SMITHSGORE

Wealden Core Strategy Examination

Submission on behalf of the Firle Estate

16 December 2011

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1.0 Introduction

1.1 Smiths Gore have prepared the following submission in support of representations made to the Wealden Core Strategy and in advance of the Hearing Sessions commencing 17 January 2012.

1.2 This submission focuses on the settlement hierarchy and rural areas strategy (matter two). It is not our intention to reiterate points made in our previous representations, but we do feel it necessary to clarify some issues raised therein in the light of the Council's response to Inspector's Questions and changes to planning policy at the national level.

2.0 Background

2.1 The Firle Estate is a significant and important local landowner with a keen interest in the future of the surrounding area.

2.2 The Estate's holdings at Berwick Station have been under consideration for a potential new settlement of 1500-2000 dwellings, a level of development with which the Estate was not particularly comfortable. It is clear however that the presence of a railway station at this settlement, together with its relatively unconstrained location (outside of the National Park and not constrained by the Ashdown Forest SPA of the Pevensey Levels RAMSAR site) means that should be considered as a particularly sustainable location for a smaller level of housing growth.

2.3 To assess possible development options at Berwick, Atkins were commissioned to assess capacity and draw up indicative development options for around 100 dwellings. Their report is attached as an appendix to this submission.

2.4 At the same time as removing the existing Settlement Boundary for the Village, the Wealden Core Strategy identifies Berwick Station as settlement that is able to take some growth, with 20 dwellings being envisaged to be delivered through a subsequent plan. This lack of certainty causes the Estate significant concern.

3.0 Core Strategy Representations

3.1 Smiths Gore were instructed to submitted representations to the Proposed Submission Core Strategy. These focussed on Table 1 at Para. 33 of the document and stated:

Paragraph 3.3, table 1

Policy unsound and not justified or consistent with national policy
This paragraph, and the settlement strategy set out in Table 1, is considered to be inconsistent with national policy insofar as it relates to the need to promote sustainable patterns of development, particularly in relation to public transport accessibility and/or means other than the private car (PPS1, PPS3 and PPS7).
This is particularly important for Wealden District since, as stated in Para.5.21 of Background Document 1, The Development of Proposed Submission Core Strategy, the many areas of poor public transport accessibility has led to a heavy reliance on the use of the private motor vehicle. It is therefore vitally important that the distribution of development moving forward does not exacerbate this issue.
Whilst it is not suggested that public transport accessibility should be the only consideration, it is suggested that the definition of Accessible Settlements set out in the 2009 Spatial Development Options Background Paper Rural Settlement Classification, is perhaps more consistent with national planning policy than the current strategy and should be re-included.
In addition, PPS3 requires LPAs to give consideration to the functional relationship between settlements in rural areas, and it is considered that the relative sustainability of smaller settlements that may in themselves have limited facilities, may in fact be greatly enhanced through a close functional relationship with larger dwellings. Arguably therefore, housing growth in such settlements would be as sustainable as development adjoining the urban area of those larger settlements. To use the example of Berwick Station, the extremely close functional relationship with the Primary Centres of Lewes and Eastbourne, make this Village, as well as all villages that are within easy walking of cycling distance such as Alciston, Berwick and Selmeston much more sustainable that they are if viewed in isolation. Unfortunately the fact that these Primary Centres are located outside of the plan area has meant that this relationship has not been explored more fully.
It is also suggested that the Settlement Hierarchy is not justified since it is also not clear how the decisions that led up to the identification of various categories of settlement are supported by evidence.
In particular, it would appear that weighting has been afforded to some facilities, for example primary school provision but not to others such as public transport provision that may be more significant indicators of the sustainability of a settlement. However, since no evidence is provided or indeed does there appear to have been any meaningful consultation around this point during earlier rounds of community involvement, it is impossible to counter this assumption. At the same time, the contribution of certain facilities that have been listed in the matrix that was attached to the 2009 Rural Settlement Classification appears to be arbitrary and not necessarily, it is suggested, good indicators of the vitality or indeed capacity for growth of a settlement.
Turning to two examples within the south of the District, Horam and Herstmonceaux are both identified within the Rural Strategy for relatively significant levels of growth, 100 and 70 dwellings respectively. However, neither settlement are served by train stations and whilst bus based public transport is available, it is suggested relying on this mode of transport will not lead to greater uptake of public transport as would be the case if settlements that are served by rail services were identified for a similar level of growth. This is recognised in the Sustainability Assessment that accompanies the Core Strategy where Herstmonceaux in particular scores particularly low on environmental sustainability.

It is suggested that the allocation provided to Berwick is based on both the availability of land, the relative sustainability of the settlement - taking particular note of its high public transport accessibiltiy, and landscape capacity to absorb development.
It is suggested that a figure of between 50 and 100 dwellings over the plan period would be more appropriate and help to facilitate sustainable growth of this part of the district.

4.0 Further Statement

4.1 In his questions to the Council (31 October), the Inspector raised the following:

As part of the rural areas strategy, Policy WCS6 removes development boundaries from neighbourhood centres or unclassified settlements. At the same time it is proposing housing allocations in some of these settlements which will be made in the Delivery and Site Allocations DPD. The Local Development Scheme shows that this DPD will not be adopted until the end of 2013. There will therefore be a period within which proposals may come forward relating to these settlements in the absence of both a development boundary and a specific allocation to direct development. Is the Council satisfied that there will be an adequate planning framework in these settlements during this period?
The scale of housing allocations in individual villages made in Policy WCS6 is mostly small. Is this level of detail appropriate to a core strategy or should it be a matter for a subsequent DPD?

4.2 The Council's response was along the following lines:

4.2.1 That previous advice from PINS encouraged them to delete settlement boundaries in settlements not identified for growth;

4.2.2 That small scale growth in some locations was deemed suitable where it is supported by the evidence base;

4.2.3 That, in some circumstances, neighbourhood plans will be brought forward and that the level of development envisaged should be seen as an 'at least' figure; and

4.2.4 Small scale developments brought forward in advance of the Delivery and Site Allocations DPD will be considered against paragraph 6.45 of the Core Strategy. This paragraph is reproduced below.

6.45 Outside the towns and the rural settlements identified for growth development will be restricted primarily to that required to meet an essential rural need, support rural diversification and sustainability of the countryside, promote tourism or enhance the countryside. More detailed development management policies and proposals will be contained in the Delivery and Site Allocations DPD in relation to development in the countryside. In the meantime the Council will use national policy and retained Local Plan policies to support development management decisions.

4.3 Smiths Gore, on behalf of the Firle Estate, would wish to comment as follows:

4.3.1 It is suggested that the decision to remove all settlement boundaries across the board before the growth capacity of particular settlements can be fully assessed is flawed, and, as pointed out by the Inspector, will led to a great deal of planning uncertainty until the Delivery and Site Allocations DPD is adopted. Given the delays experienced in bringing the Core Strategy to its current stage, it is thought highly likely that this uncertainty will extent sometime beyond the current scheduled date for adoption of 2014.

4.3.2 The principle of identifying settlements where some growth can be accommodated is supported. We do not agree with the Inspectors suggestion that this level of growth does not properly belong in a Core Strategy since – although the numbers are often relatively small – the level of growth as a proportion to the size of the existing settlements is often higher than the strategic locations that are the subject of Core Strategy allocations. As such, these developments will be viewed as being of strategic importance to the existing communities within those settlements, and rightly so. It is however suggested that the identification of the level of development without any consideration on sites presents a somewhat incomplete picture to communities which puts them in a great deal of uncertainty for a number of years – as without a discussion of location, it will be hard for them to take a view on the level of development.

4.3.3 Whilst it is acknowledged that Neighbourhood Plans will help to deliver housing growth in the rural part of the District, it is clear that this method of delivery should be seen as being 'as well as' the District level Plan, not 'in stead of'. As such, it is wrong to assume that Neighbourhood Plans will pick up the slack during the 3 years or more that it takes to produce the Delivery and Allocations DPD. The costs associated with producing a neighbourhood plan (at least £20,000[1] in many cases) will in many cases preclude this route to delivery, especially where work may be under way on a district level allocation.

4.3.4 It is clear that the wording of paragraph 6.45 is focussed on restricting development rather than delivery and does not support the levels of development envisaged in the Core Strategy. It is suggested that this countryside / restraint policy is replaced with a criteria based policy that permits the bringing forward of rural sites within those settlements that are identified in Policy WCS6 as being suitable for growth. Set out below is a suggested form of words for such a policy.

Suggested Policy for delivering growth in rural settlements (additional wording for Policy WCS6):

Pending the identification of sites through subsequent DPDs, individual development proposals will be assessed against the following criteria:

- **Any new development should respond to the existing form of development in Settlements, supporting historic development forms and land use patterns and helping to enhance sense of place**
- **New development should respond to existing movement patterns, and should encourage access to sustainable modes of transport**
- **Development should respond to the landscape setting of the settlement, and include for high quality landscape proposals.**
- **Development should demonstrate a high level of design quality**
- **Development should be brought forward in partnership with the local community and be able to demonstrate a good level of support, for example through helping to deliver improvements in infrastructure.**

4.4 This type of criteria based policy has been shown to work well in similar situations elsewhere and is helpful in bringing forward small scale developments in rural locations, where the main focus of local concern will often be on issues of urban form, design and landscaping. It is noted that unless this type of policy is included, development at

[1] The level of grant funding available to Neighbourhood Plan frontrunners.

Wealden will be assessed under the policies contained within the National Planning Policy Framework.

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