

Wealden Focused Draft Local Plan – Consultation Response -(HWPC).

Question 1 – SS1 - Spatial Strategy

Policy SS1: Spatial Strategy for Wealden

Sustainable Development

1. The Council will expect development proposals and the use of land to contribute positively to the social, economic and environmental enhancement of Wealden. Planning applications that are consistent with the policies in the plan will be supported, unless material considerations indicate otherwise.

General Principles

2. During the plan period up to 2042 the Local Plan will:

- a) Deliver sustainable and high-quality development that meets the needs of our communities for homes and jobs, whilst balancing the impact of growth on our natural environment, protected landscapes and the countryside.
- b) Contribute to the continued sustainability of our towns and villages. This will involve supporting the improvements that are required to local services, community facilities and infrastructure. Subject to other policies in the plan, we will safeguard our existing employment and tourism sites and seek to deliver new employment and tourism sites, ensuring that people can access jobs, services and facilities locally.
- c) Support our towns and villages to be 'complete, compact and connected neighbourhoods' to help provide health, social, environmental and economic benefits to our communities.
- d) Support Neighbourhood Plans where Parishes have designated such areas for this purpose, including supporting site allocations for housing and employment purposes, providing such developments are consistent with the policies in this plan.

Development Boundaries

3. Subject to other policies in the plan, new development will be permitted within those settlements with an identified development boundary as shown on the Policies Map. This includes the following settlements:

Crowborough, Uckfield, Hailsham, Heathfield, Polegate, Willingdon, Stone Cross, Westham, Pevensey, Forest Row, Horam, Mayfield, Wadhurst, Bells Yew Green, Berwick Station, Blackboys, Buxted, Cross in Hand, East Hoathly, Five Ash Down, Framfield, Frant, Groombridge, Hartfield, Herstmonceux, Isfield, Lower Horsebridge, Maresfield, Ninfield and Rotherfield.

4. Within these settlements, development proposals should make the best use of previously developed land, apply an appropriate density to its use, ensure the creation of strong, sustainable, cohesive and inclusive communities including required infrastructure provision. Development proposals should also consider land take and the impact this may have on the natural environment and resources, whilst also relating well to the existing and surrounding character of the area.

Employment

5. The Council will support economic development proposals which deliver a growth in high-skilled jobs and/or an expansion of tourism that contributes towards the delivery of sustainable economic prosperity in the district.

6. New strategic employment floorspace will be allocated for development within this local plan in line with policy SS6 (and the district's strategic employment sites will also be protected, alongside non-strategic employment land). Improvements to existing strategic employment sites (redevelopment, conversion, upgrading, intensification or reconfiguration) will also be supported where this meets other policies in the plan in order to meet the district's employment need. These sites will contribute to meeting an increase in employment land and jobs within the plan period.

District, Service and Local Centres

7. The role of our district, service and local centres will be protected and enhanced by encouraging a range of uses consistent with the scale and function of the centre having regard to its position in the hierarchy. Retail growth during the plan period will be focused within these centres in accordance with the

town centre hierarchy and policies TC1 (District, Service and Local Centre Hierarchy and 'Town Centre' First Principles) and TC2 (Sequential and Local Impact Test).

8. The Council will support improvements to district, service and local centres where this will support the vitality and viability of centres including improvements to the quality of our town centres and public realm, the provision of a diverse offer, the provision of community services, improvements to active travel infrastructure and the night-time economy. Development that is associated with the 'greening' of our town centres will be particularly supported.

Countryside

9. Land outside development boundaries will be considered as the countryside. The countryside will be protected unless development is supported by a specific policy referenced elsewhere in this plan.

a) Do you agree with the updated draft Policy SS1: Spatial Strategy for Wealden, and if not, why?

Answer: This Council supports this Policy in Principle, but subject to detailed considerations, not least in respect of housing, and with specific reference to those settlements at SS1.3, qualified by SS1.4, dealt with in detail at: Question 11.

As regards SS1.3, 'Development Boundaries', this Council requires clarification as to whether the proposed new additional site allocations at HEA10, 11 & 12, are intended to represent expansions of the relevant development boundaries. This is unclear from the associated Local Plan Maps.

If this is intended to be the case, then this Council would object in terms of all 3 proposed allocations.

(b) Is there an alternative spatial strategy that we should be considering through this Local Plan? If so, please set out what the alternative spatial strategy should contained and why?

Answer: No.

Question 2 – SS2 – Provision of Homes

Policy SS2: Provision of Homes

New homes

1. A housing target of 16,609 (net) dwellings will be delivered in the district between 1 April 2025 to 31 March 2042. The provision of homes will be met through committed schemes (with planning permission), site allocations within this local plan and windfall development, as set out in Table 4.

2. New housing (allocations and windfall) development is supported in the district's most sustainable settlements and will be located within the defined development boundary areas within the district, as defined on the Pol

(a) Do you agree with draft Policy SS2 (Provision of Homes), and if not, why?

Answer: No. The housing Target of 16,609 (nett) dwellings is a shortfall of 8.160 dwellings, which represents 1/3 of the Council's objectively assessed housing need figure of 24,769 dwellings, arrived at by the Standard Method. It is considered that

such a reduction is most unlikely to be acceptable to the Government Inspector, thus effectively nullifying the submission of this Draft Local Plan.

b) Do you agree with the list of potential sites, the amount of development, and/or the issues identified in tables 6 (alternative scenario) associated with draft Policy SS2 – Provision of Homes?

Answer: This Council does not agree with such an approach, because of the following: These are the very large sites listed as Option sites for the future, but without commitment at this stage, (as answered at (a) above), such that the Council does not achieve its full housing requirement at this stage, with options down the line. It is considered that Wealden DC should seek to achieve its full requirement at the earliest stage, so as to ensure the validity of the Plan through the process.

As regards Heathfield and Waldron Parish Council, this Council welcomes the modest provisions of housing in the Plan going forward, but do not agree the 3 new proposed allocations, HEA10, 11 &12, as set out at Question 11, below.

Question 3 - SS3 – Gypsy, Travellers and Travelling Show people.

Policy SS3: Gypsy, Traveller and Travelling Showpeople - Accommodation Needs

To meet the identified accommodation needs for Gypsies, Travellers and Travelling Showpeople within the District up to 2040, the Council will endeavour to make provision for 51 pitches for Gypsies and Travellers and 3 plots for Travelling Showpeople in accordance with the accommodation needs identified in the GTAA.

a) Do you agree with draft Policy SS3 Gypsy, Travellers and Travelling Showpeople – Accommodation Needs, and if not, why?

Answer: This Council agrees with this Policy in Principle.

b) Do you agree with the list of potential sites, the amount of development, and/or the issues identified in table 7 associated with draft Policy SS3 – Gypsy, Traveller and Travelling Showpeople – Accommodation?

Answer: This Council does not agree with this list insofar as the site identified as OGT3 230/1210 Monkhurst Field, Sandy Cross Lane, Heathfield, is concerned, for all the reasons outlined in Policy HO9 and Question 10, below.

Question 4 – SS4 – Retail Provision, etc.

Policy SS4: Retail Provision and Town Centres

The Council will support the provision of between 7,600 sqm and 9,700 sqm of convenience retail floorspace and between 7,600 and 11,900 sqm of comparison retail floorspace by 2040. This will be achieved within our District, Service and Local Centres as defined in Policy TC1 (District, Service and Local Centre Hierarchy and 'Town Centre' First Principles).

Do you agree with the updated draft Policy SS4: Retail Provision and Town Centres, and if not, why?

Answer: This Council supports this Policy in Principle.

Policy SS5: Provision of Employment Floorspace

1. The Council will support the provision of at least 159,530 sqm of employment floorspace in use Classes E(g), B2 and B8 by 2042. This will be achieved through the following measures:

- a) The allocation of land as employment sites as listed within Policy SS6 Strategic Employment Sites;
- b) The delivery of existing commitments for employment uses, with the largest commitments (above 5,000 sqm) already identified in Policy SS6 Strategic Employment Sites;
- c) The retention of existing employment premises across the district and particularly strategic employment sites identified in Policy EC2: Existing Strategic Employment Sites;
- d) Supporting existing businesses through the provision of new employment premises/floorspace or the redevelopment, conversion, upgrading, intensification or reconfiguration of employment premises or floorspace on existing employment sites as identified in Policy EC2: Existing Strategic Employment Sites;
- e) The delivery of new economic development in rural areas in line with Policy EC4 Rural Economy; and
- f) The provision of new office floorspace (Use Class E(g)(i)) within Wealden's designated district, service and local centres as identified in Policy TC1: District, Service and Local Centre Hierarchy and 'Town Centre' First Principles.

Question 5 – SS5 – Retail Floorspace

Do you agree with the updated draft Policy SS5: Provision of Employment Floorspace, and if not, why?

Answer: This Council supports this Policy in principle, but considers that this Policy should also clearly reflect the significant and ever-increasing trend towards homeworking.

Question 6 – SS6 – Strategic Employment

Policy SS6: Strategic Employment Allocations

1. To meet the employment and growth aspirations of the district, the following sites are allocated for business and employment purposes:

Site Reference	SHELAA Reference	Allocations	Employment floorspace (net)
EMP1	896/1510	Land at North Polegate A22	66,370 sqm

EMP2	1039/1310	Knights Farm West, Hailsham	40,000 sqm
EMP3	1115/1310	Woodside Park, Land East of A22, Hailsham	16,750 sqm
EMP4	1029/1310	Natewood Farm, Polegate Road, Hailsham	9,300 sqm

Large Employment Commitments	Employment Floorspace (net)
Land at Natewood Farm, Polegate Road, Hailsham	5,999 sqm
Land West of Uckfield, Uckfield	12,511 sqm
Mornings Mill Farm, Eastbourne Road, Lower Willingdon	8,600 sqm

2. The sites are allocated to provide employment uses E(g), B2 and B8. Retail uses and other Main Town Centre uses (excluding offices) will not be permitted at these sites. Once delivered these sites will be considered as strategic employment sites and will form part of the sites listed in Policy EC2 – Existing Strategic Employment Sites. Development must be in accordance with the site-specific requirements set out in the policies of this draft Local Plan.

a) Do you agree with the updated draft Policy SS6: Strategic Employment Allocations, and if not, why?

Answer: This Council Supports this Policy in Principle, subject to all the proposed strategic allocations being implemented with full associated infrastructure contemporaneous with the time of construction.

b) Do you agree with the list of potential sites, the amount of development, and/or the issues identified in table 11 associated with draft Policy SS6 – Strategic Employment Allocations?

Answer: This Council Supports this List and associated criteria, subject to the caveats at (a) above.

Question 7 – CCS – Sustainable Drainage, etc

Policy CC8 (Sustainable Drainage) is included in this focused Regulation 18 Local Plan consultation as it is necessary to update the mapping and boundary in relation to the Pevensey Levels Hydrological Catchment Area. This now accurately reflects the area in which this policy is to be implemented and is consistent with neighbouring local planning authorities (notably Rother District Council (RDC)) and the Habitats Regulation Assessment. The update also provides an opportunity to respond to key feedback received during the previous public consultation on the Regulation 18 Draft Local Plan (March 2024).

The Lead Local Flood Authority (LLFA) and the Pevensey & Cuckmere Water Level Management Board (P&CWLMB) have recommended amendments to the policy to improve clarity and technical accuracy. These are reflected in this revised draft version of the Local Plan.

The policy now includes distinct sections on sustainable drainage, water quality and treatment, the protection of the Pevensey Levels SAC and Ramsar site and implementation and maintenance, with the final section providing clarity on the implementation and management of surface water schemes.

Additionally, reference to surface water entering foul drainage has been removed, as this is prohibited under the Water Act 1981. In addition, rainwater reuse has been added to the discharge hierarchy.

Do you agree with the draft Policy CC8 Sustainable Drainage and Protection of the Pevensey Levels SAC and Ramsar Site, and if not Why?

Answer: This Council fully supports this Policy, and considers it essential to fully protect development and other impacts upon the Pevensey Levels Hydrological Catchment Area, and RAMSAR site, both locally but also from development in more remote localities, such as from Heathfield & Waldron Parish, as developments in that Parish could have key impacts, not least given the relative height above sea level, drainage flows, river origins, etc., in terms of:

·**SUDS** It should be noted that many of the SUDS (Sustainable Drainage Systems), rely on the underlying geology and hydrology in the same way that surface water soakaways do. Ground water infiltration cannot be relied upon within the majority of the Wealden District. In the majority of cases, therefore, SUDS cannot be relied upon. Permeable hard-surfaces are only permeable until they are fully infiltrated with water or dirt fills the joints or open grains of the surface. Flooding is the consequence. Drainage into a water body should be before discharge into the groundwaters, local ground conditions are likely to be unsuitable for soakaways.

Drainage Systems. Government Advice principles confirm that ‘The most effective surface water drainage systems use a series of different drainage features, operating as close to the source of runoff as practicable. These should work as a SUDS management train to control flow rates and reduce volumes of runoff, providing water quality benefits to encouraged biodiversity and amenity,’

Therefore, in this context, both **Discharge Hierarchy** & **Water Quality** are key aspects of this process.

Question 8 – CCMA – Pevensey

Policy CC8: Sustainable Drainage and Protection of the Pevensey Levels SAC and Ramsar Site

Sustainable Drainage Requirements

a) Development proposals which could affect drainage on or around the site must incorporate Sustainable Drainage Systems (SuDS) and, where relevant, demonstrate that surface water management will not adversely affect the integrity of the Pevensey Levels SAC and Ramsar site where the development proposal falls within the Pevensey Levels hydrological catchment.

b) All development proposals must:

i) Integrate SuDS as a fundamental part of site design unless demonstrated to be inappropriate due to site-specific constraints (e.g. geology or groundwater levels).

ii) Provide sufficient space within the site layout to accommodate SuDS features.

iii) Ensure SuDS are multi-functional, contributing to flood risk reduction, water quality improvement, biodiversity enhancement, and green/blue infrastructure.

iv) Deliver discharge rates agreed with the Lead Local Flood Authority (LLFA) and the Pevensey and Cuckmere Water Level Management Board (WLMB), where relevant, considering site-specific conditions.

v) Follow the discharge hierarchy:

Rainwater re-use (e.g. harvesting); then

Discharge into the ground; then

Discharge to a surface water body; and then

Discharge to a surface water sewer or other drainage system.

vi) Be designed and implemented in accordance with the latest local, regional and national guidance on SuDS, including early engagement with the LLFA. Infiltration-based drainage should be considered where viable, but it is recognised that infiltration may not be appropriate in some circumstances due to underlying geology and hydrology.

vii) Ensure that the site's drainage system includes a clearly defined and viable point of discharge, with appropriate connectivity to the wider drainage network. Proposals should demonstrate how surface water will be taken from the site to an agreed outfall location, in consultation with the LLFA.

viii) For phased developments, provide a strategic drainage approach across all phases.

Water Quality and Treatment

c) All development proposals located outside the Pevensey Levels hydrological catchment, and where no part of the site discharges to the Pevensey Levels hydrological catchment area must:

i) Ensure surface water passes through a minimum of two treatment stages, referencing the Construction Industry Research and Information Association (CIRIA) SuDS Manual and pollution hazard indices; and

ii) Reference the SuDS Manual and CIRIA guidance to support appropriate treatment design.

Pevensey Levels SAC and Ramsar Site Protection

d) All development proposals within or adjacent to the Pevensey Levels hydrological catchment must engage with the Pevensey and Cuckmere WLMB and other relevant bodies at the earliest stage, and:

i) Provide sufficient detail of surface water drainage schemes at the outline stage if a Habitats Regulations Assessment (HRA) is triggered, specifically where hydrology is identified as a potential impact pathway;

ii) Demonstrate that drainage proposals will not result in adverse effects on the integrity of the SAC/Ramsar site;

iii) Incorporate SuDS that enhance water quality and ecological resilience;

iv) Ensure any SuDS scheme involves a minimum of three treatment stages and where necessary to avoid harm to the SAC/Ramsar site, include additional treatment stages; and

v) Avoid direct discharge of untreated surface water into the Pevensey Levels.

e) The Council will support development that incorporates strategic-scale mitigation, including the use of off-site sustainable drainage systems designed to collectively address the impacts of multiple sites and deliver comprehensive flood and water quality management.

Implementation and Maintenance

f) All development proposals must:

i) Submit a management and maintenance plan for SuDS over the lifetime of development, demonstrating permanent arrangements for repair and replacement; and

ii) Use the LLFA's SuDS Decision Support Tool for small-scale development, where applicable.

g) All major development proposals must secure approval from the LLFA for the design and long-term maintenance of SuDS prior to commencement.

a. Do you support the designation of the CCMA at Pevensey Bay and do you have any comments on its boundary?

Answer: This Council supports the designation and makes no comments on its boundary, which is considered appropriate. This Council supports this designation in principle, and whilst there is no direct interaction between our Parish with coastal protection, it is considered that water flows from our Parish would interact with reduced sea protection and sea ingresses/surges. Such impacts could also impact upon our residents in terms of work, leisure and other journeys.

b. Do you have any other comments on the wording of the draft policy?

Answer: No

c. Should the Council consider this policy now and include it within the Wealden Local Plan, or consider it as part of a future review of the Local Plan when funding for future delivery phases for the Shoreline Management Plan may provide more certainty on the protection of the coast?

Answer: This Council considers it essential that the policy is included in the Plan now, in order to recognise its importance and to demonstrate intent, and to enable the ability to react more immediately to any future delivery phases of the Shoreline Management Plan. This is particularly important in the light of the best evidence for Climate Change, and the likely effect on sea levels.

d. Should an Article 4 Direction be applied to remove permitted development rights for residential and commercial properties within the CCMA? This would include extensions, outbuildings, hard surfacing, and other forms of development that could increase vulnerability or hinder managed retreat.

Answer: This Council is fully supportive of the imposition of an Article 4 direction to ensure proper control over all such potentials within the CCMA, and to safeguard against increased vulnerability.

e. Do you support the removal of the development boundary for Pevensey Bay to ensure that new windfall development is steered away from this location, which is at risk from coastal change?

Answer: This Council fully supports the removal of this development boundary, given the high flood risk present and risk from coastal change.

Question 9 – HO8 – Affordable Housing

Policy HO8: Affordable Housing

Affordable housing requirement

1. To meet the district's need for affordable housing, all residential development proposals of 10 or more units (net), or proposals for 6 or more units (net) within the High Weald National Landscape, or sites of 0.5 hectares or more outside the High Weald National Landscape, will be required to provide on-site affordable housing. Affordable housing will be expected to be provided at a level of 35% of the total number of dwellings. The application of this policy relates to use class C3, including permanent residential caravan sites and C2 self-contained units. Financial contributions will be sought in lieu of on-site affordable housing on permanent residential caravan sites only.
2. Where a proposal comes forward with an affordable housing contribution higher than that required under criterion 1 above, the Council will consider this on a case-by-case basis and will only seek to support schemes that deliver mixed and balanced communities, as well as provide sufficient infrastructure contributions and/or on-site infrastructure necessary to make the development acceptable in planning terms.
3. If a development site is sub-divided to create two or more separate development schemes, one or more of which falls below the relevant affordable housing threshold, the Council will require an appropriate level of affordable housing to reflect the provision that would have been achieved on site as a whole, had it come forward as a single scheme.

Tenure

4. Affordable housing provision should incorporate a mix of tenures. The Council will expect a tenure mix of 55% social rent, 25% affordable rent and 20% through other affordable routes to home ownership, including shared ownership, First Homes, Rent to Buy and other types of intermediate accommodation. In the case where First Homes are provided, at least a discount of 30% will be expected to ensure that the actual housing cost is genuinely affordable for first time buyers within Wealden.

Exceptional circumstances

5. There may be exceptional circumstances where the provision of on-site affordable housing is not viable or desirable. The Council considers that the following issues may represent exceptional circumstances, where the applicant is unable to comply with this policy:
 - a. The developer has provided written evidence that no Council Approved Registered Provider will take the units, and this has been demonstrated to the satisfaction of the Council that this is the case; or
 - b. It is demonstrated that there is no realistic prospect of providing affordable housing by another means, such as the District Council; or
 - c. It can be demonstrated that the provision of the policy-compliant level of affordable housing would make the development unviable.
6. Where it can be proven that the affordable housing requirement cannot be achieved, due to economic viability, there will be flexibility in meeting stated targets. It will be the responsibility of the applicant to demonstrate that the requirements of the policy cannot be met, and that the

closest alternative provision that can be achieved is provided taking into account viability and need in agreement with the Local Planning Authority. The alternative provision should initially consider a change in tenure mix before considering reducing the overall totality of provision on site. If provision is not shown to be viable, then serviced plots for affordable housing could be provided, should this be acceptable to the Council. If this is not viable or considered appropriate by the Council, a commuted sum in lieu of on-site delivery will be required. This will be subject to independent assessment by the Council's appointed consultant, of which, the costs will be paid for by the applicant.

Affordable Housing Design

7. The design of all new affordable dwellings should be such that the quality and appearance of the homes (including the site layout) are indistinguishable from market housing. Any new housing scheme should make use of good quality materials and be designed in such a way as to reduce ongoing management, maintenance and repair costs. Such proposals should be designed to ensure that service charges for any affordable housing are kept relatively low. Affordable housing should be provided in small clusters throughout the development scheme to ensure the creation of mixed and balanced communities.

Community Land Trusts, Co-Housing and Almhouses

8. The Council supports CLTs, Co-Housing and Almhouse schemes that provide affordable housing subject to other policies within this Local Plan.

Do you agree with the updated draft Policy HO8: Affordable Housing, and if not, why?

Comments: This Council fully supports this Policy, but requests that this approach be allied to practices which ensure that this Policy is fully implementable, and which does not allow developers to avoid their responsibilities in this regard, unless exceptionally compelling and independently measurable viability reasons are given.

Question 10 – HO9 – Gypsy, etc

Policy HO9: Gypsy, Traveller and Travelling Showpeople - Site Criteria

The following criteria will be taken into account when determining planning applications for new or extended permanent sites and transit sites for Gypsies, Travellers and Travelling Showpeople:

- a) That the site or extension satisfies a clearly defined need, as evidenced by the GTAA for Wealden District and the occupiers of the site meet the definition as set out in the Planning Policy for Traveller Sites (PPTS) (2024), or any subsequent update;
- b) That the site is well related to an existing sustainable settlement (as defined within the settlement hierarchy) with local services and facilities, particularly shops, public transport provision, primary health care and schools;
- c) That new sites or the extension of existing sites in rural areas are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, or cause undue impact upon local infrastructure or services in the area;
- d) That the site avoids locations where there is a risk of flooding of all types, given the vulnerability of residential caravans. Where a site is identified as being at risk

from surface water flooding, a site-specific flood risk assessment must be undertaken in line with Policy CC7: Managing Flood Risk;

e) That the proposal has a safe vehicular and pedestrian access to the surrounding principal highway network, and that the site will be large enough to enable vehicle movements within the site, including parking and circulation to take place, having regard to the total number of pitches/plots provided on site;

f) That any new site or extension provides for proper consideration of the effect of local environmental quality (such as through noise pollution or odour impact) on the health and well-being of any Gypsy, Traveller or Travelling Showpeople located close to such uses that may impact the occupiers of the site;

g) That the site has existing or can be provided with power, drinking water, suitable sewage treatment and waste disposal facilities;

h) In cases where proposals are in or adjacent to the High Weald National Landscape, or where the proposal is within the setting of the South Downs National Park, the scale and the extent of development should be limited, sensitively located and designed to avoid or fully mitigate adverse impacts on these designated landscapes;

i) The proposal must be well-screened by existing or new native vegetation that contains the site visually. The screening should be maintained permanently, and any planning application should be accompanied by a landscape management plan to ensure it remains in perpetuity. The use of high fences or walls to supplement the existing screening of the site will not be supported;

j) That the proposal is well designed and laid out, ensuring that suitable amenity space is provided in terms of open space and soft landscaping. For permanent sites, all pitches/plots should incorporate an amenity block/day room; hardstanding space for storage/drying; garden/amenity area; minimum firebreaks between site boundaries, and static/touring standings, whilst limiting the use of hard standing and further permanent structures. Each pitch/plot should at least be able to accommodate 1 mobile home, 1 touring caravan and 2 car parking spaces. Where proposals for amenity blocks/day rooms are provided, these must be of appropriate scale to the pitch/plot, well-designed and collocated where possible; and

k) Any proposal for a new or extended site for Travelling Showpeople plots will need to demonstrate sufficient space for the storage and maintenance of equipment/or the exercising of animals commensurate with any business needs of the site. In addition, suitable bays for lorries/trailers should be provided.

Do you agree with the updated draft Policy HO9: Gypsy, Traveller and Travelling Showpeople - Site Criteria, and if not why?

Answer: This Council fully supports this Policy but considers that an additional clause 'l' should be added, stating: 'Any proposals for Gypsy, Traveller & Showpeople shall fully take into account potential impacts upon the setting or structure of Heritage Assets, to include listed buildings, conservation areas & Archaeological Notification Areas'. (See also below).

This Council also does not consider that this Policy is being appropriately applied as regards to sites identified within the Plan, at SS3, and set out at Table 7, with

specific reference to Local Plan Reference: OGT3 230/1210 Monkhurst Field, Sandy Cross Lane, Heathfield - 5 Plots. (WDC Comments: ‘Likely suitable in part only. Further assessment needed on landscape impact; heritage; and access.’)

This Council has assessed this potential allocation against the criteria set out in Wealden District Council’s own Draft HO9 Policy, as follows, whilst also bearing in mind the PINS Inspector’s findings on the site, when dismissing an appeal recently for housing (document attached):

Assessed against proposed Policy HO9, it is contended that proposed site OGT 230/1210 fails against all the criteria set out, and should be discarded, as follows:

‘The following criteria will be taken into account when determining planning applications for new or extended permanent sites and transit sites for Gypsies, Travellers and Travelling Showpeople:

- a) That the site or extension satisfies a clearly defined need, as evidenced by the GTAA for Wealden District and the occupiers of the site meet the definition as set out in the Planning Policy for Traveller Sites (PPTS) (2024), or any subsequent update;

Comment: It is for Wealden DC to assess whether the site helps towards a clearly defined need, but this Council believes it would fail for all the reasons outlined below, in any event and, as the Policy states, any such decision is predicated upon the occupiers of the site meeting the definition as set out, and that wouldn’t be known until the site is occupied. It is therefore wholly unwise to apply the Policy.

- b) That the site is well related to an existing sustainable settlement (as defined within the settlement hierarchy) with local services and facilities, particularly shops, public transport provision, primary health care and schools;

Comment: The site is poorly related to the existing settlement, being well away from the Town Centre, and even the local centre in Hailsham Road. Access to the nearest bus stop entails a long steep walk, or cycle, up a very busy narrow hill, a hill with no pavement or lights, and a further distance to the local centre, meaning that, apart from odd case, use of the site must invariably depend upon the use of a private car or vehicle, rendering it an unsustainable location.

- c) That new sites or the extension of existing sites in rural areas are of a scale appropriate to their surroundings and would not individually or cumulatively dominate the nearest settled community, or cause undue impact upon local infrastructure or services in the area;

Comment: It is considered that the site is located in a rural area, and would not fit in with the locality, which comprises residential properties, farmsteads and farmland, biodiversity-rich wildlife sites, and rural businesses. The use would be out of character with such uses and would tend to intensify and urbanise the more rural setting in the locality, on land already recently dismissed by a Government Inspector for housing in any event.

d) That the site avoids locations where there is a risk of flooding of all types, given the vulnerability of residential caravans. Where a site is identified as being at risk from surface water flooding, a site-specific flood risk assessment must be undertaken in line with Policy CC7: Managing Flood Risk; for housing, in any event.

Comment: Whilst the site is located in an area not identified for flood risk per se, it would represent a flood risk in that it lies precisely in a location at one of the sources of the River Cuckmere, where water drains into a nearby lake at the foot of the site, where natural flooding methods have been put in place, and where any additional development would intensify this flood risk both locally and further downstream, not least the nature of the development suggested by the policy, which typically features built-form and significant areas of hardstandings, etc.

e) That the proposal has a safe vehicular and pedestrian access to the surrounding principal highway network, and that the site will be large enough to enable vehicle movements within the site, including parking and circulation to take place, having regard to the total number of pitches/plots provided on site;

Comment: Whilst it may be possible to adequately manoeuvre in the site, if it is capable of being limited to 5 pitches, that in itself would imply further hardstandings to enable satisfactory access, parking and manoeuvring, as set out at (d) above. Moreover, in terms of access to the principal highway network, if that can be said to include the Hailsham Road, whilst there may be satisfactory access for vehicles, it would be inevitably excessively restricted by visibility onto Sandy Cross Lane, the width of lane, character of lane, and intense usage, especially at peak times, (it provides access to 3 local schools), where there is no safe access for pedestrians, whatsoever, as set out at (b) above.

The nature of the proposed use raises particular concerns regarding the number and type of vehicles likely to access the site, especially larger vehicles. Show vehicles associated with this type of use can be

approximately 16–17 metres in length, up to 5 metres in height, and around 2.5 metres in width. The site and surrounding roads appear unsuitable and largely inaccessible for vehicles of this size, and even exiting and accessing the site, and during set-up and construction works, given the very tight access restrictions.

In addition, the use of fuel-heavy vehicles and any special arrangements for animals could conflict with policy requirements relating to noise and odour pollution. Regular weekend usage could significantly increase vehicle movements, which may not only impact local residents but could also lead to damage to the road infrastructure due to the size and weight of these vehicles.

e) That the proposal has a safe vehicular and pedestrian access to the surrounding principal highway network, and that the site will be large enough to enable vehicle movements within the site, including parking and circulation to take place, having regard to the total number of pitches/plots provided on site;

Comment: The health and wellbeing of such proposed users could be adversely affected, given the location of the site immediately adjacent to the Monkhurst ‘Business Park’, its activity, and associated uses. (There are currently 18 various businesses listed as operational at the Park).

g) That the site has existing or can be provided with power, drinking water, suitable sewage treatment and waste disposal facilities;

Comment: Whilst the site may be able to be accessed for the infrastructure referred to, the sensitivity of the site and its environment as set out at (d) above, means that matters such as surface and foul drainage would be of the utmost sensitivity, in many respects, and it is not considered that any associated arrangements could provide the technical assurances needed to safeguard both the immediate sensitive environment, but also downstream from the site. As stated, large areas for hardstanding, parking and manoeuvring, etc., allied to up to 5 residential units, would be very difficult to manage under these circumstances, not forgetting likely light pollution from the inevitable security lighting required.

h) In cases where proposals are in or adjacent to the High Weald National Landscape, or where the proposal is within the setting of the South Downs National Park, the scale and the extent of development

should be limited, sensitively located and designed to avoid or fully mitigate adverse impacts on these designated landscapes;

Comment: The site is located within the High Weald National Landscape, the key factor in the Inspector's recent dismissal of an appeal for residential development of this site, and it is considered that the proposed use would be unacceptable in principle, in any event, but could not realistically be arranged and designed so as to satisfactorily mitigate such impacts, for all the reasons given relating to built-form, hard surfaces, vehicles, activity, security lighting, drainage facilities, etc., even assuming the site could be satisfactorily managed.

i) The proposal must be well-screened by existing or new native vegetation that contains the site visually. The screening should be maintained permanently, and any planning application should be accompanied by a landscape management plan to ensure it remains in perpetuity. The use of high fences or walls to supplement the existing screening of the site will not be supported;

Comment: Whilst there is a degree of screening on the north side of the site, in part from existing buildings, homesteads, and associated landscaping, to the south, the site is completely exposed to open country immediately to the south, down a hill, with woodland beyond, and would be essentially impossible to properly screen from such open and sensitive landscape areas, even assuming that such screening could be maintained, and which would not deal, in any event, with lighting, noise, activity, etc. It is also considered that fencing would be automatically required, whatever the Policy says, due to the need for security for the site, on several levels.

j) That the proposal is well designed and laid out, ensuring that suitable amenity space is provided in terms of open space and soft landscaping. For permanent sites, all pitches/plots should incorporate an amenity block/day room; hardstanding space for storage/drying; garden/amenity area; minimum firebreaks between site boundaries, and static/touring standings, whilst limiting the use of hard standing and further permanent structures. Each pitch/plot should at least be able to accommodate 1 mobile home, 1 touring caravan and 2 car parking spaces. Where proposals for amenity blocks/dayrooms are provided, these must be of appropriate scale to the pitch/plot, well-designed and collocated where possible; and

Comment: Whilst this Council accepts the need for a good site layout in all respects, given that that would include, as the Council, by statement, requires: an amenity block, storage/drying, hardstandings for caravans, cars, firebreaks, etc., which must inevitably add to the range of largely hard surfacing, both on the ground and in terms of built-form, which would strongly militate against the development of the site, for all the reasons stated.

k) Any proposal for a new or extended site for Travelling Showpeople plots will need to demonstrate sufficient space for the storage and maintenance of equipment/or the exercising of animals commensurate with any business needs of the site. In addition, suitable bays for lorries/trailers should be provided.

Comment: This policy builds upon the criteria set out at (j) above, to include sufficient space for the storage and maintenance of equipment/or exercising of animals commensurate with any business needs of the site, as well as suitable bays for lorries/trailers, which again intensifies the proposed use, and militates further against allowing any form of like development of the site, whatsoever.

l) Suggested Additional Clause '1': 'Any proposals for Gypsy, Traveller & Showpeople shall fully take into account potential impacts upon the setting or structure of Heritage Assets, to include listed buildings, conservation areas & Arcaeological Notification Areas'.

Comment: The proposal site lies close by 2 listed properties, not least the Grade II listed Monkhurst Farm, which includes 2 curtilage listed buildings. The Inspector in the aforementioned appeal found some harm that might be caused by the then proposed housing development, (where in that case there would be scope for good design), but any harm would be substantially more in the case of the potential proposed allocation and the likely nature of such development of the site, which inevitably cannot be of any character commensurate with the listed buildings and their curtilage and setting. Again, the proposal should be resisted for these reasons.

Question 11 – SA1 – Housing, etc

Policy SA1: Housing and Mixed Use Site Allocations

The Council has identified 'Housing and Mixed-Use Site Allocations' within the Wealden Local Plan and these are identified on the Council's Policies Map with the references identified below (for employment

sites, see Policy SS6 – Strategic Employment Allocations). All housing and mixed-use site allocations must be delivered in accordance with the development plan when read as a whole. The following sites shown in table 13 are allocated within the draft Local Plan.

Question 11

- a. Do you agree with the updated draft Policy SA1: Housing and Mixed-Use Site Allocations, and if not, why?
- b. Do you agree with the site allocations listed within this policy and if not, what are the reasons for this?

a. Do you agree with the updated draft Policy SA1: Housing and Mixed-Use Site Allocations, and if not, why?

Answer: Broadly, yes, but subject to the caveats outlined at (b) below.

b. Do you agree with the site allocations listed within this policy and if not, what are the reasons for this?

Answer:

This Council does not support the 3 site allocations listed, insofar as they affects Heathfield & Waldron Parish Council, as this Council does not agree with the new allocations within its Parish, all of which should be read in conjunction with this Council’s responses to the 9 sites within the Parish set out in the Draft Wealden Local Plan (Part 1), in respect of which the Council has already made comprehensive representations, and in respect of sites HEA1 - 9. This Council would comment on the proposed new sites, as follows:

In the Case of the Draft ‘Focused’ Local Plan, 3 additional sites are now proposed, as follows, and this Council also refers WDC to its previous comments regarding development boundaries associated with the proposed allocations, as set out in respect of Question 1 (a), above:

1. HEA10 Parklands, Burwash Road, Heathfield 275/1210 Heathfield and Waldron Heathfield - 10 Units, and
2. HEA11 The Old Half Moon, Burwash Road, Heathfield 798/1210 Heathfield and Waldron Heathfield 10 Units.

Comment: In the case of HEA10 and 11 This Council raises concerns about this extension of potential development, (beyond the sites HEA3 and HEA4 already in the Draft Plan), via these 2 allocations along the prominent ridge in the High Weald Landscape.

These would tend to erode the gap between Heathfield and Broad Oak, with an effectively linear stratum of development all along the northern boundary of Heathfield Park, a Historic Grade II* Listed Home and Garden subject to a number of environmental and landscape designations, including a SSSI, with potential adverse impacts thereon, not least in terms of visual amenity, and also key potential drainage issues down into the Park, where pumping has been shown to be needed to seek to avoid such latter impacts.

This Council is also concerned at potential impacts upon traffic and highway access, not least in terms of the busy junction with poor visibility of Newick Lane opposite.

Such developments also need to pay heed to the potential impact of development, upon the important Grade II adjacent listed building ‘The Old Half Moon’. HEA10 and 11 between them would effectively completely bracket this important listed building (a former public roadhouse), with development on all sides. This would be a poor outcome, in which it would be difficult to ascertain how the character and setting of the protected building could be protected, and the allocations should not be supported.

3. HEA12 5 Farthing Cottage, Back Lane, Cross in Hand 1238/1210 Heathfield and Waldron Cross-in-Hand – 5 Units.

Comment: Whilst this may be seen in the context of the previous allocations in Cross in Hand, in the 2024 Draft Local Plan (Part I), to which no objections were raised by this Council, in principle, subject to a number of caveats. this site is considered an excessive, and unwarranted intrusion into both the High Weald National Landscape, but also the local residential hinterland.

Whilst in the case of HEA1 and HEA8, which could be seen as ‘natural’ infills or rounding off of development on the south side of Cross-in-Hand, (albeit this Council considered these should be limited to linear development forms only), in the case of the proposed allocation HEA12, this would represent an intrusive and unnatural form of development, not an infill, but rather a projection.

This would at once further erode the National Landscape setting, but also would adversely impact upon the residential amenities of the frontage cottages, with no screening, and with no natural form of development of the site imaginable which would avoid an unfortunate juxtaposition between the developments

The residential amenities of both existing and proposed development would be harmed by such a poor juxtaposition. A previous development proposal on a similar basis was withdrawn without determination, and such an approach has never been followed through via the Development Management process.

Furthermore, access to the site would be excessively constrained through a narrow and discrete, (effectively private), access gap between and serving existing residential properties to north and south, causing unacceptable residential disamenity to all these properties.

At the same it exits poorly onto Back Lane, with poor visibility in both directions, very close to the key Isenhurst junction, leading to issues of highway and pedestrian safety, on a busy road with no on-street pedestrian access facilities.

Existing Allocation Reconsidered:

4. HEA2 Land to the south west of Ghyll Road, Tilsmore, Heathfield 149/1210 Heathfield and Waldron Heathfield 35

Comment: This Council has already responded to HEA2, in its comprehensive overall response to the Draft Wealden Local Plan consultation in 2024. It is assumed that this response has been/will be fully taken into consideration, but this Council's previous response is reiterated as follows, all of which still hold:

'HEA2 is, however, located within the High Weald National Landscape (AONB), and although it is acknowledged that it is a significant reduction in numbers proposed from the previously withdrawn Submission Local Plan, it is still in a prominent location in terms of landscape and streetscape, and makes a valuable contribution of undeveloped open space close to the Town Centre.

It is also located at the busy junction of Tilsmore Road and Ghyll Road on a steep hill, with access certain to be on to Ghyll Road, (which has already been subject to not altogether successful traffic calming in view of the high volume & speed of traffic), and the potential of such impacts, not least in view of the proximity to the Cross in Hand CEP School, should be considered.

Further the following points should be considered for area HEA2:

1. Retention of public footpath no.77 along its existing alignment, together with existing bordering landscaping and provision made for drainage to avoid run-off from development site onto the footpath. (it would be unacceptable & inappropriate to remove, degrade or divert this longstanding public footpath linking Ghyll/Tilsmore Roads with Pook Reed Lane and the wider public footpath system)
2. Retain and protect TPO trees and make appropriate provision for native tree & hedge planting within the development layout to comply with High Weald management requirements, and help ease the development into the verdant character of this part of Ghyll Road.

3. Distance buildings from the common boundary with Jubilee Park to minimise impact.
4. Provide for planting to strengthen and close up the tree/hedge line along the south west boundary.
5. The site layout is to exclude any provision for the estate road or vehicular access to continue into adjoining land and the existing field access off Pook Reed Lane is to be permanently closed off. (Traffic hazards & loss of rural character in Pook Reed Lane should be avoided.) ‘

Additional Comments: All these comments still hold, however, although further aspects are now considered to be relevant for addition, not least to the future of the very sensitive hinterland to the rear of the site.

6. ‘Should the allocation at HEA2 be supported, maximum and effective measures should be taken to safeguard the adjoining National Landscape land against any resultant further threat of development, not least in terms of the protective views of the consulted bodies to date, and strengthened provisions in the NPPF which also include a strong presumption against any development expanding to ‘major development’ scale; (a red line drawn previously by Natural England when commenting forcefully on local plan and development proposals for this location). The proposed allocation at HEA2, in terms of the particular circumstances of the front site of HEA2 as not setting a precedent for further encroachment into designated areas in the vicinity.’

7. This site raises significant concerns regarding surface water drainage. East Sussex Highways previously objected to the use of Pook Reed Lane in relation to an earlier application in this area due to drainage and flooding concerns. In the light of the increasing impacts of climate change, reliance on a 1 in 100 year flooding event as a form of mitigation is considered insufficient. These concerns are also reflected in this Council’s comments on Policy CCS7, which highlights the importance of addressing drainage and flood risk issues appropriately, and which should be read fully in conjunction with this proposed criterion 7

Additional Questions:

Question 12 – Site References

Draft Site Allocations - Please provide the site refs: -

HEA10 Parklands, Burwash Road, Heathfield 275/1210

HEA11 The Old Half Moon, Burwash Road, Heathfield 798/121

HEA12 5 Farthing Cottage, Back Lane, Cross in Hand 1238/1210

Comment: As 11 above, plus:

OGT3 230/1210 Monkhurst Field, Sandy Cross Lane, Heathfield

Question 13

Please use this box to make any general comments that you may have that are not covered by any other question within the draft ‘Focused’ Wealden Local Plan?

Comment: No further comments.

Question 14

Please use this box to make any comments on any supporting documents. For example, this may include the Interim Sustainability Appraisal, Interim Infrastructure Delivery Plan, and Interim Equalities and Fairness Impact Assessment?

Comment: No further comments.

Question 15

a) Please use this box to upload any documents to support your previous answers, you may upload as many document as you need to.

Upload: Appeal: Ref: WD/2024/1678 (WDC), and PINS: Ref: APP/C1435/W/25/3360096, dated 15th September 2025.

b) Please use this box to add any comments that you may want to make about the documents that have been uploaded.

This Appeal Decision is considered wholly germane to consideration of the Site: OGT3 230/1210 Monkhurst Field, Sandy Cross Lane, Heathfield (Postcode), where a Government Inspector found against development of the site for residential purposes on grounds relating to the considerable adverse impact upon the High Weald National Landscape. It is considered that any assessment of this site for the purposes of housing Gypsy/Travellers/Travelling Showpersons must fully take into consideration of the Inspector’s recent findings which are clearly material to any such assessment.

It is contended that the Inspector’s clear rejection of the site for residential purposes should equally apply to the rejection of this site, in whole or in part, for the specific residential uses which are suggested in the Plan, both in principle but also in terms of likely layout, design and physical impact.