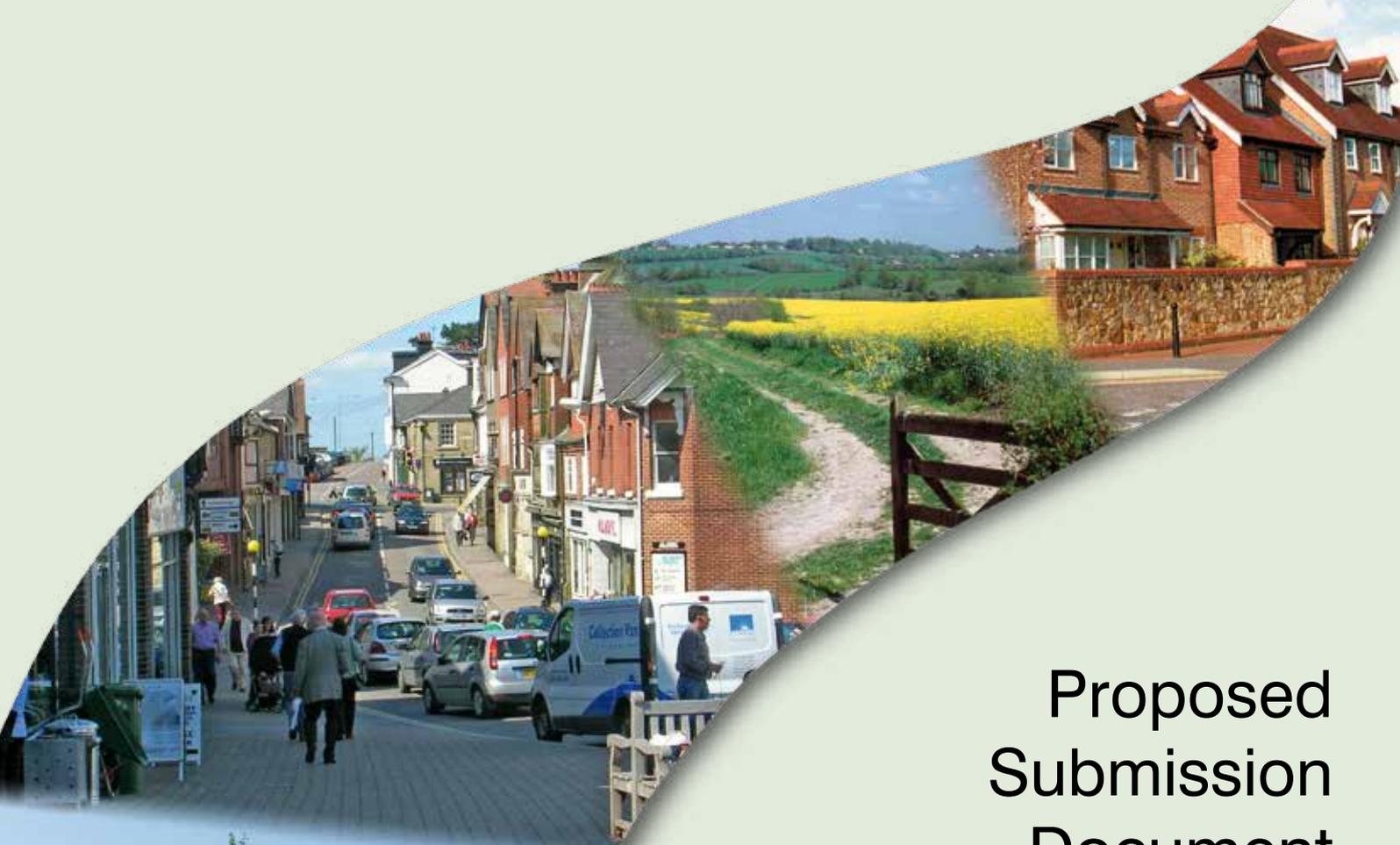
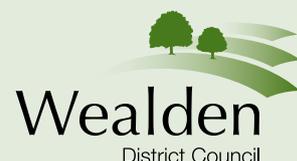


Wealden District Local Plan

Development in the High Weald AONB Background Paper



Proposed
Submission
Document



August 2018

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1 Introduction

1.1 Over half of Wealden District is contained within the nationally designated High Weald Area of Outstanding Natural Beauty (AONB), and is therefore an important consideration to the strategic distribution of growth and planning policies in the Wealden Local Plan.

1.2 The High Weald was designated an AONB in 1983 for its historic countryside of rolling hills draped by small irregular fields, abundant woods, scattered farmsteads and sunken lanes, covering 1,461 sq km across 11 District Councils ⁽¹⁾.

1.3 Local planning authorities are required under the National Planning Policy Framework to consider the implications of 'major' development on areas designated AONB against a public interest test.

1.4 This paper considers those sites allocated in the Wealden Local Plan which are located within the High Weald AONB, and justifies their allocation using the public interest test.

1 The High Weald Area of Outstanding Natural Beauty Management Plan (2014-2019)

2 Policy Context

2.1 National Planning Policy Framework

2.1 Paragraph 172 of the National Planning Policy Framework (July 2018) states that great weight should be given to conserving and enhancing the landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB). The paragraph goes on to say how planning permission should be refused for ‘major’ development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should be tested against a set of criteria ⁽²⁾:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and;
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

2.2 It is important to note that only ‘major’ development would need to satisfy this public interest test. A footnote in the NPPF states that for the purposes of Paragraph 172, whether a proposal is ‘major’ is a matter for the local planning authority to decide, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the designated area. It is also important to note that the NPPF does not take into account the cumulative impact of small developments which may be permitted within AONBs, as although not classified as ‘major’ development in isolation, together they could have a significant impact akin to ‘major’ development.

2.3 In addition to Paragraph 172, the NPPF also covers other areas in relation to generic countryside and landscape planning policy considerations that should be taken into account in any policy for development within AONBs:

- Paragraph 170 – planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes
- Paragraph 171 – plans should distinguish between the hierarchy of international, national and locally designated sites and allocated land with the least environmental or amenity value

2.2 Wealden Local Plan

2.4 The setting of the High Weald AONB is an important consideration in the Wealden Local Plan Proposed Submission (August 2018), as development and other activities may have an impact on the economic, social or ecological value of the landscape, as well as views into and out of the AONB.

2.5 Policy EA 5 (High Weald Area of Outstanding Natural Beauty) in the WLP states that ⁽³⁾:

‘Development within or affecting the setting of the High Weald Area of Outstanding Natural Beauty (AONB), as defined on the proposals map, will only be permitted if it conserves and seeks to enhance natural beauty, having regard to the character of the landscape including potential impacts on its character components and its functions as set out in the High Weald AONB Management Plan. Development should also not detract from the visual qualities and essential characteristics including views into and out of the AONB in relation to its location, siting or design’

2.6 A set of criteria outlined in Policy EA 5 states how development should:

- *Be in keeping with the landscape and settlement pattern;*
- *Support the economy and/or the social well-being of the AONB;*
- *Seek to conserve and/or enhance local distinctiveness and tranquillity; and;*
- *Seek to conserve wildlife and cultural heritage*

2.7 This planning policy seeks to ensure that new development protects and enhances the High Weald AONB with no adverse deterioration in the landscape character and setting.

2.3 Countryside and Rights of Way Act

2.8 Section 85 of the of the Countryside and Rights of Way Act 2000 requires that in *'exercising or performing any functions in relation to, or so as to affect, land'* in National Parks and Areas of Outstanding Natural Beauty, relevant authorities *'shall have regard'* to their purposes.

2.9 Section 84 of the CRoW Act 2000 also states that local planning authorities with all or part of their area within an AONB can take all such action as appears expedient to them for the accomplishment of the purpose of conserving and enhancing the natural beauty of the AONB, or so much of it as is in their area.

2.10 This duty is particularly important to the delivery of the statutory purposes of protected areas. The duty applies to all local planning authorities. The duty is also relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.

2.11 Indeed, under the CRoW Act 2000 local authorities with land in an AONB, acting jointly where AONBs cross administrative boundaries, are legally obliged to prepare and publish a plan which *'formulates their policy for the management of the area and for carrying out their functions in relation to it'*⁽⁴⁾.

2.4 High Weald AONB Management Plan

2.12 Whilst AONB Management Plans do not form part of the statutory development plan for a local authority, they may contribute to setting the strategic context for development by providing evidence and principles, which should be taken into account in the local planning authorities' Local Plans and any Neighbourhood Plans in these areas.

2.13 The High Weald AONB Management Plan (2014-2019) focuses on delivering the statutory purpose of AONB designation, conserving and enhancing the natural beauty of the AONB – a landscape that is recognised as of national significance. Consideration of the wider environmental issues for the AONB, the rural economy and communities are dealt with in the context of delivering this purpose.

2.14 The Statement of Significance with the Management Plan defines the natural beauty of the High Weald AONB, its character and the special qualities associated with it. It provides the criteria against which impacts on this nationally designated landscape can be judged.

3 Site Allocations

3.1 The level of growth identified in the Wealden Local Plan allocates land in Heathfield, Wadhurst and Mayfield which are located within the High Weald AONB. The level of growth identified and the specific sites for which development is allocated have been assessed as suitable to accommodate growth taking into account the AONB designation and its purpose. It is unlikely that further major development within the AONB over and above that identified in the Plan could be justified in the public interest.

3.1 Heathfield

Land South of Burwash Road

3.2 Located on the north-eastern edge of Heathfield, this site is allocated for development of up to 30 dwellings provided it meets the site specific requirements outlined in Policy RUGA 1 in the Local Plan. The site comprises of two sites in separate ownership totalling around 1.9 hectares and is defined on the Proposals Map as HEA1. The site includes two residential properties with associated gardens and grazing land (SHELAA Sites 299/1210 and 275/1210). With land sloping to the south, it is considered to be one of the better development opportunities in Heathfield due to its visual containment. However, the site is in a sensitive location due to it being immediately adjacent to Heathfield Park (registered Historic Park and Garden and a designated SSSI), as well as being adjacent to Ancient Woodland. The site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Heathfield and extends a further 2.5km to the south of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Heathfield. If development was located at the nearest sustainable settlement outside of the AONB (Horam), this would deliver development that would benefit Horam, and not relate in any way to meeting the needs of Heathfield. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Heathfield.
Any detrimental effect on the environment/landscape and scope for mitigation	The site is relatively enclosed from the wider landscape due to the site topography with good hedge and tree enclosure. Structural planting would need to help reinforce the character and appearance of the High Weald AONB to ensure protection adjacent Heathfield Park. An appropriate landscape buffer would be required in order to protect Ancient Woodland.

South West of Ghyll Road

3.3 Located on the south-western edge of Heathfield, this site is allocated for development of up to 103 dwellings provided it meets the site specific requirements outlined in Policy RUGA 2 in the Local Plan. The site comprises of SHELAA Site 149/1210 totalling around 4.4 hectares and is defined on the Proposals Map as HEA2. The site includes three grassland fields scattered with trees, scrub and bordered by mature hedgerows. The site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Heathfield and extends a further 2.5km to the south of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Heathfield. If development was located at the nearest sustainable location outside of the AONB (Horam), this would deliver development that would benefit Horam, and not relate in any way to meeting the needs of Heathfield. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Heathfield.
Any detrimental effect on the environment/landscape and scope for mitigation	The site is relatively well contained with varying landscape sensitivity. The northern-most field adjacent to the road is least sensitive due to its close proximity to the settlement, whereas the southern-most field is semi-improved neutral grassland which is a key feature of the High Weald AONB. Policy RUGA 2 requires any development to protect, retain and manage the 0.422 hectares of semi-improved grassland, as well as enhancing the hedgerows and mature trees along the site boundaries to create an appropriate landscape buffer.

3.2 Wadhurst

Land at Windmill House

3.4 Located on the south-western edge of Durgates, this site is allocated for development of up to 20 dwellings provided it meets the site specific requirements outlined in Policy RUGA 5 in the Local Plan. The site comprises of SHELAA Site 694/3330 totalling around 1.1 hectares and is defined on the Proposals Map as WAD1. The site includes a grassland field which slopes gently downhill towards the east with a pond and perimeter of mature trees on the southern and western edge. The northern section includes a perimeter of trees with Tree Preservation Orders (TPO). The site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Wadhurst and extends a further 8km to the north of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Wadhurst. If development was located at the nearest sustainable location outside of the AONB (Tunbridge Wells or Horam), this would deliver development that would not benefit or relate in any way to meeting the needs of Wadhurst. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Wadhurst.
Any detrimental effect on the environment/landscape and scope for mitigation	The site's location adjacent to the existing urban edge gives a limited sense of remoteness and tranquillity associated with the High Weald AONB, which therefore reduces the site's landscape value. Policy RUGA 5 requires the boundary vegetation, mature trees and pond to be protected, retained and enhanced, with appropriate buffering to provide suitable landscape mitigation.

Land at High Street

3.5 Located to the south of Wadhurst High Street, this site is allocated for development of up to 10 dwellings provided it meets the site specific requirements outlined in Policy RUGA 6 in the Local Plan. The site comprises of SHELAA Site 702/3330 totalling around 0.8 hectares and is defined on the Proposals Map as WAD2. The site includes amenity grassland which is being used as a sports/recreation ground which slopes gently downhill towards the south, with no current vegetated or fenced boundary. The northern section of the site borders the Conservation Area and the site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Wadhurst and extends a further 8km to the north of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Wadhurst. If development was located at the nearest sustainable location outside of the AONB (Tunbridge Wells or Horam), this would deliver development that would not benefit or relate in any way to meeting the needs of Wadhurst. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Wadhurst.
Any detrimental effect on the environment/landscape and scope for mitigation	The site has extensive views to the south, however, development would be viewed against the existing backdrop of the settlement adjacent to the site. Given its central location, development would be associated more with the urban core than natural landscape, with the aim to enhance local distinctiveness and soften the urban edge with structural planting.

Land East of Old Station Road

3.6 Located on the northern edge of Durgates, this site is allocated for development of up to 21 dwellings provided it meets the site specific requirements outlined in Policy RUGA 7 in the Local Plan. The site comprises of SHELAA Site 115/3330 totalling around 0.8 hectares and is defined on the Proposals Map as WAD3. The site consists of a field bordered by a hedgerow and mature trees. There is a strong tree line at its southern and eastern boundary which effectively screens the site from residential properties to the south. The site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Wadhurst and extends a further 8km to the north of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Wadhurst. If development was located at the nearest sustainable location outside of the AONB (Tunbridge Wells or Horam), this would deliver development that would not benefit or relate in any way to meeting the needs of Wadhurst. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Wadhurst.
Any detrimental effect on the environment/landscape and scope for mitigation	Policy RUGA 7 requires any new development to strengthen the boundary features of hedgerows and mature trees to the north, in order to soften the urban edge and protect views into the development from the High Weald AONB.

Land at Foxhole Farm

3.7 Located on the south-eastern edge of Wadhurst, this site is allocated for development of up to 40 dwellings provided it meets the site specific requirements outlined in Policy RUGA 8 in the Local Plan. The site comprises of SHELAA Site 592/3330 totalling around 2.2 hectares and is defined on the Proposals Map as WAD4. The site comprises of a small grassland field which slopes gently downhill towards the west and is enclosed by mature hedgerows. The southern edge of the site is bounded by a small area of Ancient Woodland. The site is also adjacent (to the north-west) a site with planning permission for 35 dwellings (WD/2014/2320/MEA). The site is wholly within the High Weald AONB.

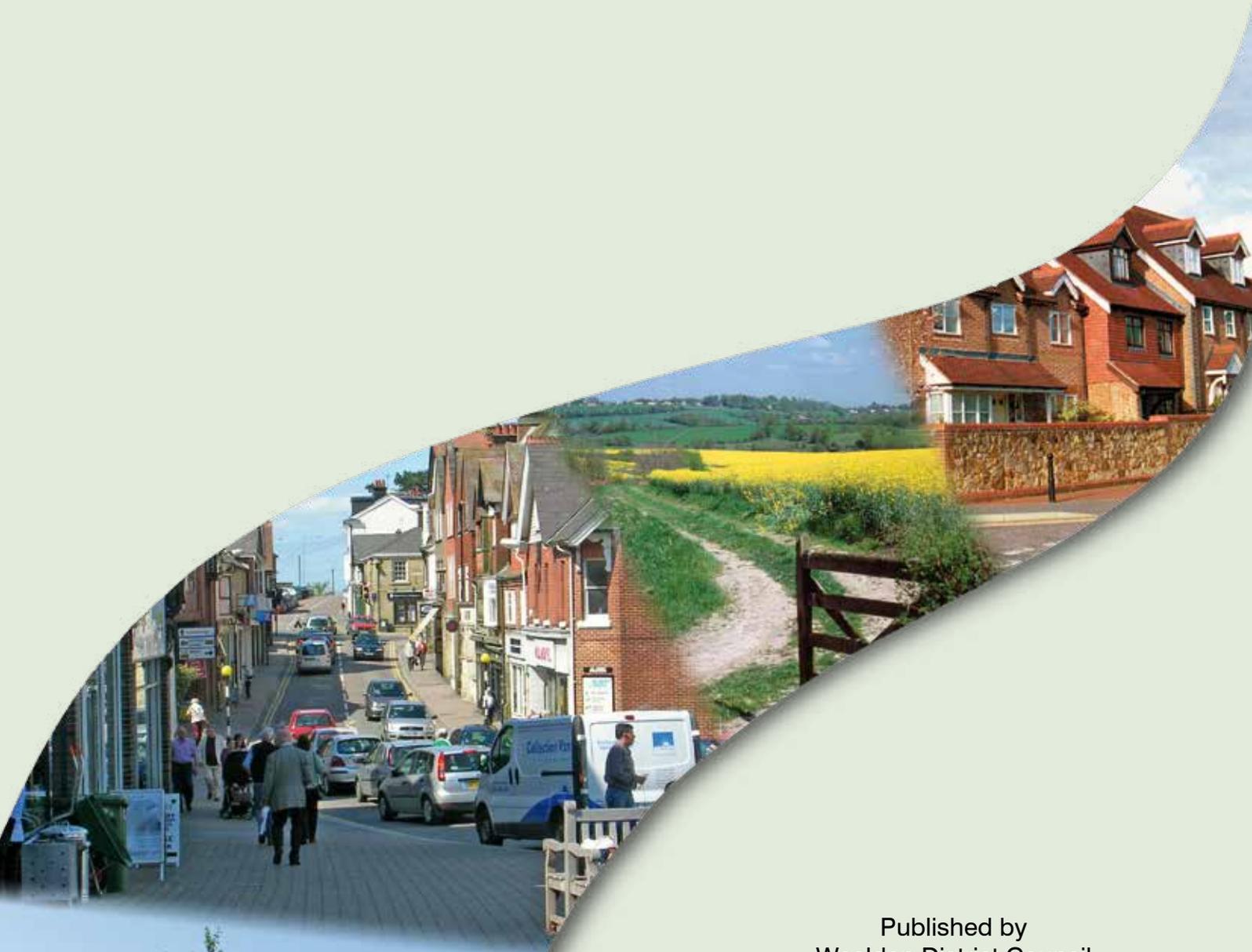
NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Wadhurst and extends a further 8km to the north of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Wadhurst. If development was located at the nearest sustainable location outside of the AONB (Tunbridge Wells or Horam), this would deliver development that would not benefit or relate in any way to meeting the needs of Wadhurst. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Wadhurst.
Any detrimental effect on the environment/landscape and scope for mitigation	The building line of this development would follow the proposed built form once the adjacent site is developed (WD/2014/2320/MEA). The site is well screened and therefore has minimal impact upon the wider landscape. Policy RUGA 8 requires the boundary hedgerows and mature trees to be protected, retained and enhanced and appropriately buffered to provide suitable landscape mitigation. It is considered that development has the opportunity to visually enhance this edge of the settlement and approaches into Wadhurst Village.

3.3 Mayfield

Land at Mayfield Cricket Club

3.8 Located on the south-western edge of Mayfield, this site is allocated for development of up to 50 dwellings provided it meets the site specific requirements outlined in Policy RUGA 17 in the Local Plan. The site comprises of three separate sites totalling approximately 4.2 hectares and is defined on the Proposals Map as MAY1. The site includes a cricket pitch and pavilion to the north, a large detached dwelling with garden to the east (SHELAA Site. 783/340), and a large detached dwelling with garden and single paddock to the south (northern section of SHELAA Site. 827/3140). The site is wholly within the High Weald AONB.

NPPF Public Interest Test	Justification
The need for development	A sufficient supply of housing land is needed on a District wide and local level to meet requirements for the next 5 years as required by the NPPF, especially affordable housing. All sites across the District have been assessed as part of the SHELAA and Sustainability Appraisal.
The cost of and scope to develop elsewhere	The AONB designation washes over Mayfield and extends a further 9km to the south of the settlement before it ends. As a result, no development can be located outside of the designated area, and still relate to Mayfield. If development was located at the nearest sustainable location outside of the AONB (Horam), this would deliver development that would benefit Horam, and not relate in any way to meeting the needs of Mayfield. In addition, whilst it is preferable to accommodate development on PDL rather than greenfield, it is not considered possible to deliver solely through the use of PDL in Mayfield.
Any detrimental effect on the environment/landscape and scope for mitigation	The site is highly visible in the landscape to the south, however it has limited visual impact on the northern section of the site which is suitably buffered from the surrounding landscape. It is therefore essential for any development to take into account the sensitivities in the southern section of the site and provide suitable landscape mitigation.



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