

From: planning [mailto:planning@wealden.gov.uk]
Sent: 20 March 2017 18:28
To: planning
Subject: Update on the Wealden Local Plan

Dear Colleague,

Please see the attached update on the Wealden Local Plan which has been sent to All Members of the Council:

Message on behalf of Cllr Ann Newton, PFH for Planning and Development

Update on the Wealden Local Plan – 20 March 2017

Members will be aware that the Wealden Local Plan Draft Proposed Submission Document is to be debated at Full Council on Wednesday. This follows discussion at the Local Plan Sub Committee and Joint Planning Committee on 13 March.

The Draft Proposed Submission Document has been produced against a background of increasing evidence that high levels of development could potentially harm the Ashdown Forest. Alongside this the Council recognises that, in producing a Local Plan, it has to balance economic and housing growth with a need to protect and enhance the environment, including the Council's legal duty to protect specially designated sites in the Ashdown Forest and Pevensy Levels.

The evidence of the levels of nitrogen deposition that has emerged since November has resulted in a need to model lower housing numbers alongside a shorter plan period. The work to undertake this modelling, analyse the findings and produce a plan which balances growth with environmental protection has been a complex and time consuming task. As a result officers have been unable to complete the presentation of key elements of the evidence base for the Plan, for example the Sustainability Appraisal and the Habitat Regulations Assessment, so that these are available for Council when considering the Proposed Submission Document.

Whilst officers have considered the necessary elements in proposing the policies and approach set out in the Plan, this evidence needs to be presented to Members in a comprehensive and accessible way to enable a fully informed decision to be taken to proceed with the Plan. If it does not happen there is risk of possible challenge to the Plan at a later stage.

The proposal, to enable the Plan to move forward whilst avoiding the risk, is to continue with the debate on the Plan scheduled for Full Council on Wednesday as that will be an excellent way of obtaining Members initial views on the principles and content of the Plan, but to delay the formal decision to proceed with the Draft Submission Document until Members have the full set of evidence which supports the Plan available to them. I therefore propose to alter my motion on Wednesday 22 March to the following:

The Full Council is recommended to:-

- 1) Welcome progress with the Local Plan to date;

- 2) Based upon the evidence published to date, support the strategic direction set out in the current draft of the Local Plan;
- 3) Approve that the Local Plan Draft Proposed Submission Document is brought back to Full Council for consideration at the earliest opportunity.

The final decision to proceed with the Draft Proposed Submission Document will therefore be brought to a future Full Council meeting once the full set of evidence is available in a comprehensive and accessible form.

I hope that Members will recognise the excellent work that has gone into the production of the Plan so far and the need to ensure that the Plan progresses in as robust and defensible a way as possible. I also hope that Members will welcome the opportunity to discuss and debate the Plan Wednesday and recognise the added value this will give to the Plan going forward.

In closing, some news just in today is that Mr Justice Jay has now handed down judgement in our High Court Challenge against the Sec. of State for CLG, Lewes District Council, South Downs National Park Authority, and Natural England. A full copy of the judgement is now published online and can be viewed via the following link.

<http://www.bailii.org/ew/cases/EWHC/Admin/2017/351.html>

As you will see although our challenge to Lewes DC was adjudged to be out of time, our argument that Lewes DC and the SDNPA should have considered the effect on the Ashdown Forest of the additional traffic from the proposed development in their plan in combination with the effect from our plan was upheld.

This is clearly good news, but the implications will have to be considered in detail. However, this outcome reinforces the need to ensure that the Wealden Local Plan is robustly evidence based as it will be closely scrutinised by many with a high chance of challenge as we have already experienced.

I will keep members updated at every opportunity.

Kind regards,

Cllr Ann Newton