Wealden District Council & South Downs National Park Authority
Introductory statement: Submitted joint Core Strategy.

Cllr. Roy Galley - portfolio holder for Planning & Development.

This jointly submitted Core strategy has been the subject of widespread consultation commencing significantly with our Issues and Options paper in 2007 when the predecessor bodies to the South Downs National Park Authority (the South Downs Joint Committee and subsequently the Shadow National Park Authority) were in existence. Those bodies were fully engaged in, consulted and commented upon our emerging document in so far as it impacted upon that part of Wealden District which lay within the then proposed National Park. The Strategy has been built upon close partnership working and, following the formal designation and coming into effect of the National Park Authority as a Planning Authority in its own right, the Core Strategy for Wealden District, incorporating part of the South Downs National Park, has been jointly submitted for examination.

We welcome this opportunity to provide a brief introduction to our Core Strategy to this Hearing, both to explain the background to our Core Strategy and in particular to respond to those principal matters of concern raised. These are the matter of general conformity of the Core Strategy with the South East Plan (Regional Strategy) and the provision of our overall housing figures. In our responses to the specific questions asked by the Inspector both for the purposes of the exploratory meeting and in respect of the joint statements (SDNPA/ WDC) to each of the matters for this Hearing we have set out why we consider our document to be in general conformity with the RS. We have emphasised that the matter of general conformity needs to be assessed across the whole range of relevant policies that are contained within the RSS and not ,as seemingly suggested by some, confined to the much narrower matter of housing numbers as set out in just one policy of the RS. In our response we have identified those key policies of the RS which we consider are of particular importance and relevance in developing our Strategy.

In our joint statement on the Matter of Legal Compliance we have set out in some detail the legal position on the interpretation of the construction of the words "general conformity". The key court of appeal case on this matter confirms that whilst a Local Authority has to act reasonably it must be allowed a fair degree of latitude in doing so I consider we have acted reasonably throughout he development of our document

- through widespread consultation in 2007,
- further consultation due to changes in the Regulations in 2008,
- through the commissioning, sifting and publication of evidence, over a significant period of time
- and through our detailed work on sustainability appraisal.

I would also wish to also take this opportunity, at the opening of this Hearing, to emphasise that for those who have sought to challenge the CS many have indeed supported the document and its wide consultative and evidence based approach in arriving at the submitted document. Our Strategy has been carefully developed after extensive rounds of engagement and consultation and is based upon a huge amount of feedback from our communities, Some of those supporters are present around this table but many others are not.

Of those who do object or have raised issues we feel that, at the strategic level, their objections fall in to two principal camps. Firstly those who consider that the document is flawed and have seemingly argued so largely on the basis of the housing numbers in our Strategy (at least 9,600) being short of the 11,000 required by the RS. Secondly those that have argued so largely because their land/ their client's land has not been identified for growth in any of the identified strategic growth areas (SDAs) or villages where some growth is promoted.

To briefly deal with this second point first. We do not believe that because land belonging to one particular individual has not been identified within our Strategic Development Areas that this makes our document unsound, undeliverable or unreasonable. We have shown a very broad, open, and evidence based approach to the consideration of reasonable alternatives and the justification for arriving at our submitted Strategy.

On the first and more substantive point about housing numbers these concerns regarding housing numbers appear to be based upon a false assumption that the figure of 9,600 is a glass ceiling. Quite apart from the fact that the development industry and the development management process simply does not work like this the assumption is false for a number of key reasons.

Our joint submitted Core Strategy proposes the retention of Development Boundaries in some nineteen different settlements including the retention of a development boundary for each of Wealden's five market towns. Within these the principle of development is acceptable in Policy terms and subject only to the usual details of development management matters e.g. in respect of access, design etc. We therefore consider that such approach is likely to add to the totals of houses provided throughout the plan period.

We are also aware that, unlike some Authorities, we have not sought to make any allowance in our submitted figure, for windfalls and yet our most recently published AMR clearly demonstrates that during the last ten years we are able to show an annual average of windfalls of over 200 units.

In addition Policy WCS9 of the CS sets out our rural exceptions policy which will again be likely to add to the overall delivery of housing. Indeed we would like to encourage our local communities to bring forward sites for affordable housing provision.

Finally the two Authorities have been keen to support those initiatives arising out of the Government's Localism agenda and which has now been embodied within the Localism Act. In this regard our submitted Strategy clearly sets out at paragraph 7.17 that we will support such initiatives as Neighbourhood Plans.

We consider that the figure of at least 9,600 as set down in the Strategy is based upon robust evidence, including that of delivery and achievability and having due regard to all policies and policy considerations within the RS and elsewhere.

A number of statements have been received that have referred to the draft National Planning Policy Framework (NPPF) which proposes significant changes to the planning system and citing this document as a material consideration. A number of these statements are seeking to suggest that this emerging NPPF means that yet further growth should be provided through our Core Strategy. As a draft consultation document we consider that the NPPF, as recently published, carries only minimal weight. We are also aware that this consultation on changes to the Planning system, perhaps more than any other such consultation paper in recent times, has attracted widespread and fierce criticism from many. We are however encouraged by reports that the Government has clearly announced that it is receptive to suggestions for change that the consultation has elicited.

On the 21st December we saw published the report of the House of Commons Communities and Local Government Committee report on the NPPF. This report confirms the need for significant change of the document. We believe these changes are likely to be profound and are pleased that the Government has acknowledged the need to respond appropriately to these concerns and to achieve a better balance within the final version of any document.

The Committee also concluded that any final document should unambiguously reflect the statutory supremacy of Local Plans and that existing gaps in the document "are likely to fuel a system of "Planning by Appeal" instead of the local decision making that Ministers advocate". It is just such a locally derived, Plan led, evidence based and deliverable approach that our submitted Core Strategy document seeks to provide. We acknowledge that circumstances will, and indeed have changed and that many Core Strategies are being progressed at a time of change and uncertainty both economically and legislatively. We acknowledge this and set out both in our Implementation plan and our AMR just how and when the CS can and will be flexible and respond to such changes.

We support the views expressed by the Inspector in earlier guidance in respect of the exploratory meeting that the purpose of this examination and Hearing is not about issues as detailed as site specific matters, current housing land supply figures nor indeed the possible inclusion of other specific "development management type" policies. Local Authorities producing Core Strategies have been clearly advised that they be progressed upon the basis of "taking the hard decisions" (a view often expressed to us by the former Government Office for the South East), of showing broad strategic vision and direction for growth and to be Policy light. Essentially we believe this focus lies rather with the wider and strategic issue of general conformity and with all of the various Policies of the RS. It should also address the ability of the Strategy to clearly show a deliverable vision for growth within the District and the capacity for review where or if changes in circumstances warrant this.

We would also here wish to refer to advice in PPS12 (Local Spatial Planning) regarding justification of Core Strategies and the fact that for them to be sound they must be.

- founded on a robust evidence base

- the most appropriate strategy when considered against the reasonable alternatives

Further advice contained in the PPS on soundness requires Core Strategies to be Justified, Effective and Consistent with National Policy. On the matter of effectiveness this test is explained as meaning deliverable, flexible and able to be monitored. We believe our Strategy meets these requirements. We have already highlighted in this introduction our views regarding emerging thoughts on National Policy and possible changes to it which have attracted some comments from participants at this Hearing.

On the matter of seeking to arrive at "the appropriate strategy when considered against reasonable alternatives" we have sought very hard to accommodate in an appropriate and sustainable way, our needs whilst also acknowledging those undeniable environmental and infrastructural constraints which we face. We have taken time and a lot of effort to consult upon a range of reasonable alternatives. We have engaged with our communities, our Local Strategic Partnership and our Parish and Town Councils, to develop and define a vision and a clear spatial response to deliver that vision. This has been undertaken in both challenging and changing circumstance but we believe we have done all that could reasonably be asked of us.

On one of the key areas of the Inspectors previously expressed concerns, that of meeting Housing Need we clarify that our Housing Needs Survey is but one element of identifying housing need. The figure of 812 identified in our HNS does not mean that there is a need for 812 new affordable dwellings to be built each year. That would quite clearly be both unsustainable and undeliverable in a District such as Wealden. Housing need can be established in a number of ways, and equally met in a variety of ways. We have set out in detail in our statement on Matter three our further arguments in this regard and the wide variety of ways in which we meet housing need.

On the question of housing requirements that has been raised we would point out that the distribution of housing through the RS was not based upon local needs but rather upon predictions of regional need and a range of environmental and settlement/accessibility and economic characteristics as required by PPS3. We have provided further clarification on these matters as requested in our submitted statements to this Hearing and which confirm that we have adopted the same approach in seeking to accommodate what is required of us by the RS. We consider that our Strategy will enable the South Downs National Park Authority and Wealden District Council to continue to meet housing needs in the District and our SHMA acknowledges that we are also helping to contribute to meeting the needs of other neighbouring Authorities.

Our spatial vision, which has been developed following significant consultation with our communities, seeks to balance these clearly acknowledged needs with our wish to conserve the essentially rural character of the District whilst seeking to support the sustainable growth of our market towns and villages. We wish to protect the very special environment of Wealden, some 60% of which is designated as a National Park or an Area of Outstanding Natural Beauty and to ensure the highest level of protection to those areas which are designated as of international importance for nature conservation.

Since the drafting and adoption of the RS we have witnessed significantly changed economic circumstances, revised ONS population and trend based projections, and a very different climate in respect of central or developer funding for infrastructure provision. We have confirmed through our close partnership working with the Environment Agency and Southern Water as the responsible bodies that there is finite headroom and a likely tightening of consents in respect of wastewater infrastructure in the south of the District. This may result in this headroom being further reduced in future having regard to the international importance of the Pevensey Levels.

Further, detailed and local evidence has emerged following adoption of the South East Plan and which requires to be taken into account in producing an evidence based Strategy. We make further reference to this at paragraphs 1.9 - 1.12 of our response to the Inspectors initial questions in his letter of 7th September and as an Appendix to our Matter 3 statement.

Economic circumstances have changed significantly, together with their impact upon the reduced prospect of central support for infrastructure. Additionally all of the monitoring and implementation statements and policies set out within Chapter 26 (Implementation and Monitoring) of the RS are in effect disbanded and/or incapable of implementation. What was being developed from 2003 evidence and assumptions is not now considered sound, sustainable or deliverable. Furthermore it is not now possible to monitor and review implementation of the RS.

In summary we believe that our Strategy is both reasonable and appropriate for Wealden District (including part of the South Downs National Park). It is deliverable justified and flexible. The matter of general conformity firstly has to be seen in just those terms i.e. "general conformity" and that there has therefore to be some latitude afforded to this overall assessment. Secondly and as set out in our responses and also in the Portfolio Holder report that led to the submission of the Core Strategy, that this overall test needs to be applied to all relevant policies of the RS and not just those relating to housing numbers. Thirdly that the principal challenges to the document and which appear to be focussed largely upon housing numbers are based on misassumptions as to the application of a glass ceiling to the figure set out of at least 9,600.

We conclude that our document meets that test of general conformity, is founded upon a robust evidence base, has considered reasonable alternatives and is justified, effective and deliverable.

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SDNPA/WDC