

6.4 *High Weald Area of Outstanding Natural Beauty (AONB)*

6.4.1 As stated in the High Weald AONB Management Plan (2019-2024)[15], both administrative areas of TWBC and WDC have a significant proportion of the High Weald AONB. In the case of WDC, the High Weald AONB covers over 53% of the District and in the case of TWBC, the High Weald AONB covers just under 69% of the Borough. It should be noted that Royal Tunbridge Wells is excluded from this designation, but is wholly surrounded by it, including on and to the south of the administrative boundary between WDC and TWBC. Both the towns of Crowborough and Heathfield within Wealden District are also excluded from the designation, but are wholly surrounded by it.

[15] The High Weald AONB Management Plan 2019-2024

6.4.2 Both authorities form part of the Joint Advisory Committee (JAC) and officer steering group for the High Weald AONB.

6.4.3 The High Weald AONB unit has recently produced the High Weald AONB Management Plan 2019-2024, which was agreed by the Joint Advisory Committee in November 2018 after public consultation and with input from both authorities. The management plan sets out the key characteristics of the High Weald AONB in terms of natural beauty and is an important guidance document for development within the AONB. The High Weald AONB Management Plan 2019-2024 was adopted by WDC on 21 March 2019.

6.4.4 Both authorities are committed to continue working together in partnership, with the aim of ensuring that the objectives and actions set out in the High Weald AONB Management Plan are delivered in a timely manner.

6.4.5 Para 172 of the NPPF (2019) sets out the national planning policy for major development in AONBs. Given the housing needs referred to in Section 3 above, it is likely that there will be a need for future discussions on the provision of major development in the High Weald AONB and the specific requirements of this paragraph.

Actions:

- That both authorities continue to liaise on cross-boundary matters relating to the implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald AONB, and on other national planning policy requirements related to major development in the AONB.

6.5 *Biodiversity*

6.5.1 Under both paragraphs 170 and 174 of the NPPF it has been stated that Local Plans should seek to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. There may be some opportunities through new planned development on the administrative boundaries between TWBC and WDC to provide net gains in biodiversity and this could be explored through the duty-to-cooperate process. To achieve such aims, both WDC and TWBC will need to liaise with each other through their Local Plans to ensure that no opportunities are missed in terms of ensuring net gains in biodiversity.

6.5.2 In terms of cross-boundary biodiversity sites, both TWBC and WDC will continue to liaise with each other on such sites and ensure that they continue to be safeguarded in line with the hierarchy of biodiversity sites identified at paragraph 174 of the NPPF (February, 2019) and their respective Local Plans.

7. Governance arrangements

7.1. It is noted under the PPG (see Paragraph: 011 Reference ID: 61-011-20190315) that a SoCG is expected to outline governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date.

7.2. The main officers from each Council to be engaged on a regular basis in relation to cross-boundary cooperation are the respective Local Plan managers or designated lead officers. They will be responsible for drafting and maintaining an up-to-date Statement of Common Ground (SoCG) between the Councils.

7.3. Service Heads (or in their absence, relevant senior officer/deputy) will be responsible for making any formal requests, and providing responses, in relation to unmet (or potentially unmet) development needs.

7.4. Signing of the SoCG, and any subsequent reviews, will be at the elected member level, normally the Portfolio Holder whose responsibilities cover strategic planning.

7.5. Liaison in relation to the SoCG and the wider duty to cooperate will be on a regular basis between relevant officers and, where appropriate elected members. It will be for the respective lead officer to keep their Service Head and Portfolio Holder briefed on activities in relation to the duty to cooperate and the SoCG, as appropriate.

8. Actions Going Forward

8.1 The agreed key issues and agreed actions originating from this SoCG are detailed below. As discussed above, the agreed actions will have a specific timetable moving forward once agreed. This SoCG is an iterative document and any progress on the actions will be detailed in the next publication of this SoCG.

Key Issue	Agreed Actions	Progress on Actions
Timetable for DtC Actions	Both TWBC and WDC will seek to agree a new timetable for the	Ongoing

	actions listed below to be reviewed, including schedule meetings between the two authorities.	
Development on the Administrative Boundary between WDC and TWBC	2) TWBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles for dealing with development on or close to the administrative border of TWBC and WDC.	Complete. Set of principles provided above.
Housing	3) WDC and TWBC will engage through the wider Duty to Cooperate forum with other neighbouring authorities both within and outside of each other's HMA in relation to housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale development and opportunities for meeting unmet need. 4) Both authorities to undertake a review of their Local Plan at least within 5 years' of adoption.	Ongoing.
Gypsy, Traveller and Travelling Showpeople	5) That both WDC and TWBC continue dialogue on matters relating to Gypsy, Traveller and Travelling Showpeople accommodation through the review of their respective Local Plans. 6) Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.	Ongoing
Employment and Retail	7) That both WDC and TWBC continue dialogue on matters relating to Functional Economic Market Areas (FEMA) and retail catchment areas through the review of their respective Local Plans.	Ongoing.

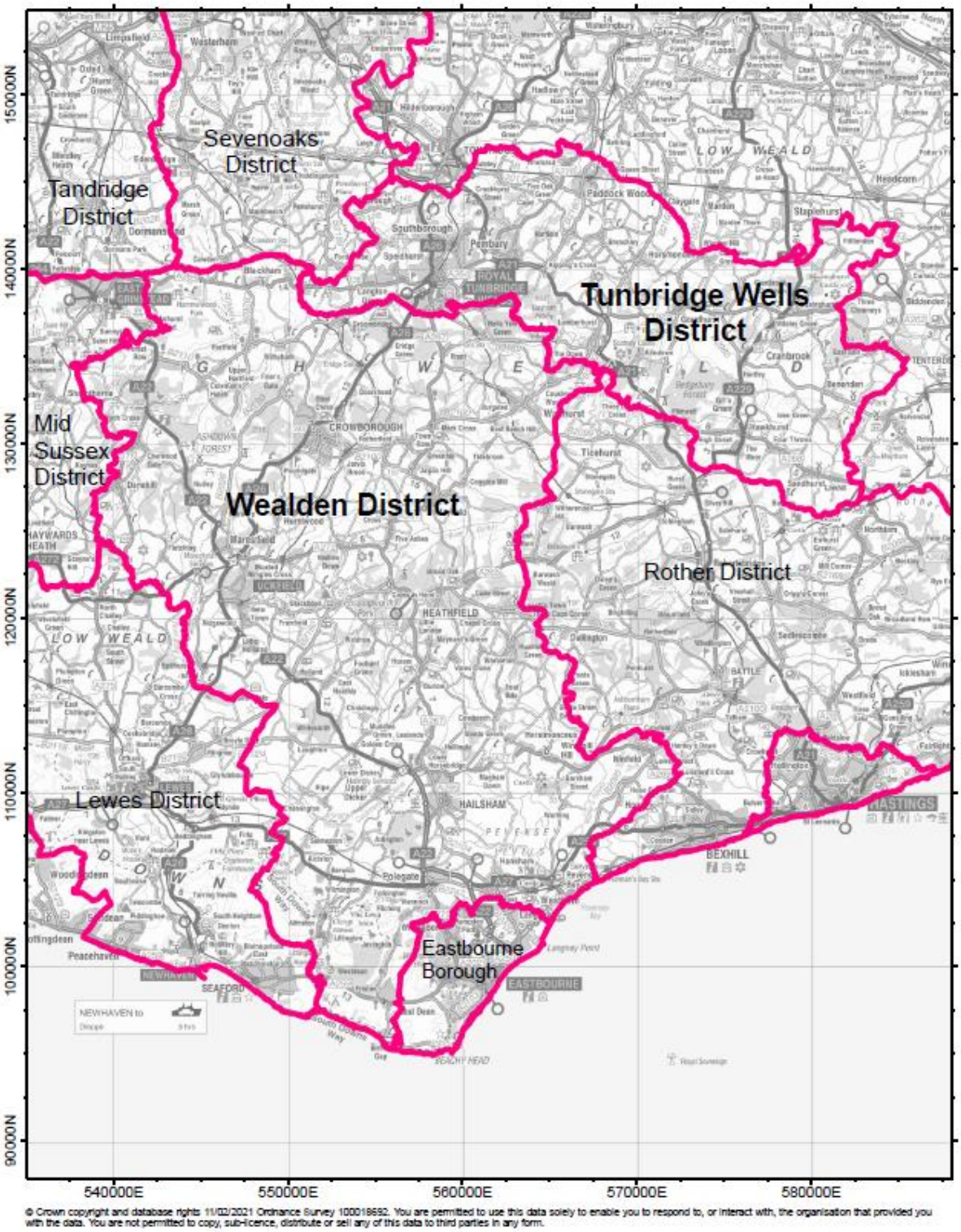
	8) Both authorities to undertake a review of the Local Plan at least within 5 years' of adoption.	
Cross Boundary Infrastructure	9) TWBC and WDC will set a meeting date for senior officers and members to discuss and agree the scope and timetable for agreeing a set of principles in order to coordinate and agree the delivery of infrastructure improvements for development on or close to the administrative border of TWBC and WDC. This will in some cases require the participation and overall agreement on matters from other infrastructure providers.	To be arranged
Natural Environment	10) That both authorities continue to work as part of the Ashdown Forest working group for air quality and SAMM Strategy partnership to address visitor pressure in order to secure a common understanding and agreement on effects, mitigation and monitoring and where possible to agree and cost share future studies or surveys. 11) That both authorities continue to liaise on cross-boundary matters relating to implementation of the High Weald AONB Management Plan (2019 -2024) and to liaise with each other on developments that straddle the administrative boundary between the two authorities and are located in or affect the setting of the High Weald AONB, and the requirements of national planning policy in relation to major development in the AONB.	Ongoing

9. Signatories/Declaration

Signed on behalf of Wealden District Council (Councillor)	**Signed on behalf of Wealden District Council (Chief Executive)**
[redacted]	[redacted]
Position: **Deputy Leader and Planning and Development Portfolio Holder**	**Position:** **Chief Executive**
Date: **11th March 2021**	**Date:** **11th March 2021**

Signed on behalf of Tunbridge Wells Borough Council (Councillor)	**Signed on behalf of Tunbridge Wells Borough Council (Chief Executive)**
[redacted]	[redacted]
Position: **Leader of Tunbridge Wells Borough Council**	**Position:** **Chief Executive**
Date: 10 March 2021	**Date:** 10 March 2021

Appendix A – The Administrative Areas of Wealden and Tunbridge Wells



© Crown copyright and database rights 11/02/2021 Ordnance Survey 100018692. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Appendix H – SoCG on the Ashdown Forest SPA and Recreational Impact – January 2019

Recreational Impact

Statement of Common Ground for Ashdown Forest:

Agreed between the following Local Planning Authorities listed below:

Lewes District Council

Mid Sussex District Council

Sevenoaks District Council

Tandridge District Council

Tunbridge Wells Borough Council

Wealden District Council

And

Natural England

Introduction

1. This statement has been agreed between those Local Planning Authorities, listed above, hereafter referred to as the SAMMS Partnership, where the issue of visitor pressure on Ashdown Forest Special Protection Area potentially arises from new development within their district/ borough. It has been prepared in line with Duty to Co-operate principles and accepted practice in relation to statements of common ground. It is intended that this Statement of Common Ground will assist the members of the SAMMS Partnership in determining planning applications and in Local Plan preparation and ensure, so far as practicable, a consistent approach across the relevant areas. As statutory consultee, Natural England is also a party to this statement.

Background

2. The Ashdown Forest is designated as a Special Protection Area (SPA) and Special Area of Conservation (SAC). In this regard the Habitats Directive and the Conservation of Habitats and Species Regulations 2017, known as the Habitats Regulations, are relevant.

3. Ashdown Forest is a Natura 2000 site (also known as a European site) and is situated within Wealden District. It is designated as a Special Area of Conservation for its heathland habitat and as a Special Protection Area for the bird species that it supports. It contains one of the largest single continuous blocks of lowland heath in south-east England, with both European dry heaths and, in a larger proportion, wet heath.

4. The site is designated as an SAC on account of the following interest features and species:

Wet heathland and dry heathland; and

Great crested newts.

5. The site is designated as an SPA on account of the following species:

Nightjar; and

Dartford warbler

6. The Conservation of Habitats and Species Regulations 2017 requires the competent authority (which, in the context of planning decision-making and plan making is the local planning authority) to consider whether it can exclude the possibility that 'likely significant effects' on a European site will arise from a plan or project (which includes Local Plans and planning applications). If a likely significant effect from a plan or project cannot be excluded then an appropriate assessment of

the implications for the site in view of that site's conservation objectives is required. Recent case law of the Court of Justice of the European Union[1] indicates that in "screening" proposals for likely significant effects on European Sites, mitigation measures should be disregarded. However, such measures can be considered when carrying out an appropriate assessment. "Appropriate assessment" is not defined in the legislation and domestic case law indicates that the question of what is "appropriate" is a matter of judgement for the relevant decision maker.

7. Work undertaken on behalf of Natural England (using data from a visitor survey carried out in 2008[2]) identifies that the Ashdown Forest SPA species are vulnerable to visitor pressure (i.e. disturbance of ground nesting birds by recreational users of Ashdown Forest such as by walkers and dogs, particularly those off leads) which may increase as a result of new development in the area. The special character and size of Ashdown Forest is such that it attracts visitors from some distance, and hence new developments within Wealden District but also beyond that District in adjoining planning authorities may increase visitor pressure on the SPA.

8. In order to understand the pattern and origin of visitors to Ashdown Forest visitor surveys have been conducted in 2008 and 2016 and this information will be updated through monitoring and surveys in the future[3].

Matters agreed between the members of the SAMMS Partnership

9. Applying the precautionary principle, the SAMMS Partnership agree that there is a likely significant effect 'in combination' from recreational impacts on the Ashdown Forest SPA from housing and potentially other relevant development within certain locations within their borough/ district. It is also agreed that mitigation will be required to prevent an adverse impact upon the integrity of Ashdown Forest SPA. It is agreed

[1] People Over WIND and Sweetman (Environment – Conservation of natural habitats – Judgment) [2018] EUECJC-323/17 (12 April 2018)
[2] Ashdown Forest Visitor Survey UE Associates 2009
[3] The SPA Monitoring Strategy identifies that a visitor survey will be undertaken every five years. Quantitative monitoring may be undertaken throughout the year, such as car park counts.

that the extent and type of mitigation is for each competent authority to determine. However, it is agreed that there is a role for Strategic Access Management and Monitoring (SAMM) for all relevant local authorities as part of the approach to mitigation.

10. The SAMMS Partnership will work together on the formation and operation of a legal partnership for Strategic Access Management and Monitoring regarding Ashdown Forest SPA to address issues arising from visitor pressure.

11. Another part of the approach to mitigation is the provision of Suitable Alternative Natural Greenspace (SANGs) associated with new residential development within or close to the 7km zone. Wealden, Mid Sussex and Lewes have already secured SANG sites. Whilst SANG sites are an integral part of the strategic mitigation they may be taken forward individually or collaboratively by local planning authorities depending on their location and any identified need established through a Habitats Regulations Assessment (HRA). Proposals for future SANGs may be discussed by the SAMMS partnership but fall outside the scope of this Statement of Common Ground.

12. The SAMMS Partnership will continue to work together on the commissioning and analysis of visitor surveys to agree strategic mitigation measures, and the strategic area where development proposals resulting in a net increase in dwellings will require mitigation to address visitor pressure upon the Ashdown Forest SPA according to the principles set out below.

a) Taking into account monitoring results, the SAMMS Partnership agree to work together on a strategic approach to mitigation and the zone(s) within which they will seek development contributions towards the strategic mitigation measures.

b) It is the advice of Natural England that it is reasonable for new developments within a zone where residents frequently visit Ashdown Forest to contribute to mitigation measures and that the objective of a jointly agreed strategic zone for mitigation is to capture the majority of new frequent visitors to Ashdown Forest. It is

clearly not possible or practical to capture all new visitors to a designated site recognising that some will come from very far distances. Additionally capturing a defined percentage of visitors is less relevant than the distance at which frequent visitors to Ashdown Forest drop in numbers. This ensures that any “significant” impact is addressed by strategic measures to the point that residual impacts would not be considered significant.

c) A strategic 7km zone for SAMM is currently in operation or proposed by all the signatory authorities but there is no objection by any one signatory against another to the current interim approach employed by any authority in the application of a zone or zones until such time as there is agreement on any new zone and the supporting policy is adopted by each authority.

d) Based on current evidence it is agreed that 7km remains the most appropriate distance for a strategic zone that all partners could support in principle as the 2016 visitor survey shows that this would capture the majority of frequent visitors to Ashdown Forest. Formal support and adoption of the zone and any attributable tariffs by each authority would be dependent upon the outcomes of their own Strategic Environmental Assessment (SEA) and HRA work for their Local Plan and formal adoption by the relevant Authority.

e) It is recognised there might be for each authority considerations beyond any agreed strategic zone but that is a matter for each authority to consider and justify, as the competent authority, as part of their own SEA/ HRA work.

f) Policies and approaches to mitigation measures within each local planning authority and their administrative district affecting the agreed strategic mitigation zone will be reviewed as necessary by the authorities in circumstances such as the emergence of new evidence, policy and legislation. If new evidence is presented, any potential implications that this may have on a strategic approach or the SAMM Strategy may be considered jointly by the partnership. It will be for each authority to determine whether any changes to their own policies are necessary alongside plan reviews.

g) The analysis of the visitor survey for the purposes of identifying the strategic zone of influence and any other zone that authorities consider, should be based on postcodes and distance from the edge of the SPA rather than distance travelled to access points. This is a more practicable approach and can reasonably be applied consistently across local authority areas.

h) As far as reasonably practical each authority will advise and consult the other members of the SAMMS Partnership on any proposed work and findings on the analysis of visitors, SEA or HRA or other work related to the consideration of mitigation zones.

i) The agreed details of the mitigation for SAMM are contained within the SAMM Tariff Guidance Document which is underpinned by a legal agreement between the relevant authorities.

Signed

Lewes District Council

[redacted]

Name: [redacted] Interim Head of Planning

Date: 18 December 2018

Mid Sussex District Council

[redacted]

Name: [redacted] Cabinet Member for Housing and Planning

Date: 20th December 2018

Sevenoaks District Council

[redacted]

Name: [redacted] Chief Planning Officer,

Date: 09 January 2019

Tandridge District Council

[redacted]

Name: Chief Executive [redacted]

Date: 19 December 2018

Tunbridge Wells Borough Council

[redacted]

Name: [redacted] - Deputy Leader of TWBC; Portfolio Holder for Planning & Transportation

Date: 09 January 2019

Wealden District Council

[redacted]

Name: [redacted] Director of Planning, Policy & Environmental Services

Date: 18 December 2018

Natural England

[redacted]

Name: [redacted]

Date: 07 January 2019

Appendix I – SoCG regarding the provision of aggregates and the safeguarding of minerals infrastructure in East Sussex, Brighton and Hove and South Downs National Park areas – November 2022

A Statement of Common Ground regarding the provision of aggregates and the safeguarding of minerals infrastructure in the East Sussex, Brighton & Hove and South Downs National Park areas

20220411v1.11

Explanatory Note

East Sussex County Council (ESCC), South Downs National Park Authority (SDNPA) and Brighton & Hove City Council (BHCC), jointly referred to as 'the Authorities', are planning authorities in the south east of England who are responsible for planning for the future supply of minerals and the management of waste in their areas. This is carried out by preparing Minerals and Waste Local Plans which are then used in the determination of planning applications.

Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) places a Duty to Co-operate (DtC) on specific public bodies including District and Borough Councils and other local planning authorities. When a Local Plan is being prepared, the local planning authority preparing it must fulfil this duty and demonstrate how it has been met. The National Planning Policy Framework 2021 (paragraphs 24 to 27) also requires local planning authorities to prepare statements of common ground as part of their preparation of Local Plans, including Minerals and Waste Local Plans.

The existing Waste and Minerals Local Plan (WMLP) for East Sussex, Brighton & Hove and the parts of the South Downs National Park within (jointly referred to as the ESSDBH area) consists of two documents: the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 (WMP) and the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan 2017 (WMSP), which together make up the adopted WMLP. Plan monitoring is carried out by the Authorities through their Annual Monitoring Reports (AMR) and Local Aggregate Assessments (LAA) as a way of assessing the effectiveness of the WMLP and assessing all sand and gravel (aggregate) supply options, together with a forecast of demand in the ESSDBH Plan Area. Monitoring has informed the current review of the WMLP, which provides an update and revision to the existing Local Plan which focuses on aggregates. The Authorities will commit to a future full plan review in order to reassess the entire plan in the context of climate change and key legislative changes, such as the Environment Bill and secondary legislation, policy changes and further guidance.

The availability of certain resources such as aggregates is necessary for the development of buildings, roads and other infrastructure. In the Plan Area the scale of housing and infrastructure is forecast to grow by up to a factor of two over the next 15 years.

The Authorities have identified a shortage of available sites for the extraction of land-won aggregates within the ESSDBH Plan Area. Therefore, the strategy proposed by the review of the WMLP encourages and supports the production of recycled and secondary aggregates as well as the importation of aggregates by sea, rail and road, in order to provide adequate supply to the ESSDBH Plan Area over the next 15 years. The Authorities are confident that by these means, adequate provision of aggregates to the Plan Area to meet local development needs can be made without any additional land-won allocations.

This document is a Statement of Common Ground (SoCG) between the Authorities and the District and Borough Councils within the ESSDBH Plan Area. The Statement sets out areas of agreement and, where necessary, disagreement between the signatories in relation to

the provision of sand and gravel (minerals) and the safeguarding of minerals infrastructure in the ESSDBH area. The Statement has been prepared alongside the review of the Waste and Minerals Local Plan. It will continue to exist and to be reviewed independently of the Plan.

Besides the Authorities, the parties that are signatories to this Statement of Common Ground are Eastbourne Borough Council, Hastings Borough Council, Lewes District Council, Rother District Council and Wealden District Council. These Councils require minerals to provide their planned development and are also responsible for protecting safeguarded minerals infrastructure in the ESSDBH area from encroachment by other development.

The Authorities and the other parties are signatories to a number of other statements of common ground, memoranda of understanding and position statements which should be read in combination with this document. This Statement focuses on the strategic matters of the provision of aggregates and the safeguarding of minerals infrastructure within the ESSDBH area. Other strategic matters affecting the ESSDBH area, including the provision of soft sand and development affecting the Ashdown Forest, are addressed in separate Statements of Common Ground. Appendix B contains a list of relevant agreements affecting the ESSDBH area.

This Statement of Common Ground contains the following agreements:

- That the signatories recognise the need for a supply of minerals, and the need for the provision of waste facilities;

- that the signatories have not identified any significant barriers to the supply of sand and gravel to the ESSDBH Plan Area that would compromise the delivery of the Waste and Minerals Local Plan;

- that safeguarded infrastructure sites will be given appropriate weight in the preparation of local plans or other policy documents, and in decisions on relevant planning applications; and

- that local Development Plan policies will be given appropriate weight in the preparation of waste and minerals local plans or other policy documents, and in decisions on relevant waste and minerals planning applications.

At the end of the Statement it explains that the Authorities will keep the document under review and details the method by which it can be changed, should the signatories wish to do so.

A Statement of Common Ground regarding the provision of aggregates and the safeguarding of minerals infrastructure in the East Sussex, Brighton & Hove and South Downs National Park areas

Introduction

1. This document is a Statement of Common Ground (SoCG), pursuant to section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) and paragraphs 24 – 27 of the National Planning Policy Framework 2021, between the Authorities (East Sussex, Brighton & Hove and South Downs National Park) and the other signatories (as identified in paragraph 21), regarding the strategic matters of the provision of sand and gravel and the safeguarding of minerals infrastructure.

2. This Statement has been prepared in the understanding that the signatories undertake their statutory duties in accordance with relevant legislation, policy and guidance; and in the context of other relevant statements of common ground, memoranda of understanding and position statements which they are party to.

3. The agreements set out below have been developed through direct co-operation between the signatories.

Strategic Geography

4. The strategic geography of this SOCG is made up of the ESSDBH Plan Area and the district and borough council areas within, and is detailed in Map 1 (Appendix A).

Context

5. Demand for aggregates is driven by planned development, including infrastructure, which may change due to factors including increased or reduced demands for housing and specific major projects.

6. Historically, the ESSDBH Plan Area has not provided sufficient land-won sand and gravel to meet its demands and has therefore been reliant on supply from other Mineral Planning Authority (MPA) Plan Areas, imports of marine dredged aggregates, and the production of recycled and secondary aggregates. Secondary aggregates are materials that are produced as a by-product of other industrial processes, and recycled aggregates are materials that have previously been used in construction. Significant levels of marine imports (marine dredged and crushed rock) are received through Shoreham Port and Newhaven and to a lesser extent Rye. Crushed rock, recycled aggregate and sand and gravel are imported by rail at Newhaven. It is assumed that all soft sand supply is met by road imports as there are currently no active sites in the Plan Area. Soft sand is the subject of a separate SOCG.

7. Lydd Quarry, which has a limited supply of sand and gravel permitted reserves remaining, is the only active land-won site within the ESSDBH Plan Area. Marine dredged aggregates can be readily substituted for land-won sand and gravel uses, and are imported into the ESSDBH Plan Area through existing ports at Newhaven, Shoreham and Rye. It is expected that sufficient licensed marine dredged material will be available, together with other sources of aggregate, to meet the needs of the Waste and Minerals Local Plan (WMLP). There are a number of construction, demolition and excavation waste (CDEW) sites in the Plan area supplying recycled aggregates, as well as brickworks supplying reject bricks as secondary aggregate. For some applications, recycled and secondary aggregates can be used in place of primary materials.

8. Primary aggregates are a finite resource of which there is a limited supply, and recycling aggregate can result in the loss of some of the material during processing. Because of this, aggregate should be used sustainably to ensure that it is not wasted and to provide for sufficient material to meet the needs of the construction industry. It is recognised that there are a growing number of developments coming forward within the ESSDBH Plan Area, and that these could employ lower aggregate construction methods. The Authorities wish to support this approach, and therefore propose to include a policy within their WMLP which encourages the reduction and most sustainable use of aggregates in development. The Authorities and the district and borough councils within the ESSDBH Plan Area will work together to promote the sustainable use of aggregates in accordance with this policy and in accordance with the aims of the Government's forthcoming Circular Economy package.

9. The parties to this Statement have all declared Climate Emergencies, highlighting their commitment to minimising and mitigating against contributory causes of climate change. The existing WMLP contains policies relating to climate change, in particular policies WMP24a and WMP24b. The current review of the WMLP is focussed on aggregates, and the proposed strategy of the review encourages and supports the production of recycled and secondary aggregates and the importation of aggregates by sea, rail and road. Through the review, the Authorities seek to strengthen the safeguarding of wharves, railheads and minerals infrastructure, thereby ensuring flexibility in how materials may be transported, and providing an alternative to solely transportation by road, and to encourage the use of low-aggregate construction and the use of recycled and secondary aggregates in place of primary materials where possible. The Authorities will also commit to a future full plan review in order to reassess the entire plan in the context of climate change and other key legislative changes, policy changes and further guidance, following the conclusion of the current partial review.

10. It is acknowledged that there are road capacity issues around Rye Harbour which could impact future developments.

11. The availability of aggregates is crucial for the construction of planned development in the ESSDBH Plan Area, and it is therefore important that supply of these minerals is able to continue unhindered. To this effect, minerals infrastructure, which provides for the transportation, handling, processing and distribution of minerals, is safeguarded from encroachment by non-minerals related sensitive uses. This includes mineral wharves, which are safeguarded for their landing capacity for imports of marine-borne minerals, as well as railheads, facilities for concrete batching and recycled and secondary aggregate facilities. District and borough councils within the ESSDBH Plan Area must take account of the safeguarding policies set out in the Waste and Minerals Local Plan when determining planning applications that could encroach on or otherwise affect safeguarded minerals infrastructure or resources.

Strategic Matters

12. The strategic matters set out below have been identified as matters regarding which the Authorities require agreement with other parties.

Minerals Provision

13. The signatories **recognise** that proposed development and infrastructure in and adjoining their areas will require a supply of minerals including aggregates for construction, and provision of waste facilities to manage waste arising from development occupation and use.

14. The signatories **agree** that no known significant barriers to the continued supply of sand and gravel to the ESSDBH area are identified which would compromise the delivery of the Waste and Minerals Local Plan.

Safeguarding of Minerals Infrastructure

15. The signatories **agree** that, when preparing a local plan or policy document, or when determining a relevant planning application within a safeguarding consultation area, appropriate weight will be given to safeguarded minerals infrastructure sites.

16. The signatories **agree** that, when preparing a waste and minerals local plan or policy document, or when determining a relevant waste and minerals planning application, appropriate weight will be given to relevant local Development Plan policies.

17. Making any allocation that may affect a safeguarded minerals infrastructure site could constitute a strategic matter which would need to be addressed through a SoCG between the relevant parties. This would be assessed on a case-by-case basis, proportionate to the effects on the particular minerals infrastructure site.

Governance and Future Arrangements

18. This Statement of Common Ground has been prepared alongside the review of the Waste and Minerals Local Plan. The parties will continue to periodically monitor this Statement.

19. An Authority preparing a local plan or undertaking activities which are not in accordance with this agreement must notify the other Authorities that a review is sought to resolve any identified conflict.

20. A review of the Statement can occur, if necessary, by any party to the Statement notifying the other parties in writing that a review is requested, and outlining in broad terms the changes that are being sought.

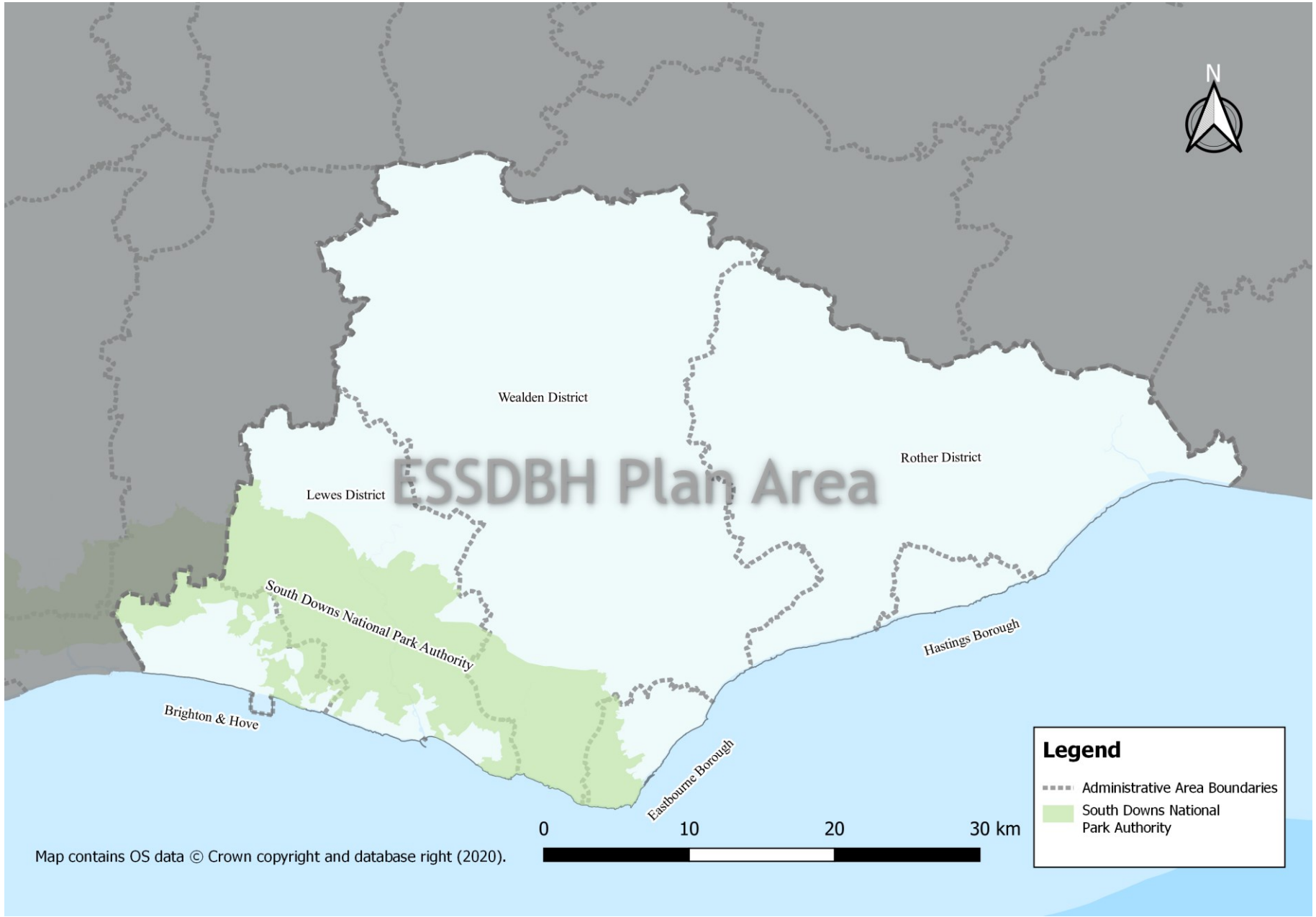
Signatories

21. This Statement is agreed by:

Signatory	Role as Signatory	Signed By	Date Signed
East Sussex County Council	Waste and Minerals Planning Authority	[redacted] Head of Planning & Environment	31/10/2022
South Downs National Park Authority	Waste and Minerals Planning Authority	[redacted] Director of Planning	02/11/2022
Brighton & Hove City Council	Waste and Minerals Planning Authority	[redacted] Chair of Planning Committee	07/11/2022
Eastbourne Borough Council	Local Planning Authority	[redacted] Head of Planning	21/06/22
Hastings Borough Council	Local Planning Authority	[redacted] Deputy Leader	01.09.2022

Lewes District Council	Local Planning Authority	[redacted] Head of Planning	21/06/22
Rother District Council	Local Planning Authority	[redacted] Planning Policy Manager	27/06/22
Wealden District Council	Local Planning Authority	[redacted] Head of Policy & Economic Development	14/04/22

Appendix A: Strategic Geography for the ESSDBH Area

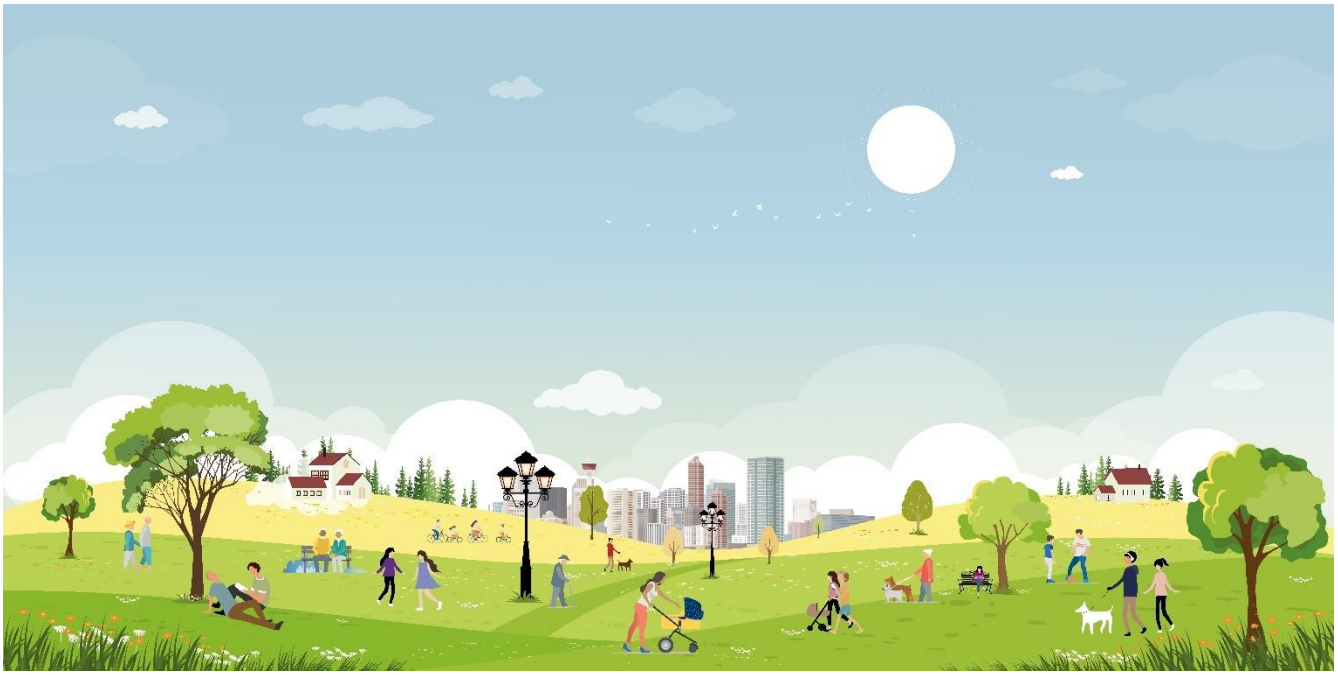


Note that planning matters within the South Downs National Park Area are dealt with by the South Downs National Park Authority.

Appendix J – East Sussex Public Health and Planning Memorandum of Understanding – August 2022

East Sussex Public Health and Planning Memorandum of Understanding

August 2022



Contents

1. Purpose 3
2. Background 3
3. National Policy Context 4
4. County Policy Context 7
5. Local Policy Context 10
6. Links between Planning and Health 13
7. Actions 17

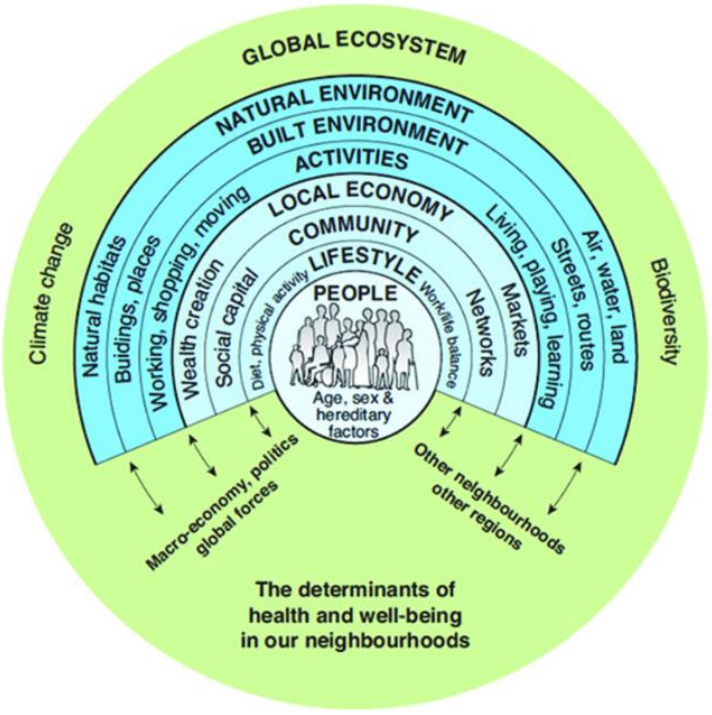
1. Purpose

1.1 This Memorandum of Understanding (MOU) sets out how the Public Health Team within East Sussex County Council (ESCC) and Local Planning Authorities (LPAs) will work together to deliver the County Council's statutory public health responsibilities and LPAs duties to deliver relevant elements of the National Planning Policy Framework through the planning system. This MOU includes all LPAs within East Sussex which are Eastbourne Borough Council, East Sussex County Council, Hastings Borough Council, Lewes District Council, Rother District Council, South Downs National Park Authority and Wealden District Council.

1.2 This MOU provides the policy context and links between planning and health. It provides an overarching agreement and intention to work together countywide to improve the health and wellbeing of our residents. It sets out the high-level actions that parties will take, including working together to agree specific actions around processes, engagement, and parameters to establish robust working outcomes and objectives. These will be developed into detailed agreements between Public Health and individual LPAs.

2. Background

2.1 Population health and wellbeing is impacted not only by individual behaviour, but by the wider determinants such as those within the built and natural environment as depicted below:



The Health Map (Barton and Grant 2006)

2.2 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. These wider determinants of health are influenced by the planning system and therefore improving both physical and mental health and wellbeing is integral to land use planning. This is through areas such as place-making, design, regeneration, sustainable development, green infrastructure, active and sustainable travel, and development management. The links between health and planning are recognised in the National Planning Policy Framework 2021 (NPPF) and its accompanying Practice Guidance (NPPG).

2.3 It is acknowledged that whilst most of the public health agenda is nothing new for land use planning there is growing policy, guidance, and evidence of the specific links between the two areas and therefore there is now a real opportunity to strengthen how health and wellbeing is addressed within the planning system. This will add value not only to existing work which already considers health impacts and inequalities but will also support work addressing shared objectives with health on tackling the climate change emergency and delivering an economic recovery post Covid 19.

2.4 It is also acknowledged that other health teams and organisations input into the planning system to improve health and wellbeing such as environmental health teams, health and wellbeing teams in district authorities and the National Health Service (NHS). This MOU will support and link in with the work being done by these other partners.

2.5 This MOU has been developed between public health and planning officers to build consensus and mutual understanding. It will build consistency across the county in the approach to creating healthy and sustainable places, strengthening compliance to the Duty to Cooperate. It will also be a mechanism which will help to deliver against the East Sussex Health and Wellbeing Strategy, the Creating Healthy and Sustainable Places – A Framework for East Sussex, and Local Plan policy objectives concerning health, wellbeing, and sustainability.

3. National Policy Context

Health and Social Care Act

3.1 In April 2013 the Health and Social Care Act (2012) gave upper tier and unitary authorities a new duty to improve the health of people in their area including encouraging healthier lifestyles and addressing health inequalities. The transfer of responsibilities from the NHS to local government was intended to shift the emphasis from treatment towards a more preventative agenda which tackles the wider social determinants of health such as the environment, housing, education, and employment.

3.2 As part of the Health and Social Care Act local areas had to establish multi-agency Health and Wellbeing Boards. The Boards are charged with producing the Joint Strategic Needs Assessment and a Joint Health and Wellbeing Strategy for their local areas.

Integrated Care Systems (ICSs)

3.3 Constraints on NHS funding over the past seven years, combined with rising demand from a growing ageing population, have put the NHS under enormous pressure. It has been clear for some time that simply working our current hospital-based model of care harder to meet rising demand is not the answer. Rather, the NHS needs to work differently by providing more care in people's homes and the community and breaking down barriers between services.

3.4 The NHS also needs to give greater priority to the prevention of ill health by working with local authorities and other agencies to tackle the wider determinants of health and wellbeing. This means tackling risk factors such as obesity and redoubling efforts to reduce health inequalities. And it means fully engaging the public in changing lifestyles and behaviours that contribute to ill health and acting on the recommendations of the Marmot Review Report 'Fair Society, Healthy Lives'(2010) and other reviews to improve population health.

3.5 ICSs are geographically based partnerships that bring together providers and commissioners of NHS services with local authorities and other local partners to plan, co-ordinate and commission health and care services. They are part of a fundamental shift in the way the health and care system is organised – away from competition and organisational autonomy and towards collaboration, with health and care organisations working together to integrate services and improve population health. Integrated care partnerships (ICPs) will operate as a statutory committee, bringing together the NHS and local authorities as equal partners to focus more widely on health, public health, and social care. ICPs will include representatives from the Integrated Care Boards (ICB), the local authorities within their area and other partners such as NHS providers, public health, social care, housing services, and voluntary, community and social enterprise (VCSE) organisations. They will be responsible for developing an integrated care strategy, which sets out how the wider health needs of the local population will be met.

National Planning Policy Framework, 2021 (NPPF)

3.6 The NPPF requires public health to be considered in both plan-making and decision-taking and states the purpose of planning is to contribute to the achievement of sustainable development, with delivery of the social objective of sustainable development being paramount to supporting health.

3.7 The social objective in paragraph 8b supports strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be

provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing.

3.8 Section 8 'Promoting healthy and Safe Communities' paragraph 92, requires planning policies and decisions to aim to achieve healthy, inclusive, and safe places which promote social interaction, that are safe and accessible, and enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs.

3.9 Paragraph 93 requires planning policies and decisions to provide the social, recreational, and cultural facilities and services the community needs, through planning positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

3.10 Paragraph 98 recognises the importance of access to a network of high-quality open spaces and opportunities for sport and physical activity for health and wellbeing of communities which can also deliver wider benefits for nature and support efforts to address climate change.

3.11 Further links to health and wellbeing can be found throughout the framework including in sections on housing, transport, design, and the natural environment.

National Planning Practice Guidance (NPPG), November 2019

3.12 The NPPF is supported by additional guidance set out in NPPG specifically in the 'Healthy and Safe Communities' category. This acknowledges that the design and use of built and natural environments are major determinants of health and wellbeing. It states that planning and health need to be considered together in terms of creating environments that support and encourage healthy lifestyles.

3.13 Paragraph 3 describes a healthy place as one which:

- Supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages.
- Provides opportunities to improve physical and mental health and supports engagement and wellbeing.
- Is inclusive and promotes social interaction.
- Meets the needs of children and young people to grow and develop as well as being adaptable to the needs of an increasingly elderly population and those with sensory or mobility impairments.

3.14 Paragraph 5 states that it is helpful to consult Public Health on planning applications that are likely to have a significant impact on the health and wellbeing of the local population or particular groups, this would allow partnership working on any

necessary mitigation measures. It also mentions that a health impacts assessment is a useful tool to use where there are expected to be significant impacts.

4. County Policy Context

East Sussex Joint Health and Wellbeing Strategy, 2016-2019

4.1 The Strategy's vision is to protect and improve health and wellbeing and reduce health inequalities in East Sussex, so that everyone has the opportunity to have a safe, and as healthy and fulfilling life as possible.

4.2 Aims within the Strategy include that health and wellbeing will be improved and health inequalities reduced, and that personal and community resilience will be supported, and prevention and early intervention will be at the heart of health and social care.

4.3 The Strategy recognises the impact of preventative actions delivered at a local level. These include the outcomes of measures dealing with leisure and physical activity, adequate housing, safe and healthy workplaces, tackling pollution, community safety, planning and regulating the built and natural environment.

Annual Report of Director of Public Health 'Health and Housing', 2019/20

4.4 The report illustrates the very strong link between our physical, emotional, and mental wellbeing and our living environment. It states that people living in areas of deprivation and those who are already vulnerable suffer the most harm in relation to physical health and emotional and mental wellbeing and for children, future life chances.

4.5 The report shows that housing related harm is largely hidden, including the impact of living in insecure accommodation or poor-quality housing. It indicates by taking a whole systems approach in-roads can be made to improve the availability of affordable, decent housing; reduce inequalities; and improve health and wellbeing.

4.6 The report makes strategic recommendations to build on the existing work and strengthen the ability of housing in East Sussex to secure good health for all, these include:

- **To make all housing and neighbourhoods healthy:** ESCC and the District and Borough Councils will work more collaboratively on Local Plans, sharing data and intelligence to fully understand housing needs and hardwiring the principles of 'Putting health into place' to ensure health is central to place making, and the design and delivery of homes and neighbourhoods.
- **To make all homes healthy:** ESCC, the District and Borough Councils and the NHS will support and promote initiatives that improve the health and safety of

homes, including adaptations that improve environmental sustainability, and promote independent living.

East Sussex Whole-System Healthy Weight Plan 2021-2026

4.7 The Plan highlights that living with excess weight is a well-established risk factor for a range of chronic diseases, including type 2 diabetes, cardiovascular disease, many cancers, liver, and respiratory disease.

4.8 Partners across the whole system need to work together to address all the causal factors which lead to an unhealthy weight and physical inactivity. This includes improving access to and safety of cycle lanes, ensuring planning and development prioritises physical activity and making our outdoor spaces safe and accessible for all.

4.9 Three priority action areas were chosen: environment, physical activity, and food. Specific actions under these include:

- **Physical activity:** Make walking and cycling the easier choice for short journeys or part of longer journeys wherever possible.
- **Food:** Create an environment where healthy food is the preferred choice, whether eating in or out of the home.
- **Environment:** Ensure that healthy weight and physical activity is prioritised within local planning and development processes; and improve access, promotion, and safety of public outdoor spaces, and encourage a sense of shared ownership by those who use them.

4.10 The Action Plan includes the area: Creating a healthier weight environment. This includes the structures level action:

> 'Work with the local planning authorities to embed a 'health in all policies' approach to their planning processes e.g. health impact assessments, design guides, supplementary planning documents, etc. which support a 'healthier weight' environment.'

And the belief action:

> 'All organisations with responsibility for planning in East Sussex recognise and prioritise getting 'health into place' in their local areas.

East Sussex Environment Strategy 2020

4.11 The strategy sets out the key challenges and opportunities within five priority environmental themes: climate change, natural capital, air quality, water, and resource efficiency. The environmental challenges make it clear that urgent action is needed, however these also provide opportunities. It stresses that investing in a healthier and more productive environment will deliver economic and social benefits and is essential for sustainable social and economic prosperity. The benefits include improved health outcomes and reduced health costs.

4.12 Reducing the impact of environmental pollution on health, notably air pollution will reduce mortality and morbidity rates. The strategy's long-term aim is for all of East Sussex to meet the air quality standards recommended by the World Health Organisation. Spending time in the natural environment improves mental health and wellbeing, by reducing stress, anxiety, and depression, whilst physical activity measurably reduces the risk of type 2 diabetes, heart disease and hip fractures. The strategy's long-term aim is to achieve a growing and resilient stock of natural capital.

East Sussex Joint Strategic Needs Assessment (JSNA)

4.13 The JSNA provides a detailed information base on the health of the local population in areas relevant to planning. Local Health Profiles identify local public health inequalities and priorities which require improvements to overall health and wellbeing.

ESCC Local Plans

4.14 The County Council is the local planning authority for its own development (for example libraries and roads) and determines planning applications for such proposals. The County Council is also the waste and minerals planning authority for East Sussex. As such it determines planning applications for waste management and minerals development, and also is required to prepare waste and minerals planning policies for the area. The adopted Waste and Minerals Local Plan, prepared jointly with Brighton & Hove City Council and the South Downs National Park Authority (SDNPA) is currently being reviewed with Examination expected later in 2022.

ESCC Local Transport Plan

4.15 As Highway Authority the County Council is responsible for producing the Local Transport Plan. Work is currently being undertaken on Local Transport Plan 4 (LTP4). This provides an opportunity for Public Health to work with transport planners and with local planning authorities to ensure health and wellbeing issues related to travel are consistently addressed and opportunities for benefits are maximised.

4.16 The Local Transport Plan is supported by other key documents such as the ESCC Local Cycling and Walking Infrastructure Plan and the ESCC Bus Service Improvement Plan and forthcoming thematic plans which will be developed as part of LTP4 in relation to Strategic Road & Rail, Freight and Smart Mobility.

5. Local Policy Context

Local Plans

5.1 Local Plans, which set the levels and location of future development, are produced in East Sussex by districts, boroughs, and the SDNPA. All LPAs are currently reviewing their Local Plans and are at a relatively early stage in their development, this provides a key opportunity for health and wellbeing to be strengthen within these emerging plans.

Eastbourne Corporate Plan 2022-2026

5.2 The Eastbourne Corporate Plan identifies a vision for strong communities where individual residents and their different organisations and support networks have the resources they need to be healthy, feel safe and thrive.

5.3 As part of the priority for Thriving Communities, Eastbourne will promote physical health and mental well-being through working with Wave Leisure, other activity providers and the East Sussex Public Health team to promote physical activity; improving the facilities provided at the Sovereign Leisure Centre; and promoting walking and cycling as both leisure and commuting opportunities.

5.4 In addition, the Corporate Plan aims to promote homes that sustain health and well-being through measures such as developing integrated health, housing and care strategies, and improving infrastructure through new integrated cycling and walking routes.

Eastbourne Borough Council Biodiversity Strategy, 2021

5.5 Eastbourne Borough Council is committed to supporting measures to help arrest biodiversity losses, restore habitats and species and work for climate resilience to promote healthy and thriving communities. This is recognised through the biodiversity strategy, with the need to protect and maintain as well as enhance and increase biodiversity and nature across Eastbourne.

A Whole Systems Approach to Creating Health Equity, and Prosperity in Hastings

5.6 In June 2021 the Hastings Local Strategic Partnership (LSP) Board agreed to establish a health inequalities task and finish working group. This was in part in response to the motion to Hastings Council in February 2021 regarding health inequalities, in recognition that across Hastings 74% of the population is living in the worst 20% deprived communities in England.

5.7 The discussion paper ‘Creating Health Equity and Prosperity in Hastings a Whole Systems Approach’ was endorsed by the LSP in June 2022. The paper provides

recommendations to capture, identify and deliver key actions across services and organisations in which to tackle the wider determinants of health, create health equity and prosperity in Hastings across the 'whole system'. A whole system approach is a long-term endeavour and seeks to work with communities and stakeholders to both understand the problem and to support identification and testing of solutions.

Healthy Hastings and Rother – Working Together to Reduce Health Inequalities, Summer 2019

5.8 The Healthy Hastings and Rother programme was set up in 2014 by the NHS East Sussex CCG (now known collectively as the Integrated Care Board, NHS Sussex) to tackle long-standing problems of relative poor health in Hastings and Rother, aimed at reducing health inequalities by improving local services and supporting people to live healthy and happy lives.

5.9 Hastings and Rother contain the eight most deprived council wards in East Sussex. These experiences of deprivation contribute to higher rates of long-term illness, disabilities, cancer, lung disease and heart problems as compared with the rest of England. The programme aims to reduce health inequalities by improving the health and wellbeing of people in Hastings and Rother's most disadvantaged communities.

Lewes District Council Corporate Plan, 2020-2024

5.10 The Corporate Plan sets out the goals and ambitions for the 4-year period. One area of focus under Sustainability and Climate Change is to improve air quality through the development of a district Air Quality Action Plan. This will combine and update the two current Action Plans which focused on the two Air Quality Management Areas (Lewes Town centre and Newhaven). Another area of focus under this theme seeks to improve the energy efficiency of homes including supporting low-carbon heating technologies in our council houses.

Lewes District Council Biodiversity Strategy, 2021

5.11 Lewes District Council's broad key aims within the strategy can be summarised as follows:

- To seek nature-based solutions, ecosystem services and re-naturing or rewilding opportunities as guiding principles in all council and partnership endeavours.
- To maintain and increase biodiversity on council-owned and managed land.
- To engage and enable community-led nature-based projects and to be involved in partnerships that promote natural capital and biodiversity across the district.
- To ensure that all developments maximise the opportunities for well-considered gains in biodiversity.

5.12 The council is committed to supporting measures to help arrest biodiversity losses, restore habitats and species and work for climate resilience to promote healthy and thriving communities. This is recognised through this strategy, with the need to protect and maintain as well as enhance and increase biodiversity and nature across Lewes District.

Rother's Corporate Plan, 2020-2027

5.13 A priority objective of the Corporate Plan is to build a fairer society. A series of aims have been set to achieve this including, amongst other things, developing an Anti-Poverty Strategy (published in draft in April 2022). This identifies significantly higher levels of people with long term health problems in Rother compared to the south-east region and to England and Wales. An additional Corporate Plan aim is to improve levels of physical activity amongst residents experiencing socio-economic deprivation and poor health outcomes.

People and Nature Network: Green Infrastructure in the South Downs and wider South East

5.14 The South Downs People and Nature Network (PANN) was published in 2020. The PANN aims to protect, enhance and create a network of green and blue spaces which sustainably meet the needs of local communities, support natural ecosystem services and respects the special qualities of protected landscapes by proposing the strategic principles for planning, delivery and management of natural capital assets in the area. It recognises the importance of nature for health and wellbeing. Objectives include using natural assets to support health and wellbeing and improving access opportunities to greenspaces. The PANN area shows information beyond the SDNP, showing important relationships between, and opportunities for, people and nature across a wider area. A full evidence report accompanies the PANN which includes data related to health and wellbeing. A series of Natural Capital Investment Areas are identified, accompanied by an analysis of the strengths, weaknesses, opportunities, and threats particular to that area.

South Downs National Park, Partnership Management Plan, Outcome Health and Wellbeing

5.15 The South Downs National Park is a well-used and recognised asset for sustaining mental and physical health and wellbeing. The South Downs Partnership Management Plan 2020-2025 includes outcome 7 on health and wellbeing. For this outcome the priorities for the next five years are to develop initiatives which enable local communities and individuals to improve health and wellbeing. The Authority is building a partnership with health bodies and local networks of providers and commissioners, both in and around the National Park, to encourage a better appreciation of the potential of the South Downs as a place for healthy outdoor

activity and relaxation, and as a place where mental health and emotional wellbeing can be nurtured and supported.

South Downs National Park Authority Health and Wellbeing Strategy

5.16 The South Downs Health and Wellbeing Strategy 2020-2025 sets out the ambition for Health and Wellbeing is that the South Downs National Park is a well-used and recognised asset for sustaining mental and physical health and wellbeing across all sectors of the community. The strategy sets objectives and a delivery action plan under three themes: (1) realising wellbeing benefits for communities, (2) realising wellbeing benefits for individuals and (3) Promoting the South Downs National Park as a place for health and wellbeing. Several spatial health and wellbeing priority areas are also identified.

Wealden Health and Wellbeing Strategy

5.17 The Strategy sets out Wealden District Council's health and wellbeing priorities to improve and protect the health and wellbeing of all those who live and work in the district as well as maintain Wealden as a healthy place to live, work or visit. The Strategy provides details on how the Council intend to deliver its health and wellbeing agenda over the next three years. The priorities include: Mental health and resilience: Loneliness, social isolation and connected communities; Positive health choices; and Active communities, environment, and facilities.

6. Links between Planning and Health

6.1 The following section outlines the potential links between planning principles and measures and health and wellbeing impacts and outcomes. The information has been adapted from 'Public Health England's Spatial Planning for Health'[1] and 'Strengthening the links between planning and health in England'[2].The section is grouped under the 5 aspects of the built and natural environment that have been identified as the main characteristics that can be influenced by local planning policy:

- Neighbourhood design
- Housing
- Healthier food
- Natural and sustainable environment
- Transport

6.2 These aspects of the lived environment can be designed and shaped, by planners, to promote certain health outcomes. Changes to the design of the environment can support improvements in health and reduce the risk of developing certain diseases,

[1] Public Health England. Spatial planning for health: evidence review. PHE publications, 2017.
[2] Strengthening the links between planning and health in England, 2020, Gemma McKinnon, Helen Pineo, Michael Chang, Laura Taylor-Green, Annalise Johns and Rachel Toms

and also help to improve people's physical and mental wellbeing. Many of planning principles will already be being considered but a greater understanding of the potential health and wellbeing impacts and/or benefits can support and further justify the inclusion and implementation of policies and measures to address them.

6.3 Various organisations influence the planning system and help to deliver and address these planning principles and measures. Environmental Health Teams, that sit within district and borough councils and the SDNPA, monitor and control environmental pollution to reduce chemical and other environmental exposures in air, water, soil, and food to protect people and provide communities with healthier environments. The NHS through Sussex NHS Commissioners is responsible for providing additional healthcare facilities to meet increased population growth. Wealden District Council has a Health and Wellbeing Team who work with a variety of partners to delivery health activities, interventions, and programmes within the district.

6.4 Neighbourhood Design

Planning principles and measures ➔	Impact on health and wellbeing ➔	Health and wellbeing outcomes
Improved connectivity and walkability. Mix of land uses with provision of services: health, education, retail, community, cultural and recreational. Local employment, workspaces, and training opportunities. Inclusive and accessible places and buildings for all ages and abilities. Well-designed attractive, safe public realm where people can meet.	Social engagement, interaction, and cohesion Increased physical activity opportunities for all. Improved access to health and social facilities, services, and employment. Reduction in harmful pollutants due to reduced reliance on cars.	Improved mental wellbeing. Reduced risk of cardiovascular disease. Reduced risk of type 2 diabetes. Keeping musculoskeletal system healthy. Reduced obesity and overweight levels and associated conditions. Improved mobility among older adults.

6.5 Housing

Planning principles and measures ➔	Impact on health and wellbeing ➔	Health and wellbeing outcomes
Improved quality of housing. Good design including orientation, ventilation, and energy efficiency. Increased provision of affordable and diverse housing for all, including groups with specific needs for example elderly and disabled.	Warmth and energy efficiency. Improved indoor air quality and light exposure. Improved engagement with healthcare services.	General health improvements. Asthma outcomes improved. Reduction in excess winter deaths. Reduced risk of cardiovascular disease, type 2 diabetes, some cancers. Improved quality of life and mental wellbeing.

6.6 Healthier Food

Planning principles and measures ➔	Impact on health and wellbeing ➔	Health and wellbeing outcomes
Community food growing infrastructure including allotments and gardens. Access to healthier, affordable food for all. Healthy highstreets with a diversity of shops and retail outlets selling healthier food.	Healthier eating and change in dietary behaviours. Change in attitudes towards healthy eating. Increased access to healthier food. Opportunities for physical activity and social connectivity.	Reduction in obesity and associated conditions. Improved mental health and wellbeing. Reduced risk of cardiovascular disease type 2 diabetes, stroke, some cancers and musculoskeletal conditions.

6.7 Natural and sustainable environment

Planning principles and measures ➔	Impact on health and wellbeing ➔	Health and wellbeing outcomes
Reduced exposure to environmental hazards (air and noise pollution, light and odour). Access to and engagement with nature. Safe, improved existing and new open green and blue natural spaces. Integrated play and recreation opportunities for all. Adaption to climate change: flood risk and temperature changes. Urban greening: street trees, green roofs, and walls.	Reduced exposure to particulate matter and excessive noise. Increased physical activity opportunities for all. Reduced impact from weather extremes (hot and cold). Social participation and cohesion.	Reduced risk of chronic obstructive pulmonary disease, reduction in infant mortality and improved respiratory function among children. Reduced risk of developing lung cancer. Reduction in obesity and associated conditions. Reduced risk of cardiovascular disease, type 2 Diabetes, stroke, mental health problems, musculoskeletal conditions, and some cancer. Improved mental wellbeing.

6.8 Transport

Planning principles and measures ➔	Impact on health and wellbeing ➔	Health and wellbeing outcomes
Safe, attractive active travel infrastructure for all which links to key destinations. Public transport opportunities. Prioritise active travel and road safety. Enable mobility for all ages and activities.	Increased mobility. Increased physical activity opportunities for all. Social participation and cohesion.	Reduction in obesity and associated conditions. Reduction in road traffic accident injuries. Reduced risk of cardiovascular disease and type 2 diabetes. Keeping musculoskeletal system healthy. Improved mental wellbeing.

7. Actions

7.1 The actions below are high-level countywide actions. Detailed actions and agreements on specific parameters, engagement, and processes, particularly around Health Impact Assessments (HIA) and planning application consultations, will be further discussed and agreed between Public Health and individual LPAs. These will be set out in further detailed agreements between Public Health and individual LPAs. This is in recognition of the further liaison required and that the needs of each LPA will vary.

7.2 Actions have been numbered for ease of reference only, there is no priority in the numbering.

Public Health will:

1. Work proactively with local planning authorities to develop programmes and policies which address public health objectives through the land use planning process.

2. Make the JSNA evidence base relevant and available to local planning authorities and provide advice and support in interpreting it and applying it to local circumstances. Where required submit further evidence on national and local policies and health needs. Where necessary this could include joint commissions to obtain evidence to support policies and actions which address specific local issues related to health inequalities.

3. Support LPAs when progressing policies to help ensure that policies address the issues and are customised to local circumstances as appropriate. This will include an early review of policies ahead of any formal consultation to assist LPAs in getting policies right ahead of consultation. Support LPAs should any health and wellbeing policy or initiative be challenged through the local plan preparation or planning application process.

4. Use the Healthy Places Team as a first point of contact for Public Health's input into the planning system on health and wellbeing issues. The Healthy Places Team will liaise with other teams and organisations to ensure links are made, and will provide formal comments to Local Plan and Neighbourhood Plan consultations through the existing coordinated County Council response provided by officers in the Communities, Economy and Transport Department.

5. Encourage and support NHS Estates and NHS health service commissioners, who are responsible for identifying and delivering healthcare facilities, in responding to consultations on local plans, including infrastructure delivery plans and major planning applications. This should help to ensure the requirement for healthcare facilities and public health population needs are given full consideration in both local plans and planning decisions.

6. Provide support to planning authorities to help identify appropriate trigger points for HIA within local areas, as appropriate.

7. Support planning authorities to develop and implement HIA including providing training as necessary and consider developing any necessary specific countywide tools and guidance. Work with LPAs to develop an appropriate approach and process on implementing HIA including Quality Assurance. Specific working arrangements will be agreed and set out within detailed agreements with individual authorities.

8. Work with LPAs to establish a process for consulting Public Health on applications both at pre application and submission stages. Parameters and processes will be within existing processes, resources, and capacities wherever possible. Specific working arrangements will be agreed and set out within detailed agreements with individual authorities.

Local Planning Authorities will:

1. Endeavor to include an overarching strategic policy in Local Plans on health and wellbeing that sets out the overall principles of planning for health and wellbeing and how the plan will meet NPPF requirements to achieve healthy, inclusive, and safe places which will reduce health inequalities and promote healthier lifestyles.

2. Ensure all policies reflect planning for health and wellbeing priorities and principles (Health and Environment in All Policies) either on their own or in combination with the overarching health and wellbeing strategic policy.

3. Use the JSNA, academic evidence and other sources of intelligence as the evidence base for policy making and decision making and ensure local plans and decisions reflect the issues set out.

4. Consult Public Health on early Local Plan policy development and consider incorporating comments ahead of formal consultations. Work in partnership with Public Health on the development of policy documents such as Supplementary Planning Documents, Technical Advice Notes that relate to health and wellbeing including design guides and codes and Green and Blue Infrastructure Strategies.

5. Include health and wellbeing related infrastructure within Infrastructure Delivery Plans and as appropriate in other strategies and plans such as Green and Blue Infrastructure Strategies. Involve PH in securing and allocating development contributions as appropriate.

6. Ensure health and wellbeing is adequately incorporated into assessments of Local Plans for example a Sustainability Appraisal and/or undertake a separate HIA.

7. Work towards requirement for a HIA for appropriate development in Local Plans and Local Validation Lists. Liaising with Public Health to assist in identifying appropriate triggers points for undertaking an assessment. Work with Public Health to develop an appropriate approach and process on implementing HIA including Quality Assurance. Specific working arrangements will be agreed and set out within detailed agreements between individual authorities and Public Health.

8. Work with Public Health to establish a process for involving them in pre-application discussions for major developments above an agreed size threshold and/or agreed areas of deprivation. Specific working arrangements will be agreed and set out within detailed agreements between Public Health and individual authorities.

9. Work with Public Health to establish a process for consulting them on planning applications for development and change of use or prior approval notification of developments where a potential public health impact is expected, or developments are above an agreed size threshold. Parameters and processes will be within existing processes, resources, and capacities wherever possible. Specific working arrangements will be agreed and set out within detailed agreements between Public Health and individual authorities.

Signed on behalf of Public Health, East Sussex County Council

[redacted]

Print Name: [redacted]

Date: 22.09.22

Position: Director of Public Health

Signed On behalf of Eastbourne Borough Council

[redacted]

Print Name: [redacted]

Date: 12/08/22

Position: Head of Planning

Signed on behalf of Hastings Borough Council

[redacted]

Print Name: [redacted]

Date: 26/09/22

Position: Managing Director

Signed on behalf of Lewes District Council

[redacted]

Print Name: [redacted]

Date: 12/08/22

Position: Head of Planning

Signed on behalf of Rother District Council

[redacted]

Print Name: [redacted]

Date: 16 August 2022

Position: Director of Place and Climate Change

Signed on behalf of South Downs National Park Authority

[redacted]

Print Name: [redacted]

Date: 01-09-22

Position: Planning Policy Manager

Signed on behalf of Wealden District Council

[redacted]

Print Name: [redacted]

Date: 30.09.22

Position: Head of Planning Policy, Economy, and Climate Change

Signed on behalf of East Sussex County Council as County Planning Authority

[redacted]

Print Name: [redacted]

Date: 5 October 2022

Position: Head of Planning & Environment

Published by
Wealden District Council
Council Offices
Vicarage Lane
Hailsham
East Sussex BN27 2AX
Tel: 01323 443322
Fax: 01323 443333
e-mail: planningpolicy@wealden.gov.uk
Website: www.wealden.gov.uk