

# Wealden District Council 1998 Local Plan

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Key Words –

Biodiversity – Policies [SPO 11](#), [WCS 12](#), [WCS 13](#)

Nature - Policies [EN 13](#) [EN14](#), [EN15](#), [EN16](#). [DC3](#), [DC 7](#), [DC 10](#), [TR1](#), [WCS 11](#)

Infrastructure – Policies [SPO 3](#), [SPO 11](#), [SPO 14](#), [SPO 15](#), [WCS 5](#), [WCS 7](#), [WCS12](#), [WCS 13](#) Note SPO11, WCS7 and 13 mentions Health

Protected land/Species – Policies [EN 16](#), [DC 1](#), [HG 4](#), [CR 2](#), [CR 12](#), [HA 10](#), [HE 3](#), [SPO 2](#), [WCS 13](#)

Sewage/Foul Water – [WCS 11](#) [CS2](#)

Flooding – Policies [EN4](#), [CS2](#), [SPO10](#), [WCS11](#)

Risk – Policies [EN 4](#), [EN 5](#), [CS 2](#), [SPO 10](#), [WCS 11](#)

Landscape – Polices [EN6](#), [EN7](#), [EN8](#), [EN9](#), [EN11](#), [EN12](#), [EN16](#), [EN27](#), [EN31](#), [EN32](#), [DC2](#), [DC3](#), [DC8](#), [DC9](#), [DC10](#), [DC14](#), [DC15](#), [DC16](#), [DC18](#), [BS9](#), [BS10](#), [SH11](#), [TR1](#), [TR7](#), [TM4](#), [TM7](#), [LR3](#), [LR5](#), [LR8](#), [CR3](#), [CR12](#), [HA2](#), [HA12](#), [HE3](#), [PW3](#), [WCS11](#), [WCS13](#)

## Wealden District Council Policies GD1 – GD2 Local Plan 1998

**GD1** Within the development boundaries, as defined on the [Proposals Map](#), new development will be permitted provided that it is in accordance with the other policies and proposals in the Plan. Chapter 3 General Development Principles Wealden Local Plan: Deposit Plan January 1995 12

**GD2** *Outside the development boundaries, as defined on the [Proposals Map](#), development will be resisted unless it is in accordance with specific policies in this Plan.*

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## Wealden District Council Policies EN1 – EN 33 Local Plan

### 1998

**EN1** The Council will pursue sustainable development, having regard to the principles contained in Government guidance and its own Strategy for the Environment, in considering the location, layout and design of development, renewable energy and waste management proposals and in assessing the effects of proposals on the environment, including on water and air quality.

**EN2** *The Council will seek to maintain the existing settlement pattern and ensure that major new developments generating significant travel movements are located efficiently in relation to existing development and to public transport.*

**EN3** The Council will support the development of renewable forms of energy, particularly those which reflect the existing land use pattern of the area, where it is demonstrated that there will be an acceptable impact on local amenities and environmental character.

**EN4** *New development will be resisted within areas at risk of deep tidal flooding, coastal erosion or within river floodplains.*

**EN5** New development will only be permitted where adequate water resources are available and where it would not present an unacceptable risk to such resources.

**EN6** *Development within the High Weald Area of Outstanding Natural Beauty, as defined on the [Proposals Map](#), will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Particular care will be paid to the siting, scale, layout and design of development. In considering any proposals, particular regard will be had to:- (1) the landscape characteristics of the subareas identified in the High Weald landscape assessment; (2) the well-wooded appearance, especially Ancient Woodlands, together with other woods, tree belts and hedges; (3) undeveloped steep valleys and ghylls; (4) open heathland; (5) undeveloped ridge positions and other visually exposed locations; (6) areas of unspoilt or remote character; (7) the traditional settlement pattern, building styles and materials; (8) the High Weald Management Plan.*

**EN7** The Ashdown Forest is defined on the Proposals Map as the area enclosed by the Medieval Pale of 1372, excluding land within the development boundaries of Fairwarp, Forest Row and Nutley. Development will only be permitted if it conserves the landscape and historic character of this area. In considering any proposals, particular regard will be had to:- (1) extensive open heathland areas; (2) wet flush grassland; (3) remnants of Ancient Woodland, together with other landmark tree clumps; (4) unspoilt and distant views; (5) the Ashdown Forest Management Plan; (6) the landscape characteristics of the Ashdown Forest area identified in the High Weald Landscape Assessment; (7) the archaeological interest.

**EN8** *Development within the Low Weald will only be permitted if it conserves the low rolling agricultural character of the landscape. In considering any proposal, particular regard will be had to:- (1) areas of unspoilt and remote countryside; (2) the setting of settlements; (3) areas on the fringe of adjacent statutorily designated landscapes; (4) the retention of woods, boundary trees and hedges; (5) attractive vernacular buildings and groups of buildings.*

**EN9** Development within the Sussex Downs Area of Outstanding Natural Beauty, as defined on the Proposals Map, will only be permitted if it conserves or enhances the natural beauty and character of the landscape. Particular care will be paid to the siting, scale, layout and design of development. In considering any proposals, particular regard will be had to:- (1) the characteristic sculptured landform and appearance; (2) the exposed scarp slope and adjacent foothills; (3) the undeveloped coastline, especially the Heritage Coast; (4) the Cuckmere Valley, especially Cuckmere Haven; (5) traditional land uses and agricultural practices; (6) the setting of important historic and natural features; (7) well-managed public access; Chapter 4 Environment Wealden Local Plan December 1998 22 (8) the traditional forms, materials and detailing of buildings and enclosures, notably the use of flint in walls; (9) other landscape qualities and characteristics identified in the Sussex Downs Landscape Assessment; (10) the Management Strategy for the Sussex Downs Area of Outstanding Natural Beauty.

**EN10** *Within the Sussex Heritage Coast, as defined on the Proposals Map, the Council will resist new development. It will support proposals, including management measures, which facilitate public access for the purposes of the quiet enjoyment of the area where such proposals are consistent with conservation, protection and enhancement of the natural beauty. Any sea defence works must be consistent with the objectives of designation, in particular to conserve, protect and enhance the natural beauty of the coast.*

**EN11** The Council will seek to ensure that development proposals within the Coastal Levels conserve its generally open and exposed landscape character, with particular regard to: (1) the Pevensey Levels Site of Special Scientific Interest and candidate Wetland of International Importance. (2) other remote areas; (3) the setting of Pevensey Castle, the Pevensey and Westham Conservation Area and the ridge villages; (4) promoting environmentally sensitive farming; (5) the traditional hydrology of the area.

**EN12** *The Council will seek to retain and enhance the contribution of trees and woodland areas to the landscape character of the District, including the amenity value of trees in built up areas. This will be promoted by:- (1) endorsement of the principles and guidelines contained in the Trees and Woodland Strategy for East Sussex; (2) support for the preparation of local Trees and Woodland Conservation and Management Plans; (3) encouragement for woodland management through participation in tree and hedgerow planting schemes by farmers, voluntary organisations and others, and where appropriate, as part of development proposals; (4) making Tree Preservation Orders where appropriate to protect trees and woodland areas of significant amenity value; (5) giving weight to proposals, including business proposals, that help to sustain and manage forestry and woodland areas when considering them against other policies of the Plan; (6) resisting development proposals which would result in the loss of trees which make a valuable contribution to the character of the landscape, a settlement or its setting.*

**EN13** The Council will resist development proposals that involve the clear felling or otherwise prejudice the ecology of Ancient Semi-Natural Woodlands, as defined by [English Nature](#). Note changed to Natural England in 2006

See [EN14](#), [EN15](#), [EN16](#), [DC3](#), [DC 7](#), [DC 10](#), [TR1](#), [WCS 11](#)

**EN14** *In appropriate cases, the Council will require landscaping, including surface treatments, to be carried out as part of development proposals. Where required, such schemes should:- (1) seek to retain existing trees, significant hedgerows and other valuable site features; (2) normally comprise primarily native species; (3) complement the scale and character of the proposed development and the locality; (4) have regard to associated nature conservation benefits; (5) be implemented at the earliest practicable opportunity and thereafter satisfactorily maintained during the early years.*

**EN15** The Council will seek to safeguard designated nature conservation sites by resisting development or land use changes which would be likely to adversely affect their nature conservation value. The weight to be afforded to nature conservation interests will have regard to their status:- (1) Within Ashdown Forest SSSI and Special Protection Area for Birds, and Pevensey Levels SSSI (proposed "Ramsar" site), development which would be likely to have an adverse effect on the nature conservation interest will not be permitted, unless otherwise in accordance with international obligations. (2) Within SSSIs, including Lullington Heath NNR, as shown on the Proposals Map, development which would be likely to have an adverse effect on the nature conservation interest will not be permitted unless there is no reasonable alternative means of meeting the development need which also outweighs the nationally recognised nature conservation interest. (3) Development which would be likely to have an adverse effect on a Local Trust Reserve or a Site of Nature Conservation Importance will not be permitted unless it can be demonstrated that the need for development outweighs the identified nature conservation interest and that there are no reasonable alternative means of meeting that development need. In all cases, every effort should be made to minimise any damage to the nature conservation interests. Where appropriate, conditions and/or planning obligations may be used to provide appropriate compensatory measures.

**EN16** *In the consideration of any development proposal, including its design and layout, the Council will have regard to the implications for nature conservation and wildlife habitats. Particular regard will be had to the need to safeguard the active residence of protected species, to the integrity and continuity of landscape features of major importance for wild flora and fauna, and to appropriate Chapter 4 Environment Wealden Local Plan December 1998 27 opportunities for encouraging habitat protection, enhancement and management.*

**EN17** Development will not be permitted which would reduce countryside gaps between the following settlements:- (1) Polegate and Hailsham; (2) Eastbourne, Pevensey, Westham, Stone Cross, Pevensey Bay and Polegate; (3) Hailsham and Hellingly; (4) Uckfield, Maresfield and Five Ash Down; (5) Forest Row and Ashurstwood; (6) Heathfield and Cross-in-Hand, Broad Oak, Cade Street, Old Heathfield and Maynards Green; (7) Rotherfield and Town Row.

**EN18** *The Council will resist the loss of open areas and undeveloped gaps within settlements which contribute to the character or amenities of the locality.*

**EN19** Within Conservation Areas, proposals which do not preserve or enhance their existing character, scale and visual amenity will be resisted. In particular: (1) the Council will not normally grant outline planning permission for development in a Conservation Area. A full detailed application showing siting, design, external appearance, landscaping and means of access will normally be required; (2) proposals to demolish a building or part of a building will be resisted unless it can be shown that it is wholly beyond repair, incapable of reasonable beneficial use, of inappropriate structure or design, or where its removal or replacement would enhance the character or appearance of the Conservation Area. Where development is envisaged demolition will only be permitted where there are approved detailed plans for new development; (3) any

proposals for development should respect the character of the existing buildings, important views and spaces and the historic settlement pattern in terms of scale, height, form, grouping and density, and should preserve or enhance the character or appearance of the Conservation Area; (4) in considering any proposals for development, the Council will require the use of building materials appropriate to the locality and sympathetic to those of nearby buildings. Walls, gates and fences should be of a kind traditionally used in the immediate locality; (5) the Council will seek to retain, require the reinstatement and encourage the use of traditional features which contribute to the character and appearance of the area. In addition to buildings and groups of buildings, these features will include trees, hedges, walls, fences, gates, open spaces, ground surfaces, lamp posts and other appropriate street furniture; (6) proposals that would generate traffic, car parking, noise or other activities which would adversely affect the character of the Conservation Area will be resisted; (7) applications for advertisement consent will only be granted where the advertisement respects the character and appearance of the area and meets highway safety considerations; (8) the felling or extensive lopping of trees will be resisted. Where consent is exceptionally given, replacement planting with the same species or others in keeping with the character of the area will be required.

*EN20 Proposals for development outside a Conservation Area, but which affect its setting or views into or out of it, should respect its character and appearance.*

**EN21** There is a general presumption in favour of the preservation of Listed Buildings, and proposals for their total or substantial demolition will not be permitted unless the Council is convinced that:- (1) all reasonable efforts have been taken to sustain existing, or to find new, uses; (2) preservation in charitable or community ownership is not possible or suitable; (3) redevelopment would provide substantial community benefits which would decisively outweigh the loss.

*EN22 In order to protect the character and appearance of buildings listed as being of special architectural or historic interest: (1) proposals for any external or internal alteration, change of use, addition to a listed building, or display of signs and advertisements which would have an adverse effect on its character and appearance will be resisted; (2) all building materials, doors, windows and other architectural features should respect the character and appearance of the listed building; (3) proposals which would adversely affect the setting of a listed building will be resisted; (4) in very exceptional cases and where demonstrated to be necessary in order to secure the retention of a listed building, the Council may relax normal development control policies.*

**EN23** Proposals which would adversely affect the site or setting of any registered Historic Park or Garden, as shown on the Proposals Map, will be resisted. In considering any development proposals affecting a registered Historic Park or Garden, the Council will seek to encourage their conservation and restoration.

**EN24** There is a clear presumption against development proposals which would adversely affect scheduled Ancient Monuments and other sites of national archaeological importance and their settings.

**EN25** In considering development proposals affecting archaeological sites or areas of interest, the Council will not normally grant planning permission in advance of an adequate examination and evaluation of the archaeological implications.

*EN26 Where, exceptionally, permission is granted for development on sites of demonstrable archaeological importance, the applicant will normally be required to provide for the in situ preservation of valuable*

*remains. On sites where the Council is satisfied that this preferred approach is not justified, proper provision should be made for the excavation and recording of archaeological remains prior to the development.*

**EN27** Proposals for development will be permitted when the following layout and design criteria are met:- (1) the scale, form, site coverage, density and design of the development and the use of materials and landscaping should respect the character of adjoining development and, where appropriate, promote local distinctiveness. The design, materials and landscaping should be of an appropriate high standard; (2) the proposed development should not create an unacceptable adverse impact on the privacy and amenities of adjoining developments and the neighbourhood by reason of scale, height, form, noise and traffic movements; (3) the proposed development should ensure a satisfactory environment for the future occupants, including adequate provision for daylight, sunlight, privacy, garden space and/or appropriately landscaped amenity areas; (4) the proposed development should not constitute an unacceptable backland or 'tandem' form of development; (5) regard has been paid to crime prevention measures whenever possible and appropriate.

*EN28 Proposals for the development of land and buildings that are open to the public or used for employment and education purposes, including extensions, alterations and changes of Chapter 4 Environment Wealden Local Plan December 1998 33 use of buildings where reasonable and practicable, should provide suitable access and facilities for people with disabilities.*

**EN29** In considering development proposals which include external lighting, the Council will require: (1) light spillage to be minimised; (2) the use of the minimum intensity of light necessary to be compatible with safety and security objectives.

*EN30 Advertisements and signs should not detract from the character of their surroundings or, where appropriate, the style, scale and proportion of the building, and should otherwise be acceptable in terms of amenity and public safety. In this consideration, the Council will also have regard to the need to avoid an inappropriate proliferation of signs.*

**EN31** In considering proposals for telecommunications developments, the Council will seek to minimise the visual impact on the landscape and other amenities of the area, whilst acknowledging the need for the reasonable provision and operational requirements of such apparatus. It should be Chapter 4 Environment Wealden Local Plan December 1998 35 demonstrated that there is no reasonable possibility of sharing existing facilities. Particular regard will be had to conserving the important landscape characteristics identified in the Plan in the consideration of the location, appearance and landscaping of any mast or associated equipment and buildings. The Council will consider imposing a condition requiring the removal of masts and/or other apparatus when no longer needed for the approved use.

*EN32 The Council will promote appropriate provision for telecommunications equipment to be accommodated underground and within buildings, including existing telephone cables (together with electricity cables) where these are intrusive in areas of landscape, historic or architectural value.*

**EN33** Proposals for satellite television dishes will only be permitted where they have an acceptable and minimal impact on the appearance of the building to which it relates and on the amenities of neighbouring properties. Regard will be had to siting, design and colour and, where appropriate, to the potential for shared dish systems.

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# Wealden District Council Policies DC1 – DC22 Local Plan

## 1998

**DC1** Land falling within Grades 1, 2 and 3a of the Ministry of Agriculture, Fisheries and Food agricultural land classification system will be protected from development, wherever possible.

**DC2** *Outside the development boundaries, as defined on the Proposals Map, new permanent dwellings will be permitted for those employed in agriculture or forestry, or exceptionally in another enterprise where a countryside location is necessary, where it can be demonstrated to the satisfaction of the Council that the following criteria are met: (1) there is a clearly established existing functional need; (2) no other suitable accommodation is available on the unit or elsewhere in the location; (3) the enterprise has been established for at least three years, has been profitable for at least one of them, is currently financially sound and has a clear prospect of remaining so; (4) the dwelling is of a size commensurate with the established functional requirement. Dwellings which are unusually large in relation to the needs of the unit or unusually expensive to construct in relation to the income it can sustain in the long term will not be permitted; (5) the dwelling is suitably located to meet the identified functional need of the enterprise, integrates well with existing buildings wherever possible, is not intrusive in the landscape, and its general design is appropriate to the character of the area. Where the functional requirement is proven but Criterion 3 is not met, a temporary permission will be granted for a caravan or mobile home, where it can be demonstrated to the satisfaction of the Council that the following criteria are met:- (i) Criteria (2) and (5) above; (ii) there is clear evidence of a firm intention and ability to develop the enterprise concerned; (iii) there is clear evidence that the proposed enterprise has been planned on a sound financial basis. Occupancy conditions will be imposed on dwellings permitted in accordance with this policy and, where appropriate, on other dwellings within the holding. The removal of occupancy conditions will be resisted unless it is demonstrated to the satisfaction of the Council that there is unlikely to be any need for such dwellings in the area in the foreseeable future. In appropriate circumstances, the Council will seek a planning obligation to tie a permanent dwelling to adjacent buildings or to the land forming the holding.*

**DC3** Proposals for new farm buildings, extensions and alterations, and other ancillary development will be permitted subject to the following criteria: (1) buildings are reasonably necessary for the purposes of the agricultural holding and are clearly designed for such use; (2) development is integrated with existing structures, as far as practicable; (3) the siting, design and external appearance of buildings and other structures is not intrusive within the landscape and does not detract from local amenities or interests of recognised historic, archaeological or nature conservation interest; (4) particular care is taken to siting, design and appearance within Areas of Outstanding Natural Beauty; (5) where buildings for storage, packing or processing are for the use of one holding or shared use of a number of holdings, it will first be necessary to demonstrate that the use could not be carried out within a business area.

**DC4** *Proposals for agricultural or forestry buildings, structures or operations within the scope of notification procedures will be considered having regard to the siting and design criteria at [Policy DC3](#). The Council will require the formal submission of details for approval where such buildings, structures or operations are likely to have a significant impact on their surroundings.*

**DC5** The Council will permit proposals for the alternative use of agriculture and other land and buildings which provide for the appropriate diversification of the rural economy and which do not adversely affect the character or appearance of the countryside or conflict with other policies of the Plan.

**DC6** *In considering proposals for the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map), the Council will give priority to small scale commercial uses over residential uses.*

**DC7** Proposals for non-residential development (including workshops, offices, tourist accommodation and recreational use) through the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map) will be permitted where the building's form, bulk and general design are in keeping with its surroundings. In addition, all proposals should meet the following criteria: (1) the building is of sound construction and capable of conversion without significant rebuilding, or extension. The Council may require this to be demonstrated through the submission of a structural survey; (2) any proposed alterations to the building (e.g. fenestration, doors, internal subdivision) or to its associated operational area (e.g. parking, storage) would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality; (3) the nature and intensity of the proposed use would be compatible with its rural location; (4) the proposed use would not adversely affect the residential amenities of the Chapter 5 Development in the Countryside Wealden Local Plan December 1998 44 neighbourhood, particularly by reason of noise, disturbance and fumes; (5) the proposed use would not create an unacceptable impact on the local road network and there is a satisfactory means of vehicular access and parking arrangements; (6) proposals which would be likely to create a significant number of jobs should be well located in relation to towns and villages.

**DC8** *Proposals for the conversion of agricultural or other rural buildings in the countryside (outside the development boundaries as defined on the Proposals Map) to residential use will not be permitted unless either:- (a) the applicant has made every reasonable attempt to secure suitable business re-use, and the application is supported by a statement of the efforts which have been made; or (b) residential conversion is a subordinate part of a scheme for business re-use. In all cases, proposals should meet the following criteria:- (1) the building's form, bulk and general design are in keeping with its surroundings; (2) the building is of sound construction and capable of conversion without significant rebuilding, modification or extension. The Council will normally require this to be demonstrated through the submission of a structural survey; (3) any proposed alterations to the building (e.g. fenestration, doors, internal subdivision) would not harm its architectural integrity nor materially change its appearance as a rural building. In the case of listed buildings, [Policy EN22](#) will apply; (4) the proposed use and its associated activities, including garaging, would not detract from the rural setting of the building through the formation of a domestic curtilage. The curtilage should not be intrusive in the landscape. Where appropriate, conditions will be imposed to exclude permitted development rights to extend or alter the building and erect other ancillary buildings, fencing etc; (5) the proposal would not create an unacceptable impact on the local road network and there is a satisfactory means of vehicular access and parking arrangements.*

**DC9** Within the Sussex Downs Area of Outstanding Natural Beauty and the Ashdown Forest (defined as the area enclosed by the Medieval Pale of 1372) only recreational development which is in association with the quiet enjoyment of the area and conserves its landscape character will be permitted.

**DC10** *Within the countryside (outside the development boundaries as defined on the Proposals Map), proposals for golf courses and related development may be permitted where they have no adverse effect on the character and appearance of the area. In addition, they should:- (1) meet the requirements of policies elsewhere in the Plan for the protection of landscape, nature conservation, woodland, archaeology and the best and most versatile agricultural land; (2) be readily accessible to urban areas; (3) wherever possible use existing buildings; (4) provide for the maintenance and where, appropriate, enhancement of public access in*



*the layout and design. Proposals should be presented in sufficient detail, including topographical and landscape changes, to enable proper assessment.*

**DC11** Proposals for golf driving ranges will only be permitted when it can be demonstrated that there will be no significant effect on the character or appearance of the countryside, residential amenities, traffic conditions or public safety, having regard to: (1) the size and number of bays and the impact of the bulk and design of buildings and enclosure fencing; (2) the impact and suitability of floodlighting, including reflected light; (3) the degree of physical change and visibility. Equestrian Development

*DC12 Applications for small scale stables or loose boxes principally for domestic and private purposes will be permitted where the following criteria are met:- (1) appropriate siting, scale and design in keeping with the locality, with adequate pasture to support the horses. Particular regard will be had to the potential impact, including the cumulative effect, of proposals within an Area of Outstanding Natural Beauty; (2) proposals should not be sited in prominent or isolated locations.*

**DC13** Applications for small scale commercial stables and larger equestrian developments and uses of land, including sand rings and maneges, will only be permitted where the following criteria are met:- (1) appropriate siting, scale and design in keeping with the locality, with adequate pasture to support the horses. Particular regard will be had to the potential impact of proposals within an Area of Outstanding Natural Beauty; (2) proposals should not be sited in prominent or isolated locations, and should be satisfactorily integrated with existing buildings; (3) the impact of floodlighting, changes in levels or other ancillary operations on the surrounding countryside and local amenities is acceptable; (4) satisfactory integration with the public bridleway network; (5) the proposal does not create an unacceptable impact on the local road network.

*DC14 Proposals for motor or gun sports, including combat games, will not be permitted within or adjacent to the Sussex Downs Area of Outstanding Natural Beauty, the Pevensey Levels Site of Special Scientific Interest, or the Ashdown Forest (defined as the area enclosed by the boundary of the Medieval Pale of 1372). Elsewhere, such proposals may be permitted outside the development boundaries, as defined on the Proposals Map, provided that the following criteria are met and can be controlled by condition: (1) the Council is satisfied that the proposal will not generate an unacceptable level of noise and activity in the locality. (2) the proposal will not be visually intrusive in the landscape and will be well screened by existing vegetation, particularly within or adjacent to the High Weald Area of Outstanding Natural Beauty; (3) the proposal will not adversely affect areas which are of importance for flora, fauna, geological or landform features, or adversely affect ancient semi-natural or other important woodland. Where appropriate, a woodland management plan should be submitted and approved by the Council and implemented within a programme agreed by the Council; (4) the proposed activity will take place within a clearly defined area with an appropriate buffer zone to the boundaries of the site and any public rights of way; (5) any buildings or structures must be sited to minimise their impact on the countryside and must be removed from the site on cessation of the recreational use. In all cases, conditions will be attached to any permission controlling the hours and frequency of use, the type and nature of the activity, and fencing of boundaries. Normally, the Council will only be prepared initially to grant temporary planning permission so that the environmental impact can be fully assessed.*

**DC15** The creation or improvement of ponds or lakes for private or commercial fishing in the countryside (outside the development boundaries as defined on the Proposals Map) will be permitted where the following criteria are met:- (1) the proposal will not be visually intrusive in the landscape through the construction of embankments or other earthworks; (2) the proposal, including the disposal of any excavated

material within the site, will not adversely affect areas which are of importance for flora, fauna, geological or landform features, or adversely affect ancient seminatural or other important woodland. Where appropriate, a landscape management plan should be submitted and approved by the Council, and implemented within a programme agreed by the Council; (3) the size and scale of the proposal would be compatible in terms of the nature and intensity of use with its rural location; (4) the proposal will not adversely affect the residential amenities of the neighbourhood by reason of noise or disturbance; (5) any buildings or structures will be sited to minimise their impact on the countryside and should be removed from the site following cessation of the activity; (6) the maintenance and enhancement of public access, where appropriate; (7) there will be no detriment to the quality or quantity of flow in the downstream watercourse; (8) the proposal is not created on-line of a watercourse upstream of the Pevensy Levels Site of Special Scientific Interest.

**DC16** *Proposals for the development or use of land and buildings related to small airfields, airstrips and air sports will only be permitted where they accord with the Plan's environmental policies, with particular attention to noise and landscape impact.*

**DC17** Housing development will not be allowed outside development boundaries, as defined on the Proposals Map, unless it conforms with other policies in the Plan.

**DC18** *Outside development boundaries, as defined on the Proposal Map, the replacement of an existing dwelling by another dwelling in the same curtilage will be permitted where the following criteria are met: (1) the proposal is of a comparable size and massing to the existing building; (2) it is in keeping with the character of the locality, having regard to the appearance and general design of the original building; (3) it is similarly sited within the plot, unless an alternative position would result in clear landscape, highway access or local amenity benefits; (4) it does not result in the loss of a property of valuable local character, unless it is not reasonably capable of being made structurally sound or otherwise improved. In sensitive locations, permitted development rights relating to future extensions and other structures may be removed.*

**DC19** Outside development boundaries, as defined on the Proposals Map, proposals for extensions and alterations to existing dwellings and for ancillary buildings within their curtilages should meet the following criteria: (1) the proposal should accord with the criteria of Policy HG10; (2) the proposal should not be intrusive in the landscape or detrimental to the rural setting; (3) the proposal should normally be of an appropriate size and character relative to the original dwelling, and not visually dominate or otherwise adversely change the character of the existing building or, where appropriate, the group of buildings; (4) in the case of an annexe, the proposal should normally be physically attached to the dwelling and not lend itself to future subdivision to form a new dwelling.

**DC20** *Outside development boundaries, as defined on the Proposals Map, the conversion and subdivision of a larger property into smaller dwelling units may be permitted where:- (1) the character and integrity of the property, including its grounds and setting are suitably retained, including where appropriate by the removal of permitted development rights; Chapter 5 Development in the Countryside Wealden Local Plan December 1998 53 (2) no significant extension or alteration is involved.*

**DC21** Proposals for new gypsy sites, extensions to existing gypsy sites and sites for travelling showpeople will not be permitted unless the following criteria are met: (1) the site is conveniently located in relation to schools and other community facilities; (2) there is no adverse impact on the character of the countryside, particularly having regard to Policies EN4-12; (3) the local environment and residential amenities will not be adversely affected; (4) there is a satisfactory means of vehicular access and the local road network is

adequate. Where appropriate, controls to limit the hours of testing equipment and to ensure the future occupancy by travelling show people would normally be sought.

**DC22** Residential mobile homes, including caravans, will not be permitted in the countryside unless these are on a temporary basis and are essential for the proper functioning of the farm, woodland or other enterprise in accordance with [Policy DC2](#). The rationalisation of existing sites may be permitted only where significant environmental benefits would result. The redevelopment of existing mobile homes by permanent dwellings will be resisted unless on an individual basis where proposals meet the criteria of [Policy DC2](#).

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## Wealden District Council Policies HG 1 – HG 15 Local Plan

### 1998

**HG1** The Council will aim to maintain a minimum of a five year supply of available housing land in relation to the housing provision in the approved County Structure Plan.

**HG2** Within the development boundaries, as defined on the Proposals Map, where there is a demonstrable lack of affordable housing to meet local needs, the Council will seek the provision of an element of affordable housing in new, large-scale housing developments. The amount of affordable housing will depend upon the overall size of the development proposed, the mix of dwelling types proposed and the demonstrable need for affordable housing in the area.

**HG3** In exceptional circumstances, planning permission may be granted for small scale residential development in rural areas outside development boundaries in order to meet an identified local housing need among those people unable to compete in the normal housing market. (A) Proposals for such development will only be permitted where the Council is satisfied that the following criteria are met:- (1) the proposed development is located within or adjacent to an existing village or other settlement and provides good accessibility to local services, e.g. shops and schools; (2) the proposed development is not intrusive in the countryside and is not harmful to the character of the landscape; (3) the scale of the proposed development is appropriate in relation to the size of the settlement. Development should be in keeping with the character of adjoining development and the locality, and with local building styles; (4) the proposed development conforms with the Plan's policies for access, parking, retention of trees, landscaping and impact on neighbouring properties; Chapter 6 Housing Wealden Local Plan December 1998 61 (5) there is clear evidence of an unsatisfied local housing need in the parish that cannot be met through normal market mechanisms; (6) the proposed development is of a size, type and cost, whether for rent or shared ownership, directly appropriate and affordable for those people in proven local housing need identified in (5) above; (7) the future control of any dwellings can be ensured forever through the imposition of covenants and/or appropriate legal agreements; (8) the proposal can be shown to be viable and achieve affordable housing. (B) Applicants for planning permission will be asked to demonstrate how their proposals meet criteria (5)-(8) above, which will then be the subject of assessment by the Local Planning Authority, advised as appropriate by the Local Housing Authority or a Housing Association. (C) Proposals which include the provision of general demand housing outside the development boundaries to cross-subsidise the funding of low cost housing will not be acceptable. (D) Proposals for shared ownership housing must be of a form that will not allow 'staircasing' to outright ownership. (E) For the purposes of this policy, the categories of need are defined as:- (1) existing residents needing separate affordable accommodation in the area (including young persons, the elderly in inappropriate accommodation, and families in cramped or otherwise unsuitable accommodation); (2) previous residents who have been obliged to leave the village or parish through lack of affordable accommodation and who now wish to return to such accommodation; (3) persons whose work provides an

important service to the community and who need to live within or close to the local community but need affordable housing; (4) persons with the genuine offer of employment locally who are unable to take up such an offer due to the lack of affordable housing. With preference given in the following order to:- (a) persons living for at least 12 months or brought up in the village and other people who would meet the criteria for need in (E)(2)-(4), provided that if an insufficient number of such people are available then: (b) the same considerations outlined in (E)(a) would apply to the Wealden Parish and then (c) to neighbouring Wealden Parishes and then (d) to Wealden District and finally (e) to a suitable applicant nominated by the Council from its Housing Waiting List if, within six weeks of any dwelling becoming available for letting, the vacancy cannot be filled under the provisions of (E)(1)-(4), (a)-(d)

**HG4** *Within the development boundaries, as defined on the Proposals Map, the established character of existing residential areas will be protected.*

**HG5** Within the development boundaries, as defined on the Proposals Map, the Council will seek a mix of dwelling types and sizes, on new estate developments. Wherever possible, estate development should provide for the creation of smaller individual housing areas by making good use of existing tree belts and hedgerows, open spaces, natural features, road network, and dwelling layout and design.

**HG6** *Within large new housing developments, regard should be paid to crime prevention in the design and layout of the housing areas, particularly in terms of street lighting, security of property and surveillance of access roads, footpaths, amenity space, parking areas and landscaping where this is consistent with good layout and design.*

**HG7** Within housing development, consideration should be given to energy conservation in the design and layout of new housing areas, particularly with regard to the aspect of the development, the housing type proposed and the orientation of the dwellings.

**HG8** *The Council will resist the loss of residential accommodation (by change from residential to another use or by redevelopment), unless the following special circumstances apply:- (1) the residential use is not appropriately located; (2) the building is unsuitable for residential use in its present form and is not capable of being readily improved or altered in order to make it suitable; or (3) the retention of the building or use for residential purposes would prevent an important development, redevelopment or other change of wider benefit to the community.*

**HG9** The Council will, in appropriate cases within the development boundaries as defined on the Proposals Map, permit the conversion of larger houses into smaller dwelling units when this is acceptable in terms of the character and suitability of the premises and site.

**HG10** *Within the development boundaries, as defined on the Proposals Map, the extension and alteration of existing dwellings will be permitted where the scale, style, design and materials are appropriate and sympathetic in relation to the existing buildings, and there is no significant adverse effect on the amenities of the occupiers of neighbouring properties.*

**HG11** Within the development boundaries, as defined on the Proposals Map, proposals for special needs housing will be permitted when appropriate community facilities are reasonably accessible.

**HG12** *Outside the development boundaries, as defined on the Proposals Map, special needs housing will not be allowed unless it involves the extension of existing accommodation in accordance with [Policy DC19](#), or the conversion of a large residential property in accordance with [Policy DC20](#).*

**HG13** In considering proposals for residential mobile home sites, the Council will require development to conform with all relevant housing policies in the Plan.

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## Wealden District Council Policies BS 1 – BS 15 Local Plan 1998

**BS1** The Council will undertake annual studies of business land supply in the District to ensure an adequate level of provision in terms of the scale, type, location and timing of development well-related to local needs.

***BS2** The District Council will carry out the studies referred to in CA/E1 of the approved Structure Plan, and will identify a site or sites to conform to sub-paragraph (1)(a) of that policy.*

**BS3** The Council will seek to concentrate business development principally within the town business areas, as defined on the Proposals Map, namely: (1) Millbrook, Crowborough (2) Farningham Road, Crowborough (3) Lexden Lodge, Crowborough (4) Diplocks Way, Hailsham (5) Hackhurst Lane, Lower Dicker (6) Station Road, Hailsham (7) Station Road/Old Swan Lane, Hailsham (8) Ghyll Road, Heathfield (9) Station Road, Heathfield (10) Chaucer, Polegate Chapter 7 Business Wealden Local Plan December 1998 71 (11) Bellbrook, Uckfield (12) Ridgewood, Uckfield

***BS4** Within town development boundaries but outside the town business areas, as defined on the Proposals Map, large scale proposals for new business development, redevelopment or extensions will be resisted. Small-scale proposals may be permitted, subject to the following considerations: (1) the proposal is of a nature and scale appropriate to the function and character of the settlement and its immediate environment; (2) the likely volume and nature of traffic movements would not have an adverse impact on the local road network, highway safety or local amenities.*

**BS5** Within town development boundaries but outside the town business areas, as defined on the Proposals Map, the Council will seek to retain business land and premises which afford important local employment opportunities and, where appropriate, complement provision in the town business areas or town centres. The continued business use should not be likely to cause demonstrable harm to the environment or the amenities of local people.

***BS6** Within the rural parts of the Plan area, the Council will seek to concentrate business development within the village business areas, as defined on the Proposals Map, namely: (1) Station Road, Forest Row (2) Durgates, Wadhurst (3) Wadhurst Business Park (4) Merrydown, Horam (5) Mountney Bridge, Westham (6) South Street, East Hoathly.*

**BS7** Within village development boundaries, but outside the village business areas, as defined on the Proposals Map, the Council will seek to retain business land and premises which provide Chapter 7 Business Wealden Local Plan December 1998 74 important opportunities for local employment unless the existing use causes demonstrable harm to the environment or the amenities of local people.

**BS8** *Within village development boundaries but outside village business areas, as defined on the Proposals Map, large-scale proposals for new business development will be resisted. Smallscale proposals may be permitted taking account of the likely contribution to employment within the rural area.*

**BS9** Proposals for expansion, redevelopment or intensification within existing business sites outside development boundaries will be permitted only where the following criteria are met:- (1) there would be no adverse effect on the landscape or on the character of open countryside and, in appropriate cases, would provide for environmental improvements; (2) it would not detract from the rural environmental qualities by virtue of the use of the site or traffic generation. Proposals which would be likely to create a significant number of jobs should be well located in relation to towns or villages.

**BS10** *Land adjacent to the A22/A272 junction south-west of Maresfield, as defined on the Proposals Map, is allocated for a Business Park. The Council will actively promote the early implementation of the Business Park. A new planning brief will be prepared by the Council to set down the development principles for the site which will include, inter alia: (1) a planned landscaped setting, taking advantage of the existing tree cover; (2) a low site coverage and buildings restricted to two storeys; (3) a high standard of design and materials; (4) significant new landscaping; (5) a management agreement for existing and proposed planting; (6) users will be restricted to office, research and development, training and certain industrial uses, principally those of a high technological nature; (7) vehicular access from the A272.*

**BS11** Uses falling within Use Class B1 will be appropriate on all town and village business areas, as defined on the Proposals Map.

**BS12** *Uses falling within Use Class B2 will be permitted in the town and village business areas, as defined on the Proposals Map, where the following criteria are met:- (1) the scale and nature of manufacturing process involved is compatible with local amenities; (2) the likely volume and nature of traffic movements would not have an adverse impact on the local road network, highway safety or local amenities.*

**BS13** Warehouse uses falling within Class B8 may be acceptable on the town and village business areas, as defined on the Proposals Map, where the following criteria are met:- (1) the scale and operation of the proposed development shall be compatible with local amenities; (2) the likely nature and volume of traffic movements would not have an adverse impact on the local road network, highway safety or local amenities; (3) the proposed development would not unduly prejudice the availability of suitable local manufacturing premises or employment opportunities.

**BS14** *Outside town and village business areas, proposals for changes of use between alternative business uses, including warehousing, should meet the following criteria:- (1) the scale and nature of the use, including ancillary activities, is compatible with the residential amenities of the locality; Chapter 7 Business Wealden Local Plan December 1998 77 (2) the likely nature and volume of traffic movements would not have an adverse impact on the local road network, highway safety or local amenities; (3) the proposed development would not unduly prejudice the availability of suitable local manufacturing premises or employment opportunities; (4) the proposed development would not adversely affect the character of the countryside.*

**BS15** Proposals for home-based business activities in residential areas may be permitted where the following criteria are met:- (1) the business is not likely to have a detrimental effect on the amenities of properties or the character of the area by virtue of its nature or scale of operation; (2) the accommodation,

including parking, is likely to meet the long term needs of the business. Proposals for the significant expansion of businesses in residential areas will not be permitted.

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## Wealden District Council Policies SH 1 – SH 12 Local Plan

### 1998

**SH1** *Within the District, new shopping facilities will be directed to the town centres of Crowborough, Uckfield, Heathfield, Hailsham and Polegate. Local shopping and service provision within neighbourhood centres and individual shops within towns and villages will be supported. Appropriate provision is made for non-food retail warehousing.*

**SH2** Within the main shopping areas, as defined on the Proposals Map, new development and the redevelopment or conversion of existing properties for shopping uses will be encouraged and permitted when the following criteria are met: (1) the proposed development makes a positive contribution to enhancing the character and appearance of the town centre; (2) for larger scale proposals, where appropriate, a comprehensive approach to development is taken; (3) satisfactory rear service access is provided wherever possible; (4) contributions are made by developers towards highway improvements should these become necessary because of the additional traffic generated.

**SH3** *Within the main shopping areas, as defined on the Proposals Map, proposals for the conversion of ground floor shops for financial and professional purposes within Use Class A2, food and drink purposes within Use Class A3 or other service uses will only be permitted where the following criteria are met: (1) there is no disruptive effect on the shopping frontage through a concentration of non-retail uses; (2) provision is made for a window display appropriate to a shopping frontage which is in keeping with the character of the shopping area; (3) there is no detrimental effect on the character or amenities of the area through smell, litter or noise.*

**SH4** Within the main shopping areas, as defined on the Proposals Map, proposals for the use of ground floor shops for amusement centres will only be permitted when: (1) the criteria in [Policy SH3](#) (1) and (2) are met; (2) there is no display or activity outside the premises; (3) there is no detrimental effect on the character or amenities of the area through noise and general disturbance. Where appropriate, planning permission will be subject to conditions relating to noise attenuation, opening times and outside activities.

**SH5** *Within the main shopping areas, as defined on the Proposals Map, proposals for the use of existing premises above ground floor level for business purposes within Use Class B1 will be encouraged and permitted. The conversion of ground floor premises to business use within Use Class B1 will not be permitted.*

**SH6** Within the main shopping areas, as defined on the Proposals Map, proposals for the use of existing premises above ground floor level for residential purposes will be encouraged and permitted. The conversion of ground floor premises to residential use will not be permitted.

**SH7** *Outside the main shopping areas and the neighbourhood centre of Jarvis Brook, Crowborough, as defined on the Proposals Map, proposals for new shopping facilities within or contiguous with neighbourhood centres may be permitted when the following criteria are met: (1) the need for the particular site and scale of proposal can be demonstrated to the Council's satisfaction; (2) the proposals do not have a detrimental effect on the residential character and amenity of the area, particularly with regard to traffic congestion, access and parking.*

**SH8** Proposals for small individual shops which are not within the main shopping areas, as defined on the Proposals Map, nor within or contiguous with neighbourhood centres, may be permitted when the criteria at SH7 are met.

**SH9** *Proposals for retail development should be located within main shopping areas, as defined on the Proposals Map. Where suitable sites within the main shopping areas are not available, proposals for sites on the edge of the main shopping areas or within or contiguous with neighbourhood centres will be permitted when criteria (1) to (5) below are met. Proposals for out of centre development will not be permitted unless located within the development boundaries, as defined on the Proposals Map and suitable sites are not available either within or on the edge of the main shopping areas or within or contiguous with neighbourhood centres. Where such proposals are made they would be considered against criteria (1) to (5) below. (1) either individually or cumulatively with other proposals or developments, there would be no serious effect on the vitality and viability of a town centre as a whole; (2) there would be no significant net reduction in the amount, quality or distribution of land and premises available for business development; (3) there would be no significant net reduction in the amount of land available for housing; (4) the local highway network is adequate to accommodate the amount of additional traffic to be generated; (5) proposals on the edge of main shopping areas should be within easy walking distance of the main shopping areas; out of centre proposals should be accessible by a choice of means of transport.*

**SH10** Within the villages, the Council will seek to maintain and improve the level and choice of village shops and services by: (1) supporting proposals for new shopping facilities when they conform with the criteria in Policies SH7 or SH8; (2) considering the needs of shops and local services in planning the provision of off-street public car parks; (3) considering the trading viability of shops and services in the future implementation of traffic regulations or traffic management measures.

**SH11** *Outside the development boundaries, as defined on the Proposals Map, proposals involving the sale of agricultural, horticultural and other produce which is not principally derived from the relevant holding or enterprise will not be permitted unless:- (1) the sale of produce derived from the relevant holding or enterprise remains the principal use; (2) the proposed development is not intrusive on the landscape nor detrimental to the rural character of the locality; (3) the additional traffic generated does not have an adverse impact on local roads by reason of their inadequate capacity or rural character; (4) the site has good accessibility to an existing settlement and is not in an isolated countryside location; (5) the proposals would not reduce countryside gaps which are considered important to prevent the coalescence of settlements.*

**SH12** Proposals for new garden centres and the expansion of existing ones outside the development boundaries, as defined on the Chapter 8 Shopping Wealden Local Plan December 1998 86 Proposals Map, will be permitted when the following criteria are met: (1) the proposed development is not intrusive on the landscape nor detrimental to the rural character of the locality; (2) the additional traffic generated does not have an adverse impact on local roads by reason of their inadequate capacity or rural character;

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## Wealden District Council Policies TR 1 – TR 19 Local Plan 1998

**TR1** *All new road schemes should have regard to the constraints of the environment both natural and built to minimise their environmental impact. In assessing the potential impact of such schemes, the Council will pay particular attention to: (1) the amenities and character of the countryside, towns and villages; (2) the effects on local communities; (3) Areas of Outstanding Natural Beauty and other areas of important*



*landscape value; (4) areas of designated nature conservation, woodland and historic importance; (5) the character and setting of listed buildings and Conservation Areas.*

**TR2** In considering detailed road proposals, the Council will seek to ensure that the relevant highway authority undertakes measures to minimise the degree of visual and noise intrusion through sensitive overhead lighting where this is required, and appropriate landscaping, including earth mounding, contouring and planting.

***TR3** Planning applications for new development will be permitted where the following criteria are met: (1) the proposed development does not create or perpetuate unacceptable traffic conditions; Chapter 9 Transport Wealden Local Plan December 1998 89 (2) a satisfactory means of access (vehicular, cycle and pedestrian) is provided to meet Local Planning and Highway Authority standards; (3) where appropriate, the provision of suitable public transport facilities.*

**TR4** The Department of Transport's route of the A27 Polegate Bypass and published routes of the A27 Wilmington and Selmeston Bypasses, A259 Pevensey-Bexhill Improvement and Bexhill-Hastings Western Bypass, as shown on the Proposals Map, will be safeguarded from prejudicial development.

***TR5** The area of land for the A22 New Route into Eastbourne Borough, as defined on the Proposals Map, will be safeguarded from prejudicial development.*

**TR6** The area of land reserved for the dualling of the A22 south of Nightingale Farm, as defined on the Proposals Map, will be safeguarded from prejudicial development.

***TR7** Proposals for new commercial roadside facilities along primary routes outside the development boundaries, as defined on the Proposals Map, will not be permitted within the High Weald and Sussex Downs Areas of Outstanding Natural Beauty or the Coastal Levels. Elsewhere such proposals will only be permitted on primary routes outside the development boundaries, as defined on the Proposals Map, if the following criteria are met: (1) a need can be demonstrated for both the proposed facilities and the particular location that cannot be met by either existing or planned facilities; (2) where appropriate, the Council will encourage a comprehensive range of both commercial and non-commercial facilities to be provided; (3) the layout and form of development and use of materials should respect the character and appearance of the locality and ensure an appropriate standard of amenity within the site; (4) substantial landscape planting, including buffer strips and mounding, shall be provided along the site boundaries prior to the completion of development, wherever practicable.*

**TR8** Proposals for new commercial roadside facilities and the large scale expansion of existing facilities along non-primary routes outside the development boundaries, as defined on the Proposals Map, will be resisted. Proposals for small scale extensions and the redevelopment of existing facilities may be permitted where the criteria set out in [Policy TR7](#)(3) and (4) are met.

***TR9** In considering proposals for new housing development, where necessary and appropriate, the Council will seek the provision of suitable traffic calming measures.*

**TR10** The Council will seek to control the movement of heavy goods vehicles within the District by resisting development proposals which would have a detrimental impact on the environment by reason of a material increase in the generation and attraction of heavy goods vehicles within villages and along unsuitable country roads.

***TR11** In major development schemes, particularly in town centres, developers should provide covered and secure cycle parking areas.*

**TR12** In dealing with development proposals the Council will take into account the Cycling Strategy for East Sussex.

*TR13 The Council will seek to secure the provision of safe and convenient pedestrian routes in new developments, which should link to the existing footpath network where appropriate.*

**TR14** Throughout the Plan period the Council will review the need for off-street parking spaces, and the level of parking to be provided as part of development proposals, in the light of the objectives of reducing the need to travel, especially by car, and of improving public transport. New car parks will only be provided when the review shows a need for them, and where resources and sites are available.

*TR15 In Crowborough, Hailsham, Heathfield, Polegate and Uckfield, and other settlements where deemed appropriate, the Council may accept commuted payments for vehicle parking spaces by agreement with intending developers where:- (1) there is a need to provide a reasonable number of parking spaces which cannot be met on individual sites but which can be met in a reasonable time in proposed public car parks nearby; Chapter 9 Transport Wealden Local Plan December 1998 99 (2) the settlement in which the development is proposed appears in the Council's approved car parking capital programme.*

**TR16** In considering all development proposals, the Council will require the on-site provision of vehicle parking and *servicing in accordance with the standards set out in [Appendix 6](#).*

*TR17 Development which would significantly prejudice the reinstatement of the former Uckfield to Lewes railway line shown on the Proposals Map will not be permitted.*

**TR18** Development which would significantly prejudice the reinstatement of a Polegate to Pevensey rail link via a short link north of the Hampden Park Junction shown on the Proposals Map will not be permitted.

*TR19 Development which would significantly prejudice the reinstatement of the former Eridge to Tunbridge Wells West railway line shown on the Proposals Map will not be permitted.*

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## Wealden District Council Policies TM 1 – TM 10 Local Plan 1998

**TM1** Outside the areas identified in [Policy TM2](#), proposals for new or extended tourist attractions and facilities will be permitted where the following criteria are met: (1) the proposed development would respect, and where possible, enhance the character, heritage and environmental quality of the area; (2) the proposed development would make an important contribution to diversifying and upgrading the tourist attractions and facilities in the District in keeping with changing demands; (3) within the High Weald Area of Outstanding Natural Beauty, particular care is given to siting, design and appearance in accordance with [Policy EN6](#).

*TM2 Within the Sussex Downs Area of Outstanding Natural Beauty and the Ashdown Forest (defined as the area enclosed by the boundary of the Medieval Pale of 1372), proposals for new small-scale tourist attractions and facilities outside of the village development boundaries will be permitted only where it can be demonstrated that the proposed development: (1) represents the use of an existing agricultural or other rural building in accordance with [Policy DCZ](#); (2) is compatible with the character of the Downland or the Ashdown Forest; (3) complements, and is consistent with, the quiet informal enjoyment of the countryside.*

*TM3 The Council will support proposals to convert farm buildings to a hostel or similar facility to provide overnight accommodation to serve those walking or cycling in the District. This applies particularly to locations where there is no access for ordinary vehicles, although access for emergency vehicles must be available.*

**TM3** The Council will support proposals to convert farm buildings to a hostel or similar facility to provide overnight accommodation to serve those walking or cycling in the District. This applies particularly to locations where there is no access for ordinary vehicles, although access for emergency vehicles must be available.

*TM4 Proposals for new holiday villages or chalet parks will be strongly resisted in the Sussex Downs and High Weald Areas of Outstanding Natural Beauty and the Coastal Levels. Outside of these areas, such proposals will only be permitted where the following criteria are met: (1) a specific holiday need can be demonstrated; (2) the proposal would restore a damaged or derelict site or offer some other form of environmental enhancement; (3) the size and scale of the proposal would be compatible in terms of appearance and intensity of use with its location; (4) the proposal would not be visually intrusive in the landscape and would be well screened by Chapter 10 Tourism Wealden Local Plan December 1998 106 existing vegetation, particularly in locations adjacent to Areas of Outstanding Natural Beauty; (5) the proposal would be adequately landscaped both within and around the site.*

**TM5** Proposals for new static caravan sites for holiday purposes, or the change of use of touring pitches to static pitches, will not be permitted. Proposals for extensions to such sites may be permitted if this would result in better layouts and landscaping.

*TM6 Within the Ashdown Forest (defined as the area enclosed by the boundary of the Medieval Pale of 1372) proposals for touring caravan and camping facilities will be strongly resisted.*

**TM7** Within the Sussex Downs Area of Outstanding Natural Beauty and the Coastal Levels, proposals for touring caravan and camping facilities will be strongly resisted, with the exception of small sites for lightweight tents. Extensions to existing sites may be permitted if this would result in better layouts and landscaping.

*TM8 Outside of the areas identified in Policies TM6 and TM7, proposals for new or extended touring caravan and camping facilities will be permitted where the following criteria are met: (1) there is good accessibility from the primary or secondary route network, but preferably no direct access onto a primary or trunk road; (2) the size and scale of the proposal would be compatible in terms of appearance and intensity of use with its location; (3) the proposal would not be visually intrusive in the landscape and would be well screened by existing vegetation, particularly in locations within or adjacent to Areas of Outstanding Natural Beauty; (4) the proposal would be adequately landscaped, both within and around the site; (5) on large sites, adequate provision would be made for the recreational needs of site users; (6) the proposal would not result in an unacceptable concentration of caravan or camping sites; (7) in the case of extensions, the proposals should result in an improved layout and landscaping. Within the High Weald Area of Outstanding Natural Beauty, particular care will be taken to ensure that proposals respect and maintain the landscape character in accordance with [Policy EN6](#).*

**TM9** Proposals for the outdoor storage of touring caravans will not be permitted in the countryside (outside the development boundaries as defined on the [Proposals Map](#)).

*TM10 Proposals for interpretative facilities for the natural and built environment should be sensitively designed and sited, and should comply with other policies in the Plan*

## Wealden District Council Policies LR 1 – LR 8 Local Plan 1998

**LR1** The Council will seek to ensure that adequate outdoor playing space is provided in towns and villages within the District in accordance with the levels recommended by the National Playing Fields Association. This will be achieved by: (1) protecting existing outdoor playing space or other open space with recreational or amenity value ([Policy LR2](#)); (2) the provision of children's play space in new residential developments of 30 or more dwellings ([Policy LR3](#)); (3) the provision of artificial turf pitches on appropriate sites.

***LR2** Development proposals which would result in the loss of existing outdoor playing Chapter 11 Leisure and Recreation Wealden Local Plan December 1998 111 space, or other open space with recreational or amenity value, will not be permitted. In particular, planning permission will not be granted for the loss of existing playing fields, whether privately or publicly owned. An exception may be made where the redevelopment of part of the site would enhance the recreational facilities available, where alternative provision of equivalent community benefit is made available nearby, or where it can be demonstrated to the satisfaction of the Council that there is an excess of outdoor playing space in the area.*

**LR3** The Council will require new residential development of 30 or more dwellings to contain children's play space at a rate of 0.6 – 0.8 hectares per thousand population, including an equipped area at a rate of 0.2 – 0.3 hectares per thousand population. This space should:- (1) be located where it can be used safely, conveniently and without causing excessive noise or other disturbance to adjoining areas; (2) be properly drained, laid out, equipped and landscaped; (3) be additional to any amenity, incidental or other open space. A capital sum, or other arrangement to the satisfaction of the District Council, will be sought for future maintenance.

**LR4** Proposals for the provision of artificial turf pitches may be permitted where there is no unacceptably adverse impact on the amenities of adjoining occupiers or the character of the locality. Control over hours of operation may be required by condition of any planning permission.

**LR5** The Council will seek the provision of informal amenity space, additional to the outdoor playing space required under [Policy LR3](#), in all large new housing developments, where appropriate, incorporating existing landscape features such as trees, hedgerows, etc.

***LR6** Proposals for the development of allotment land will not be permitted unless it can be demonstrated that adequate and suitable alternative provision can be made elsewhere.*

**LR7** Proposals for indoor sports or leisure facilities will not be permitted outside development boundaries, as defined on the Proposals Map, unless they are small in scale and are ancillary to an existing use, or represent the use of an existing agricultural or other rural building, in accordance with [Policy DC7](#).

***LR8** Proposals for new, extended or improved community halls will be permitted within the development boundaries, as defined on the Proposals Map. In exceptional circumstances, proposals for such facilities will be permitted outside the development boundaries provided that the following criteria are met: (1) the proposed development is essential to meet the needs of the local community; (2) the proposed development cannot be accommodated satisfactorily within the development boundaries; (3) the proposed development would not be unduly intrusive in the landscape, or detrimental to the character and appearance of the countryside.*

## Wealden District Council Policies CS 1 – CS 5 Local Plan 1998

**CS1** Development will not be permitted before the Council is satisfied that the capital works directly required to service the development are provided at the time development takes place or will be provided at the appropriate time.

*CS2 Planning applications will be permitted only where adequate provision is made for surface and foul water drainage to meet Local Authority standards, taking into consideration the adequacy or otherwise of the existing systems it will feed, to avoid increasing the risk of flooding by surcharging mains or increasing surface water run-off to watercourses.*

**CS3** All development within the Willingdon Levels Drainage Catchment Area shown on the Proposals Map will be required to make adequate provision for drainage. Such provision should accord with the level of development proposed and with surrounding developments, in order to ensure that no overall reduction in flood storage capacity or increased surface water runoff occurs without adequate compensatory measures.

*CS4 Within new housing developments over 40 dwellings, when appropriate, the Council will seek the provision of a purpose built enclosure for the containment of recycling facilities which should be located where it can be used safely and conveniently, without causing nuisance or excessive disturbance to residential amenities, and be accessed directly from the main estate road.*

**CS5** Within new commercial and community development, where appropriate, an area for recycling facilities should be provided which should be conveniently located, accessible by vehicles and should normally be screened.

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## Wealden District Council Policies CR 1 – CR 12 Local Plan 1998

### [Inset Map 9 and 10](#) [Crowborough Additional Inset Map](#)

**CR1** Within the Crowborough development boundary, as defined on the Proposals Map, new housing development will be permitted on allocated land at Mead House, on undeveloped land, by infilling, by redevelopment, and by conversion of a building to residential use, providing that the proposals conform with all other relevant policies in the Plan.

*CR2 Within the Crowborough Warren housing policy area, as defined on the Proposals Map, the established character will be protected and proposals which adversely affect its character will not be permitted. Planning applications for new residential development within the policy area will be determined with reference to the following criteria: (1) the form, scale, site coverage and siting of the proposed development should reflect the low density character of the adjoining buildings and the spaces around them, existing building lines and characteristic frontage widths; (2) landscaping should remain the dominant element of any scheme in accordance with the spacious, low density character of the area; (3) the proposed development should not result in the loss of trees, shrubs, hedges or other features which contribute to the special character of the area; (4) the proposed frontage and other boundary treatment should have regard for the arcadian character of the area. Hedges will be the most appropriate form of enclosure and open plan schemes will not be acceptable; Chapter 13 Crowborough Wealden Local Plan December 1998 125 (5) the proposed development should not have an adverse visual impact on the adjoining countryside. Although proposals will be determined with reference to (1)-(5) above, there shall be a resulting plot size of between 0.1 hectare (0.25*

*acre) and 0.4 hectare (1 acre) for both existing and proposed dwellings, which should exclude all access roads except that part of the driveway located within the garden of the dwelling. The precise density will depend on the criteria listed above.*

**CR3** Land to the north of Millbrook Business Area, Jarvis Brook, as defined on the Proposals Map, is allocated for business use. Proposals for new development will be permitted when the following criteria are met: (1) vehicular access is provided from Furness Mead; (2) provision is made for a landscape barrier/screen of mixed planting on the northwest boundary of the site with an average width of 15 metres (which at no point shall be less than 10 metres); Chapter 13 Crowborough Wealden Local Plan December 1998 126 (3) existing trees or groups of trees on the site's boundaries and within the site shall be retained and included with an appropriate landscaping scheme; Within the development, uses falling within Use Class B1 will be appropriate. Uses falling within Use Classes B2 and B8 may be accepted when the criteria in Policies BS12 and BS13 respectively are met.

**CR4** *Within the Western Road Goods Yard, as defined on the Proposals Map, the Council will seek to retain the low-key business and storage use of the site. Proposals for new development, redevelopment, conversion of buildings or extensions for business or commercial use that would have a detrimental impact on the local road network by reason of the volume and nature of traffic generated or on the residential amenities of nearby dwellings by reason of the processes carried on will not be permitted.*

**CR5** The function of the area north of The Cross as a secondary shopping area, as defined on the Proposals Map, will be maintained. Major expansion of shopping uses within Use Class A1 (Shops) will not be permitted, although small scale extensions to existing premises may be acceptable. Proposals for small scale development, extensions and changes of use of existing premises to uses within Use Class A2 (Financial and Professional Services), A3 (Food and Drink) and B1(a) (Offices) will normally be permitted.

**CR6** *Within the Park Road business area, as defined on the Proposals Map, new development, redevelopment and conversion of existing property for business purposes within Use Class B1 (Business) will be permitted, whereas within the Beacon Road business area, as defined on the Proposals Map, such development will only be permitted for Use Class B1(a) (Offices).*

**CR7** Within the Beacon Road and Park Road business areas, as defined on the Proposals Map, new shopping facilities within Use Class A1 (Shops) will not be permitted. Within the Beacon Road business area, as defined on the Proposals Map, proposals for development within Use Class A2 (Financial and Professional Services) and Use Class A3 (Food and Drink) may be permitted.

**CR8** *Land at the Mead House site, Beacon Road, as defined on the Proposals Map, is allocated for housing, community and/or office purposes. Proposals for development will be permitted where the following criteria are met:- (1) for residential purposes, the exact number of flats to depend upon the appropriate balance between car parking, tree retention, amenity space and dwellings that is satisfactory to the Council; (2) for office or community purposes, the amount of floorspace to be developed shall depend upon the appropriate balance between car parking, tree retention, amenity space and built form that is satisfactory to the Council; Chapter 13 Crowborough Wealden Local Plan December 1998 130 (3) for a mixed use scheme, the amount of development to be provided shall depend on the appropriate balance between car parking, tree retention, amenity space and built form that is satisfactory to the Council; (4) the height of the building(s) shall not exceed two storeys adjacent to Mill Lane or three storeys elsewhere on the site; (5) development shall be set back at least 10 metres from Beacon Road; (6) vehicle access shall be taken from Pine Grove; (7) a safe and*

*convenient footpath system should be provided within the site to link with Pine Grove and Beacon Road; (8) a 6 metre area of trees and shrubs shall be retained along Mill Lane, Pine Grove, Beacon Road and the Beaconwood access frontage. A landscaping and management scheme shall be prepared and implemented for the tree groups. Additional planting within the tree groups and within the site will be required; (9) for office purposes, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the use to be permitted on the site shall be limited to Class B1(a).*

**CR9** Within the neighbourhood centre of Jarvis Brook, as defined on the Proposals Map, proposals for new shopping, service and Chapter 13 Crowborough Wealden Local Plan December 1998 131 business uses as defined by Classes A1, A2, A3 and B1 of the 1987 Use Classes Order will be permitted.

**CR10** *Development proposals which result in an increase in on-street parking or on-street servicing along Whitehill Road, as defined on the Proposals Map, will not be permitted.*

**CR11** Land to the north and east of the Goldsmiths Recreation Ground, as defined on the Proposals Map, is allocated for public open space. Proposals for purpose built indoor sports facilities and other development of an intrusive nature will be firmly resisted. Small scale facilities in association with outdoor recreational uses may be permitted subject to careful consideration of siting and design.

**CR12** *Within the Crowborough Ghyll and Palesgate landscape policy area, as defined on the Proposals Map, the quality of the landscape will be protected and enhanced where possible and inappropriate development will be firmly resisted. Opportunities will be taken whenever possible to improve public access, subject to the availability of resources and ecological considerations, including a public footpath along Crowborough Ghyll.*

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## Wealden District Council Policies HA 1 – HA 13 Local Plan 1998

### Inset map 22 and 23 Hailsham Additional Inset Map

**HA1** Within the Hailsham development boundary, as defined on the Proposals Map, new housing development will be permitted on allocated land at Marshfoot Lane and Grovelands Road, on undeveloped land, by infilling, by redevelopment and by the conversion of a building to residential use, provided that the proposals conform with all other relevant policies in the Plan.

**HA2** *Land off Marshfoot Lane, as defined on the Proposals Map, is allocated for housing purposes. Proposals for new housing development will be permitted where the following criteria are met:- (1) vehicular access shall be taken from Marshfoot Lane which shall be re-aligned and improved to the satisfaction of the District Council; (2) a landscaped screen shall be provided on the northern boundary of the site; (3) the public footpath which crosses the site shall be retained; (4) the scheme meets the requirements of all other relevant policies in the Plan.*

**HA3** Land off Grovelands Road, as defined on the Proposals Map, is allocated for housing purposes.

**HA4** Land to the north of Diplocks Way, as defined on the Proposals Map, is allocated for business purposes within Class B1 of the Use Classes Order 1987. Proposals for development will be permitted where the following criteria are met: (1) existing trees along the north-eastern boundary of the site are retained and

additional planting carried out where appropriate; (2) the public footpath which runs across the site is retained and enhanced.

**HA5** Land off Station Road, Hailsham, as defined on the Proposals Map, is allocated for business purposes. This will incorporate a substantial buffer/screening area with an average width of 12 metres within its western, northern and eastern boundaries, details of which shall be prepared and implemented prior to any development. Subject to individual assessment, proposals for uses falling within Classes B2-B7 of the Use Classes Order 1987 may be considered appropriate.

**HA6** Outside the main shopping area, but within the town centre area, as defined on the Proposals Map, new shopping facilities within Use Class A1 (Shops) of the Use Classes Order 1987 will not be permitted, although small-scale extensions to existing premises may be acceptable.

**HA7** Outside the main shopping area, but within the town centre area, as defined on the Proposals Map, proposals for new development within Use Class A2 (Financial and Professional Services), A3 (Food and Drink) and B1 (Business) of the Use Classes Order 1987 will be permitted.

**HA8** The Council will promote traffic calming and pedestrian priority measures, together with associated environmental improvements, in the High Street and Market Square, Hailsham.

**HA9** It is proposed to demolish the South Road bridge and provide an improved junction connecting South Road, Station Road, George Street and Western Road and a small improvement at the Station Road/Bellbanks Road junction. In addition, revised access arrangements to Garfield Road and to Deer Paddock Road and the northern part of Station Road are proposed. The phasing and timing of this proposal will be subject to timing of other highways proposals and the availability of resources.

**HA10** *The route of the former railway between London Road and South Road will be protected from development in order to preserve the option of constructing a single carriageway road to relieve traffic pressure in the town centre. The Council will seek to ensure the maintenance of the Cuckoo Trail within any future highway proposal.*

**HA11** Land at Ingrams Farm, Hailsham, as defined on the Proposals Map, is reserved for a new primary school.

**HA12** *Land adjacent to the A22 Hailsham Bypass, as defined on the Proposals Map, is allocated for a landscaped buffer area.*

**HA13** Land adjacent to Station Road, as defined on the Proposals Map, is allocated for public open space and allotment purposes.

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## Wealden District Council Policies HE 1 – HE 3 Local Plan 1998

[Inset Map 26 Heathfield Additional Inset map](#)



**HE1** Within the Heathfield development boundary, as defined on the Proposals Map, new housing development will be permitted on undeveloped land, by infilling, by redevelopment and by the conversion of a building to residential use, providing that the proposals conform with all other relevant policies in the Plan.

**HE2** Land at Ghyll Road, as defined on the Proposals Map, is allocated for business purposes. Proposals for new business development will be permitted where the following criteria are met: (1) access should be taken from Ghyll Road or through the existing estate; (2) screen landscaping should be provided on the southern and eastern boundaries; Chapter 15 Heathfield Wealden Local Plan December 1998 148 (3) the trees covered by the Tree Preservation Order will be retained subject to the requirement at (1) above; (4) a woodland management plan identifying the short and long term needs of the woodland covered by the Tree Preservation Order referred to at (3) to the west of the site should be prepared and implemented to the satisfaction of the Council.

**HE3** The outward extension of the Burwash Road Commercial Area, as defined on the Proposals Map, will not be permitted. Proposals for redevelopment or intensification within the Commercial Area may be permitted, particularly for uses within Classes B1 and B8 of the Use Classes Order 1987, including ancillary retail sales. Road-side facilities such as a petrol filling station, associated car sales, catering and overnight accommodation, may be permitted. In all cases the following criteria must be met:- Chapter 15 Heathfield Wealden Local Plan December 1998 149 (1) the landscape quality, visual and other amenities of the locality should be protected and, wherever possible, enhanced, including by:- (a) the retention of existing trees and hedges, with substantial additional planting along the external boundaries of the area and on the ridgeline; (b) careful attention to siting, height and design of buildings, and external lighting, to minimise their visual impact from outside the site; (2) a rationalisation and improvement of access arrangements to the satisfaction of the Council.

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## Wealden District Council Policies PW 1 – PW 5 Local Plan 1998

### [Inset Map 47 Polegate Addition Inset Map](#)

**PW1** Within the Polegate and Willingdon development boundary, as defined on the Proposals Map, new housing development will be permitted on undeveloped land, by infilling, by redevelopment and by the conversion of a building to residential use, providing that the proposals conform with all other relevant policies in the Plan.

**PW2** *The Council will promote measures to encourage cycle use along a network of routes, as defined on the Proposals Map, in Polegate and Willingdon. These measures will include: Chapter 16 Polegate and Willingdon Wealden Local Plan December 1998 158 (1) a shared cycle/pedestrian path along the existing carriageway of the A22 between Willow Drive, Polegate and Oxendean Gardens, Willingdon; (2) a shared cycle/pedestrian path linking Polegate Station with Station Road through the existing car park; (3) a shared cycle/pedestrian path linking Lynholm Road with Brightling Road, Polegate; (4) facilities to enable cyclists to cross the A22 safely at Church Road, Polegate, and Oxendean Gardens, Willingdon; (5) facilities to enable cyclists to cross the A27 safely at Lynholm Road and School Lane, Polegate; (6) the upgrading of the public right of way between the Cuckoo Trail and Shepham Lane, Polegate.*

**PW3** Land to the west of the proposed A27/A22 Polegate roundabout, as defined on the Proposals Map, is allocated for roadside facilities. A Planning Brief will be prepared to guide development on the site. Proposals for the development of roadside facilities shall comply with the Planning Brief which will include, inter alia, the following criteria: (1) the precise southern boundary of the site shall be formed by the extent of the A27 Wilmington Bypass, and the development shall not prejudice implementation of the preferred route; (2) provision shall be made for a petrol filling station, restaurant and motorist shop facilities, overnight accommodation, associated parking, including lorry parking, together with public toilets and telephones, tourist information centre and a picnic area, incorporating a children's play area; (3) vehicular access shall only be directly from the proposed roundabout; (4) substantial boundary landscape planting, including 'buffer' strips and mounding, shall be provided along the site boundaries prior to the completion of development, wherever practicable; (5) the layout and form of development shall seek to minimise the impact of the development on the locality and ensure an appropriate standard of amenity within the site, and shall respect the character and appearance of the surroundings.

*PW4 Land east of Brightling Road, Polegate, as defined on the Proposals Map, is allocated for public open space.*

**PW5** Within the Willingdon Levels Recreation Policy Area, as defined on the Proposals Map, the Council will normally support proposals for recreational uses which maintain and enhance the open character of the area, in particular: (1) the proposed Cuckoo Trail long distance walking and cycling route extension through this area to integrate with routes proposed in the Eastbourne Park Plan; (2) informal recreational uses which integrate with the provisions of the Eastbourne Park Plan; (3) golf course proposals subject to the criteria at [Policy DC10](#).

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## Wealden District Council Policies UC 1 – UC 8 Local Plan 1998

### [Inset Map 53 and 54](#) [Uckfield Additional Inset Map](#)

**UC1** Within the Uckfield development boundary, as defined on the Proposals Map, new housing development will be permitted on undeveloped land, by infilling, by redevelopment and by conversion of a building to residential use, providing that the proposals conform with all other relevant policies in the Plan.

*UC2 The function of the areas north of the Town Hall and south of the railway as secondary shopping areas, as defined on the Proposals Map, will be maintained. Major expansion of shopping uses within Use Class A1 will not be permitted, although small scale extensions to existing premises may be acceptable. Proposals for small scale development, extensions and changes of use of existing premises to uses within Use Class A2 (Financial and Professional Services), A3 (Food and Drink) and B1 (Business) will be permitted.*

**UC3** Within the area between Framfield Road and New Place, as defined on the Proposals Map, proposals for the conversion of properties for office use or residential flats will be permitted.

*UC4 Land east of the existing 'Somerfield' car park is allocated for public car parking.*

**UC5** Development proposals which result in a material increase in traffic generation or any increase in on-street parking or on-street servicing along Framfield Road, as defined on the Proposals Map, will not be permitted.

**UC6** Proposals for non-food retail warehouse development of up to a maximum of 2,500 square metres of gross floorspace within the Bellbrook business area, as defined on the [Proposals Map](#), will be permitted when the criteria in [Policy SH9](#) are met.

**UC7** The following areas of land, as defined on the [Proposals Map](#), are allocated for public open space purposes: (1) Land to the south of Victoria Pleasure Ground. (2) Land to the north of The Mount and The Drive.

**UC8** *A riverside walk will be provided between Hempstead Mill and Uckfield Bypass, as defined on the [Proposals Map](#).*

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## [Other Local Plan 1998 Documents](#) [Back to Index](#)

### [Wealden District Core Strategy Local Plan \(February, 2013\)](#)

#### **Vision and Spatial Planning Objectives**

*SPO1 We will help manage countryside resources and assist in the development of the rural economy whilst protecting and enhancing recognised biodiversity and geodiversity attributes, in particular we will protect the internationally important sites of the Pevensey Levels and Ashdown Forest and other designated areas of bio and geodiversity. We will also protect, and will work with others to enhance and manage, the distinct landscapes of the District, particularly, but not exclusively, those nationally designated.*

SPO2 We will ensure that the intrinsic quality of the historic environment is protected and that Wealden's environmental, heritage and cultural assets are used appropriately to encourage suitable tourism development and support inward investment.

*SPO3 To help address the need for homes, to ensure the economic prosperity of the District and to support its residents and the changing requirements of residents in terms of size, type, tenure and location of homes, whilst protecting our valued environment we will provide for at least 9440 homes within Wealden from 2006 to 2027. The delivery of on average 450 dwellings per annum provides a realistic timeframe for the market to deliver the housing and also better provides for the timely delivery of necessary infrastructure. The majority of new housing will be accommodated within, or as sustainable extensions to, existing towns, while allowing for limited growth within those villages capable of accommodating development in a sustainable fashion. Development will be focused in and around the settlements of Hailsham/ Hellingly, Polegate/ Willingdon/ Stone Cross and Uckfield to help stimulate investment in those centres, and, to varying but lesser degrees, in and around Crowborough and Heathfield to meet housing need*

SPO4 We will ensure the long term viability of our five principal towns by supporting a range of improvements compatible with their local retail and service functions and reflecting the scope that exists for physical change within their centres. This will include more substantial investment in Uckfield and Hailsham

which will allow multi-agency planned and managed developments with improved business and community infrastructure, and with a range of new job opportunities

*SPO5 We will continue to work with East Sussex County Council and schools to meet the learning needs of local people, and to ensure that the local workforce has the necessary skills and facilities to be able to participate fully in local employment*

SPO6 In order to improve economic prosperity we will support the growth of the Wealden economy by helping existing companies to expand and develop. We will help improve the range of employment opportunities available and provide for an additional 40,000 sq. metres net of employment floorspace, to that already committed, and 17,000 sq. metres net of retail floorspace. There will be an increased opportunity for people to work close to where they live, to improve access to jobs, help reduce current levels of net out commuting from Wealden and decrease the net out migration of 15 to 24 year olds. New jobs will make a positive contribution to the improved economic performance of Uckfield, Hailsham, Polegate and Willingdon and assist in tackling forms of deprivation caused by economic circumstances

*SPO7 We will encourage reduction of the need to travel by car by concentrating development where it can most closely relate to public transport opportunities, improving the offer of our towns in terms of retail, leisure and recreation and by making it easier to travel by more sustainable modes of transport. We want to see noticeable improvements in journey quality for those people making trips on foot, bicycle or by public transport*

SPO8 We will maintain and where appropriate enhance through the encouragement of growth, the effective network of villages that will continue to support the day to day needs of our rural communities, and which will accommodate some additional growth where this would be sustainable

*SPO9 We will ensure development takes full account (by mitigation or adaptation) of the likely forecast impacts of climate change including: minimising the emissions of greenhouse gases; the use of non-renewable energy and natural resources; and by encouragement of construction using sustainable techniques*

SPO10 We will seek to ensure the safety of residents and reduce the economic impact of flooding events by avoiding the allocation of land for employment and housing growth in areas subject to medium and high flood risk, taking into account the predicted impact of climate change

*SPO11 We recognise the shortfalls in open space, leisure and recreational facilities identified within the District and will work with others to enhance the District's geodiversity and biodiversity by creating a coherent network of green infrastructure, especially in and around our towns, that can better support wildlife and reduce the impact of climate change as well as improving human health through increased accessibility*

SPO12 We will continue to work with partners to help ensure that Wealden remains a safe place, with levels of crime and disorder well below the national average, and to achieve significant improvements in the safety records on Wealden's roads.

*SPO13 We will encourage the development of high quality, safe and attractive living environments for communities in both towns and villages, while promoting local distinctiveness through good design in all new development. We want future built development to create spaces and places which are sustainable, distinctive and durable- places where people will want to live. These will be expected to make a real contribution to addressing climate change issues and addressing the needs of our ageing population*

SPO14 We will maximise the use of previously developed land for new development wherever possible, and make the most efficient use of existing resources, for example by ensuring housing densities are compatible with the particular location and by utilising existing capacity in infrastructure, services and facilities

*SPO15 We will ensure, with our partners, that the spatial strategy's infrastructure requirements are clearly identified and will work with partners to ensure that this is provided at the right time to support development. New development will be expected to contribute to strategic and local infrastructure requirements, through both on site facilities and financial contributions for off-site works. In some cases development will require to be phased to ensure delivery of necessary infrastructure to support proposed growth*

## **Spatial Strategy Policies**

**WCS1** Provision of Homes and Jobs 2006-2027 Land will be identified in subsequent Development Plan Documents for the provision of some 4525 net additional dwellings in Wealden District to provide for 9440 dwellings over the period 2006-2027. Provision will be made for some net additional 40,000 sq. metres net employment floorspace (B1/B2/B8) to provide for 128,695 sq. metres net employment floorspace and 17,000 sq. metres net additional retail floorspace over the period 2006-2027. The strategy shall be reviewed in 2015 or when a preferred solution to the capacity issues associated with Hailsham North and Hailsham South Wastewater Treatment Works has been identified, whichever is the earlier, in order to ensure that there is an adequate supply of development land in the longer term. The review shall include an assessment of current and future levels of need and demand for housing to provide an appropriate basis for longer term housing provision.

## **WCS2 Distribution of Housing Growth 2006-2027**

Land will be allocated to meet the housing provision of **WCS1** in accordance with the following distribution:

<b><i>Town/settlement</i></b>	<b><i>Built or already committed<sup>(4)</sup> (dwellings)</i></b>	<b><i>New allocations (dwellings)</i></b>	<b><i>Total dwellings (2006-2027)</i></b>
<b><i>Uckfield</i></b>	742	1000	1742
<b><i>Hailsham and Hellingly</i></b>	1645	1300	2945
<b><i>Polegate and Willingdon</i></b>	565	700	1265
<b><i>Stone Cross and Westham</i></b>	42	650	692
<b><i>Crowborough</i></b>	632	300	932
<b><i>Heathfield and Waldron</i></b>	292	To be determined in a subsequent DPD	292
<b><i>Adjacent to Tunbridge Wells boundary (within Frant Parish)</i></b>	53 <sup>(5)</sup>	120	173
<b><i>Rural villages</i></b>	918	455	1373
<b><i>Total Wealden</i></b>	4889	4525	9414

Broad locations for housing development in Policy **WCS2** are shown as insets on the Key Diagram. Individual sites to meet these housing provisions will be allocated in the Site Allocation DPDs.

### **WCS3 Distribution of Employment (B Class) and Retail (convenience and comparison)**

Land will be allocated to meet the employment and retail provision of Policy **WCS1** in accordance with the following distribution:

<b>Town/ Settlement</b>	<b>New allocations Employment (B1/B2/B8) (net floorspace sq. metres)</b>	<b>New allocations Retail (A1 convenience and comparison) (net floorspace sq. metres)</b>
<b>Uckfield</b>	12,650	10,707
<b>Hailsham and Hellingly</b>	8,650	6,230
<b>Crowborough</b>	0	0
<b>Heathfield</b>	0	0
<b>Polegate and Willingdon/ Stone Cross</b>	16,890	0
<b>Rural area</b>	0	0
<b>Total Wealden</b>	38,190	16,937

Broad locations for employment and retail development in Policy **WCS3** are shown as insets on the Key Diagram. Individual sites to meet these provisions will be allocated in the Site Allocation DPDs.

**WCS4 Strategic Development Areas** The following strategic development areas are the locations that are considered to be critical to the delivery of the overall strategy and provide for the new housing employment and community facilities as follows: SD1: Land at West Uckfield - provision of around 1,000 dwellings, 12,650 square metres net employment floorspace and education provision SD2: Land at East Hailsham- provision of around 600 dwellings SD3: Land at North Hailsham - provision of around 700 dwellings, 8,650 square metres net employment floorspace, 300 square metres retail floor space and education provision SD4: Land at South Polegate and East Willingdon- provision of around 700 dwellings, 8,600 square metres net employment floorspace, leisure, recreation and community facilities SD5: Land at Dittons Road, Polegate - provision of around 8,290 square metres net employment floorspace SD6: Land at East and South East of Stone Cross - provision of around 220 dwellings with flexibility between SD6 and SD7 SD7: Land at North Stone Cross - provision of around 430 dwellings with flexibility between SD6 and SD7 SD8: Land at Pine Grove, Crowborough and SD9: Land at Jarvis Brook, Crowborough - provision of around 140 dwellings SD10: Land at South East Crowborough - provision of around 160 dwellings SD11: Land adjacent to Tunbridge Wells, in the Parish of Frant - provision of around 120 dwellings The Strategic Development Areas are provided in the Key

*Diagram and allocation of sites and specific policies, including phasing where necessary, will be provided in the Strategic Sites Development Plan Document.*

**WCS5** Managing the Release of Housing Land The release of land for housing will be managed so that it will deliver the level and broad distribution of development set out in Policy WCS2. The release of land will be dependant on the timely provision of infrastructure necessary to deliver housing, including affordable housing. The adequacy of housing land supply will be assessed regularly through reviews of the Strategic Housing Land Availability Assessment, the Infrastructure Delivery Plan and through regular housing land availability monitoring. Monitoring will allow effective cohesion between housing delivery and the provision of infrastructure.

**WCS6** *Rural Areas Strategy The rural areas comprise the following categories of settlement: Service Centre Local Service Centre Neighbourhood Centre Unclassified settlements Within Service Centres, Local Centres and Neighbourhood Centres (excluding Stone Cross, Polegate and Willingdon and Heathfield) provision will be made for at least 455 new dwellings. The Delivery and Site Allocations DPD will allocate sites for development sufficient to ensure that the requirements above can be met. Development boundaries will not be retained for settlements classified as a neighbourhood centre or unclassified settlement. Development boundaries will be retained or provided at: Forest Row, Hartfield, Groombridge, Wadhurst, Mayfield, Frant, Buxted, Herstmonceux, Ninfield, Pevensey Bay, Horam, Alfriston, Westham and Rotherfield. Development boundaries as shown in the adopted Wealden Local Plan are removed from: Berwick Station, Blackboys, Broad Oak, Cross-in-Hand, East Dean and Friston, East Hoathly, Fairwarp, Five Ash Down, Five Ashes, Framfield, Hadlow Down, Halland, Hooe Common, Isfield, Lower Dicker, Lower Horsebridge, Maresfield, Mark Cross, Maynards Green, Nutley, Pevensey, Punnetts Town, Upper Dicker, Vines Cross and Windmill Hill. Retained or new development boundaries will be reviewed as part of the Strategic Sites and Delivery and Site Allocations DPDs as appropriate. The following are settlements classified as Service Centres, Local Service Centres and Neighbourhood Centres within rural areas. The table indicates the proposed scale of additional housing development to be allocated up until 2027.*

<b>Name</b>	<b>New Allocations (Net Additional Dwellings)</b>
<b>Wadhurst</b>	70
<b>Frant<sup>(6)</sup></b>	20
<b>Herstmonceux</b>	70
<b>Ninfield</b>	50



<b>Horam</b>	100
<b>Maresfield</b>	50
<b>East Dean</b>	10
<b>Berwick Station</b>	20
<b>Cross-in-Hand</b>	25
<b>Boreham Street</b>	10
<b>Ripe</b>	10
<b>Selmeston</b>	10
<b>Upper Dicker</b>	10

**WCS7** Effective Provision of Infrastructure The release of land for development will be conditional upon there being sufficient capacity in the existing local infrastructure to meet the requirements generated by the proposed development. Where development would create the need to provide additional or improved community facilities, services and infrastructure to mitigate its impact, a programme of delivery must be agreed with the relevant infrastructure providers which will ensure that these improvements are provided at the time they are needed. These may involve coordinating contributions from the development with other investment streams. This approach will ensure that the necessary improvements can be completed in a timely manner to support growth. Arrangements for the provision or improvement of infrastructure to the required standard will be secured by planning agreement/ obligation, or by condition attached to the planning consent or by any other appropriate mechanism. The adequacy of infrastructure provision in Wealden will be the subject of regular review with infrastructure providers as part of the ongoing work on the Infrastructure Delivery Plan. This will include health, transport, utility services, and education providers and will be reported as part of the Local Plan monitoring arrangements in the Annual Monitoring Report.

**WCS8** *Affordable Housing New housing developments will be expected to provide for a mix of dwelling size, type and tenure that meet the identified housing needs of the community. The Council will require affordable housing on sites of 5 or more dwellings (net) or on sites of 0.2 hectares or more. Affordable housing will be required at a level of 35% of the number of dwellings in any scheme. Where sites are allocated in a site allocations Development Plan Document, that document may specify a different, and potentially higher, housing target, having regards to the findings of the Wealden Housing Viability Assessment and any site specific considerations. Affordable housing provision should incorporate a mix of tenures. The Council will negotiate the exact tenure split on each site. However, the presumption is that around 80% of the total number of affordable homes provided will be for social rented accommodation with the remainder being for intermediate accommodation. Where it can be proven that affordable housing cannot be achieved, due to economic viability, there will be flexibility in meeting stated targets. In such exceptional circumstances, it will be the responsibility of the applicant to demonstrate that the requirements of the policy cannot be met and the closest alternative target that can be achieved taking into account viability and need. The affordable housing will be integrated into the development and be indistinguishable in design terms from the market housing on the site. Affordable housing should be delivered on site, however, in exceptional circumstances Wealden District Council will accept a commuted sum or free serviced land in lieu of on site provision. These*

*circumstances may include provision where a Registered Provider finds it uneconomic or impractical to provide the units in the scale or form agreed. Any financial contributions will be pooled and used to enable affordable housing provision within Wealden District.*

**WCS9** Rural Exception Affordable Housing In exceptional circumstances, planning permission may be granted for small scale affordable residential development in rural areas outside development boundaries in order to meet an identified local housing need among those people unable to compete in the normal housing market. Suitable sites will be located within or be well-related to a settlement which either provides reasonable access to local services and facilities, or has good accessibility to larger settlements nearby which provide a range of services and facilities. The scale of the proposed affordable housing development should be appropriate in relation to the size of the settlement and sites should not be isolated or intrusive within the landscape. Sites developed under this policy will be subject to controls on the occupancy of the housing to ensure it continues to provide affordable homes which address local housing needs in perpetuity. The affordable homes will be managed by an approved Registered Provider.

**WCS10** *The Travelling Community - Provision for Gypsies and Travellers To meet the identified need for Gypsies and Travellers within the District for the period 2006 to 2016, 32 pitches will be provided for (an additional 23 pitches). Sites will be allocated within the Delivery and Site Allocations Development Plan Document (DPD) to make up any shortfall.*

**WCS11** The Travelling Community- Provision for Gypsies, Travellers and Travelling Show people: Site Criteria In assessing the suitability of sites for allocation for permanent residential sites both for Gypsies and Travellers, and for the purposes of considering planning applications for sites for Gypsies and Travellers and for Travelling Showpeople, proposals will be supported where the following criteria are met: Well related to existing settlements with local services and facilities. Sites should either be within or close to such settlements or close to major roads and/or public transport thus affording good access to local services; Have safe and convenient vehicular access, be suitable in terms of topography and be in a location where the necessary infrastructure already exists or can reasonably be provided; Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of neighbouring dwellings; Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protection, including the South Downs National Park and High Weald Area of Outstanding Natural Beauty. Ashdown Forest Special Area of Conservation and Special Protection Area, and the Pevensy Levels Ramsar site should be avoided as potential locations; and Avoid locations where there is a risk of flooding, or which are adjacent to incompatible uses such as a refuse tip, sewage treatment works or significantly contaminated land. In the case of sites for Travelling Showpeople, proposals will be assessed upon the basis of established need. Site suitability assessment will also take account of the nature and scale of the Show people's business in terms of the land required for storage and/or the exercising of animals.

**WCS12** *Biodiversity In order to contribute to the biodiversity targets provided in the Sussex Biodiversity Action Plan the Council will prevent a net loss of biodiversity, ensure a comprehensive network of habitats, and work with partners to maximise opportunities to ensure habitats, biodiversity features and ecological networks are maintained, restored, enhanced and where possible created to achieve a net gain in biodiversity and sustain wildlife in both rural and urban areas. This will be achieved through the development and implementation of an integrated green network strategy. In accordance with Planning Policy Statement 9, please see page 49 'Working with the South Downs National Park Authority' and the reference to publication of the NPPF and cancellation of a number of Planning Policy Statements and Guidance Notes, there may be*

*exceptional circumstances when compensatory measures for a net loss of biodiversity is required. Appropriate compensatory measures will be required to contribute to Wealden's overall biodiversity resource, and may include enhancement of Wealden's Biodiversity Opportunity Areas and other relevant Biodiversity Action Plan habitats, so that there is overall no net loss of biodiversity. In order to avoid the adverse effect on the integrity of the Ashdown Forest Special Protection Area and Special Area of Conservation it is the Council's intention to reduce the recreational impact of visitors resulting from new housing development within 7 kilometres of Ashdown Forest by creating an exclusion zone of 400 metres for net increases in dwellings in the Delivery and Site Allocations Development Plan Document and requiring provision of Suitable Alternative Natural Green Space and contributions to on-site visitor management measures as part of policies required as a result of development at SD1, SD8, SD9 and SD10 in the Strategic Sites Development Plan Document. Mitigation measures within 7 kilometres of Ashdown Forest for windfall development, including provision of Suitable Alternative Natural Green Space and on-site visitor management measures will be contained within the Delivery and Sites Allocation Development Plan Document and will be associated with the implementation of the integrated green network strategy. In the meantime the Council will work with appropriate partners to identify Suitable Alternative Natural Green Space and on-site management measures at Ashdown Forest so that otherwise acceptable development is not prevented from coming forward by the absence of acceptable mitigation. The Council will also undertake further investigation of the impacts of nitrogen deposition on the Ashdown Forest Special Area of Conservation so that its effects on development in the longer term can be more fully understood and mitigated if appropriate.*

**WCS13** Green Infrastructure The District's existing network of green infrastructure will be protected, improved and enhanced by the implementation of a Green Infrastructure Strategy, ensuring a multifunctional, accessible network which maintains and improves biodiversity and landscape character, increases opportunities for healthy living and contributes to healthy ecosystems and climate change objectives. Development proposals will not be permitted which would result in the loss of existing open space or harm to Wealden's network of green spaces unless measures are incorporated within the development that will either mitigate the effects of development or alternative and suitable provision is made that is accessible, of good quality and value to its users, in an appropriate location, at an appropriate scale and nature and would positively contribute to the overall network of green space. All new residential development will be required to contribute to the green infrastructure network and where appropriate to make provision for new or enhancement of existing open space. Where the scale of development would be too small to make on-site provision, the Council will seek developer contributions either towards the improvement of existing open spaces or towards the provision of open space elsewhere.

**WCS14** *Presumption in Favour of Sustainable Development* When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether: Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.

## Additional Documents

[Affordable Housing Delivery Local Plan](#)

[Waste and minerals plans and monitoring reports  
2013](#)

[Waste and minerals plans and monitoring reports  
2017](#)

[Herstmonceux Neighbourhood Plan \(July 2019\),](#)

[Hailsham Neighbourhood Plan \(March 2020\)](#)

[Hellingly Neighbourhood Plan \(February 2021\)](#)

## **Book Marked NPPF**



Ministry of Housing,  
Communities &  
Local Government

# National Planning Policy Framework

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Key Words

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# 1. Introduction

1. The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied<sup>1</sup>. It provides a framework within which locally-prepared plans for housing and other development can be produced.
2. Planning law requires that applications for planning permission be determined in accordance with the development plan<sup>2</sup>, unless material considerations indicate otherwise<sup>3</sup>. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
3. The Framework should be read as a whole (including its footnotes and annexes). General references to planning policies in the Framework should be applied in a way that is appropriate to the type of plan being produced, taking into account policy on plan-making in chapter 3.
4. The Framework should be read in conjunction with the Government’s planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.
5. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decisionmaking framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.
6. Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.

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<sup>1</sup> This document replaces the previous version of the National Planning Policy Framework published in February 2019.

<sup>2</sup> This includes local and neighbourhood plans that have been brought into force and any spatial development strategies produced by combined authorities or elected Mayors (see Glossary).

<sup>3</sup> Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

## 2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection<sup>5</sup>.
8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
  - a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).

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### The presumption in favour of sustainable development

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<sup>4</sup> Resolution 42/187 of the United Nations General Assembly.

<sup>5</sup> Transforming our World: the 2030 Agenda for Sustainable Development.



11. Plans and decisions should apply a presumption in favour of sustainable development.

For **plan-making** this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>6</sup>, unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>7</sup>; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For **decision-taking** this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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<sup>6</sup> As established through statements of common ground (see paragraph 27).

<sup>7</sup> The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

<sup>8</sup> This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
13. The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply<sup>9</sup>:
  - a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
  - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
  - c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and
  - d) the local planning authority's housing delivery was at least 45% of that required<sup>10</sup> over the previous three years.

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<sup>9</sup> Transitional arrangements are set out in Annex 1.

<sup>10</sup> Assessed against the Housing Delivery Test, from November 2018 onwards.

### 3. Plan-making

15. The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.
16. Plans should:
  - a) be prepared with the objective of contributing to the achievement of sustainable development<sup>11</sup>;
  - b) be prepared positively, in a way that is aspirational but deliverable;
  - c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
  - d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
  - e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
  - f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

#### The plan-making framework

17. The development plan must include strategic policies to address each local planning authority's priorities for the development and use of land in its area<sup>12</sup>. These strategic policies can be produced in different ways, depending on the issues and opportunities facing each area. They can be contained in:
  - a) joint or individual local plans, produced by authorities working together or independently (and which may also contain non-strategic policies); and/or
  - b) a spatial development strategy produced by an elected Mayor or combined authority, where plan-making powers have been conferred.
18. Policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.
19. The development plan for an area comprises the combination of strategic and nonstrategic policies which are in force at a particular time.

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<sup>11</sup> This is a legal requirement of local planning authorities exercising their plan-making functions (section 39(2) of the Planning and Compulsory Purchase Act 2004).

<sup>12</sup> Section 19(1B-1E) of the Planning and Compulsory Purchase Act 2004.

## Strategic policies

20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision<sup>13</sup> for:
- a) housing (including affordable housing), employment, retail, leisure and other commercial development;
  - b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
  - c) community facilities (such as health, education and cultural infrastructure); and
  - d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
21. Plans should make explicit which policies are strategic policies<sup>14</sup>. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any nonstrategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies.
22. Strategic policies should look ahead over a minimum 15 year period from adoption<sup>15</sup>, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.<sup>16</sup>
23. Broad locations for development should be indicated on a key diagram, and landuse designations and allocations identified on a policies map. Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or nonstrategic policies)<sup>17</sup>.

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## Maintaining effective cooperation

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<sup>13</sup> In line with the presumption in favour of sustainable development.

<sup>14</sup> Where a single local plan is prepared the non-strategic policies should be clearly distinguished from the strategic policies.

<sup>15</sup> Except in relation to town centre development, as set out in chapter 7.

<sup>16</sup> Transitional arrangements are set out in Annex 1.

<sup>17</sup> For spatial development strategies, allocations, land use designations and a policies map are needed only where the power to make allocations has been conferred.

24. Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.
25. Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).
26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.
27. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.

## Non-strategic policies

28. Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.
29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies<sup>18</sup>.
30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

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## Preparing and reviewing plans

31. The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.

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<sup>18</sup> Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements<sup>19</sup>. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).
33. Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary<sup>20</sup>. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

## Development contributions

34. Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.

## Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

- 
- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>21</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

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<sup>19</sup> The reference to relevant legal requirements refers to Strategic Environmental Assessment.

Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.

<sup>20</sup> Reviews at least every five years are a legal requirement for all local plans (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012).

<sup>21</sup> Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework.

- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
36. These tests of soundness will be applied to non-strategic policies<sup>22</sup> in a proportionate way, taking into account the extent to which they are consistent with relevant strategic policies for the area.
37. Neighbourhood plans must meet certain ‘basic conditions’ and other legal requirements<sup>23</sup> before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.

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## 4. Decision-making

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

### Pre-application engagement and front-loading

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<sup>22</sup> Where these are contained in a local plan.

<sup>23</sup> As set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

39. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.
40. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.
41. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.
42. The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.
43. The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.
44. Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
45. Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them.
46. Applicants and local planning authorities should consider the potential for voluntary planning performance agreements, where this might achieve a faster and more effective application process. Planning performance agreements are likely to be needed for applications that are particularly large or complex to determine.

## Determining applications

47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.



48. Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)<sup>24</sup>.
49. However, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
  - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

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50. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.

## Tailoring planning controls to local circumstances

51. Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.
52. Communities can use Neighbourhood Development Orders and Community Right to Build Orders to grant planning permission. These require the support of the local community through a referendum. Local planning authorities should take a proactive and positive approach to such proposals, working collaboratively with community organisations to resolve any issues before draft orders are submitted for examination.

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<sup>24</sup> During the transitional period for emerging plans submitted for examination (set out in paragraph 220), consistency should be tested against the original Framework published in March 2012.

53. The use of Article 4 directions to remove national permitted development rights should:
- where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)
  - in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities)
  - in all cases, be based on robust evidence, and apply to the smallest geographical area possible.
54. Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.

## Planning conditions and obligations

55. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
56. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decisionmaking. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification<sup>25</sup>.
57. Planning obligations must only be sought where they meet all of the following tests<sup>26</sup>:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
58. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

## Enforcement

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<sup>25</sup> Sections 100ZA(4-6) of the Town and Country Planning Act 1990 will require the applicant's written agreement to the terms of a pre-commencement condition, unless prescribed circumstances apply. <sup>26</sup> Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

59. Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.

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## 5. Delivering a sufficient supply of homes

60. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
61. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers<sup>26</sup>, people who rent their homes and people wishing to commission or build their own homes<sup>27</sup>).
63. Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required<sup>29</sup>, and expect it to be met on-site unless:

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<sup>26</sup> Planning Policy for Traveller Sites sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document.

<sup>27</sup> Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing. <sup>29</sup> Applying the definition in Annex 2 to this Framework.

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
  - b) the agreed approach contributes to the objective of creating mixed and balanced communities.
64. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount<sup>28</sup>.
65. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to

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be available for affordable home ownership<sup>29</sup>, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
  - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
  - c) is proposed to be developed by people who wish to build or commission their own homes; or
  - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
66. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations<sup>30</sup>. Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.
67. Where it is not possible to provide a requirement figure for a neighbourhood area<sup>31</sup>, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

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<sup>28</sup> Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.

<sup>29</sup> As part of the overall affordable housing contribution from the site.

<sup>30</sup> Except where a Mayoral, combined authority or high-level joint plan is being prepared as a framework for strategic policies at the individual local authority level; in which case it may be most appropriate for the local authority plans to provide the requirement figure.

<sup>31</sup> Because a neighbourhood area is designated at a late stage in the strategic policy-making process, or after strategic policies have been adopted; or in instances where strategic policies for housing are out of date.

## Identifying land for homes

68. Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:
- a) specific, deliverable sites for years one to five of the plan period<sup>32</sup>; and
- 
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.
69. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
  - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
  - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
  - d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.
70. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 69a) suitable for housing in their area.
71. Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
72. Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should:

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<sup>32</sup> With an appropriate buffer, as set out in paragraph 74. See Glossary for definitions of deliverable and developable.

- a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and
- b) be adjacent to existing settlements, proportionate in size to them<sup>33</sup>, not compromise the protection given to areas or assets of particular importance in this Framework<sup>34</sup>, and comply with any local design policies and standards.

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73. The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:
- a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;
  - b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;
  - c) set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community;
  - d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations)<sup>35</sup>; and
  - e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size.

## Maintaining supply and delivery

74. Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing

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<sup>33</sup> Entry-level exception sites should not be larger than one hectare in size or exceed 5% of the size of the existing settlement.

<sup>34</sup> i.e. the areas referred to in footnote 7. Entry-level exception sites should not be permitted in National Parks (or within the Broads Authority), Areas of Outstanding Natural Beauty or land designated as Green Belt.

<sup>35</sup> The delivery of large scale developments may need to extend beyond an individual plan period, and the associated infrastructure requirements may not be capable of being identified fully at the outset. Anticipated rates of delivery and infrastructure requirements should, therefore, be kept under review and reflected as policies are updated.

against their housing requirement set out in adopted strategic policies<sup>36</sup>, or against their local housing need where the strategic policies are more than five years old<sup>39</sup>.

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The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan<sup>37</sup>, to account for any fluctuations in the market during that year; or
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply<sup>38</sup>.

75. A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:
- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
  - b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.
76. To maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of underdelivery and identify actions to increase delivery in future years.
77. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.

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<sup>36</sup> For the avoidance of doubt, a five year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document. <sup>39</sup> Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.

<sup>37</sup> For the purposes of paragraphs 74b and 75 a plan adopted between 1 May and 31 October will be considered 'recently adopted' until 31 October of the following year; and a plan adopted between 1 November and 30 April will be considered recently adopted until 31 October in the same year.

<sup>38</sup> This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

## Rural housing

78. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
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79. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
80. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
  - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
  - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
  - d) the development would involve the subdivision of an existing residential building; or
  - e) the design is of exceptional quality, in that it:
    - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
    - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

## 6. Building a strong, competitive economy

81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>39</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

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<sup>39</sup> The Government's Industrial Strategy sets out a vision to drive productivity improvements across the UK, identifies a number of Grand Challenges facing all nations, and sets out a delivery programme to make the UK a leader in four of these: artificial intelligence and big data; clean growth; future mobility; and catering for an ageing society. HM Government (2017) *Industrial Strategy: Building a Britain fit for the future*.



82. Planning policies should:
- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
  - b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
  - c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
  - d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.
83. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

## Supporting a prosperous rural economy

84. Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
  - b) the development and diversification of agricultural and other land-based rural businesses;
- 
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
  - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

## 7. Ensuring the vitality of town centres

86. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:
- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
  - b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
  - c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
  - d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
  - e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
  - f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
87. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
88. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
89. This sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.
90. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:
- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

91. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90, it should be refused.

## 8. Promoting healthy and safe communities

92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
  - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
  - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
  - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
  - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
  - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
94. Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.
95. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
  - b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

96. To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.
97. Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:
- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate<sup>40</sup>. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
  - b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

## Open space and recreation

98. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.
99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- 
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

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<sup>40</sup> This includes transport hubs, night-time economy venues, cinemas and theatres, sports stadia and arenas, shopping centres, health and education establishments, places of worship, hotels and restaurants, visitor attractions and commercial centres.

100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.
102. The Local Green Space designation should only be used where the green space is:
  - a) in reasonably close proximity to the community it serves;
  - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
  - c) local in character and is not an extensive tract of land.
103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

## 9. Promoting sustainable transport

104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
  - a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
  - e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
105. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
106. Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;
  - b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;
  - c) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development;
  - d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);
  - e) provide for any large scale transport facilities that need to be located in the area<sup>41</sup>, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements; and
  - f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy<sup>42</sup>.
107. If setting local parking standards for residential and non-residential development, policies should take into account:
- a) the accessibility of the development;
  - b) the type, mix and use of development;
  - c) the availability of and opportunities for public transport;
  - d) local car ownership levels; and
  - e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

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<sup>41</sup> Policies for large scale facilities should, where necessary, be developed through collaboration between strategic policy-making authorities and other relevant bodies. Examples of such facilities include ports, airports, interchanges for rail freight, public transport projects and roadside services. The primary function of roadside services should be to support the safety and welfare of the road user (and most such proposals are unlikely to be nationally significant infrastructure projects).

<sup>42</sup> Department for Transport (2015) *General Aviation Strategy*.

109. Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.

## Considering development proposals

110. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

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- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users;
  - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code<sup>43</sup>; and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

112. Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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<sup>43</sup> Policies and decisions should not make use of or reflect the former Design Bulletin 32, which was withdrawn in 2007.



113. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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## 10. Supporting high quality communications

114. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).
115. The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.
116. Local planning authorities should not impose a ban on new electronic communications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of electronic communications development, or insist on minimum distances between new electronic communications development and existing development. They should ensure that:
- a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
  - b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
117. Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:
- a) the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area; and

- b) for an addition to an existing mast or base station, a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection; or
  - c) for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.
118. Local planning authorities must determine applications on planning grounds only. They should not seek to prevent competition between different operators, question the need for an electronic communications system, or set health safeguards different from the International Commission guidelines for public exposure.

# 11. Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land<sup>44</sup>.
120. Planning policies and decisions should:
- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
  - b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
  - c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
  - d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)<sup>45</sup>; and
  - e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
121. Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.
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122. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

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<sup>44</sup> Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

<sup>45</sup> As part of this approach, plans and decisions should support efforts to identify and bring back into residential use empty homes and other buildings, supported by the use of compulsory purchase powers where appropriate.

- a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
  - b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.
123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:
- a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and
  - b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

## Achieving appropriate densities

124. Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive and healthy places.
125. Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies
- and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:
- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;

- b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
- c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

## 12. Achieving well-designed places

126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
127. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.
128. To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.
129. Design guides and codes can be prepared at an area-wide, neighbourhood or sitespecific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.
130. Planning policies and decisions should ensure that developments:
  - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined<sup>47</sup>, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.
132. Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
133. Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life<sup>48</sup>. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local

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planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>49</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

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<sup>46</sup> Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.

<sup>47</sup> Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate.

<sup>48</sup> Birkbeck D and Kruczkowski S et al (2020) *Building for a Healthy Life*

<sup>49</sup> Contained in the National Design Guide and National Model Design Code.

- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
136. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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## 13. Protecting Green Belt land

137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
138. Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;



- d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
139. The general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions. Any proposals for new Green Belts should be set out in strategic policies, which should:
- a) demonstrate why normal planning and development management policies would not be adequate;
  - b) set out whether any major changes in circumstances have made the adoption of this exceptional measure necessary;
  - c) show what the consequences of the proposal would be for sustainable development;
  - d) demonstrate the necessity for the Green Belt and its consistency with strategic policies for adjoining areas; and
  - e) show how the Green Belt would meet the other objectives of the Framework.
140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.
141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:
- a) makes as much use as possible of suitable brownfield sites and underutilised land;
  - b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
  - c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.
142. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in

which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

143. When defining Green Belt boundaries, plans should:
- a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;
  - b) not include land which it is unnecessary to keep permanently open;
  - c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
  - d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;
  - e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and
  - f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.
144. If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.
145. Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
146. The National Forest and Community Forests offer valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife. The National Forest Strategy and an approved Community Forest Plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within the National Forest and Community Forests in the Green Belt should be subject to the normal policies for controlling development in Green Belts.

## Proposals affecting the Green Belt

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
  - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
  - c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
  - e) limited infilling in villages;
  - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
  - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
    - not have a greater impact on the openness of the Green Belt than the existing development; or
    - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
- a) mineral extraction;
  - b) engineering operations;
  - c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
  - d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
  - e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
  - f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
151. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

# 14. Meeting the challenge of climate change, flooding and coastal change

152. The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

## Planning for climate change

153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures<sup>50</sup>. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

154. New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

155. To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and

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- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for collocating potential heat customers and suppliers.

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<sup>50</sup> In line with the objectives and provisions of the Climate Change Act 2008.

156. Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.
157. In determining planning applications, local planning authorities should expect new development to:
- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
  - b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
158. When determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - b) approve the application if its impacts are (or can be made) acceptable<sup>51</sup>. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

## Planning and flood risk

159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
160. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

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161. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:
- a) applying the sequential test and then, if necessary, the exception test as set out below;

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<sup>51</sup> Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.

- b) safeguarding land from development that is required, or likely to be required, for current or future flood management;
  - c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, ( making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and
  - d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.
162. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
163. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.
164. The application of the exception test should be informed by a strategic or sitespecific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
  - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
165. Both elements of the exception test should be satisfied for development to be allocated or permitted.
166. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>52</sup>. Development should only be allowed in areas at risk of flooding where, in

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<sup>52</sup> A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
  - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
  - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
  - d) any residual risk can be safely managed; and
  - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
168. Applications for some minor development and changes of use<sup>53</sup> should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.
169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
  - b) have appropriate proposed minimum operational standards;
  - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
  - d) where possible, provide multifunctional benefits.

## Coastal change

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170. In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes.
171. Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a

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<sup>53</sup> This includes householder development, small non-residential extensions (with a footprint of less than 250m<sup>2</sup>) and changes of use; except for changes of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.

Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:

- a) be clear as to what development will be appropriate in such areas and in what circumstances; and
- b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.

172. Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:

- a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;
- b) the character of the coast including designations is not compromised;
- c) the development provides wider sustainability benefits; and
- d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast<sup>54</sup>.

173. Local planning authorities should limit the planned lifetime of development in a Coastal Change Management Area through temporary permission and restoration conditions, where this is necessary to reduce a potentially unacceptable level of future risk to people and the development.

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## 15. Conserving and enhancing the natural environment

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

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<sup>54</sup> As required by the Marine and Coastal Access Act 2009.



- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

175. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework<sup>55</sup>; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks

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and the Broads<sup>56</sup>. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

177. When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development<sup>57</sup> other than in

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<sup>55</sup> Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

<sup>56</sup> *English National Parks and the Broads: UK Government Vision and Circular 2010* provides further guidance and information about their statutory purposes, management and other matters.

<sup>57</sup> For the purposes of paragraphs 176 and 177, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- 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.

178. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

## Habitats and biodiversity

179. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity<sup>58</sup>; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation<sup>59</sup>; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

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180. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that

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<sup>58</sup> Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

<sup>59</sup> Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.

make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>60</sup> and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

181. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites<sup>61</sup>; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

182. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

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## Ground conditions and pollution

183. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

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<sup>60</sup> For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

<sup>61</sup> Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.

184. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>62</sup>;
  - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
  - c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
186. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when

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determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.
188. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

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<sup>62</sup> See Explanatory Note to the *Noise Policy Statement for England* (Department for Environment, Food & Rural Affairs, 2010).

# 16. Conserving and enhancing the historic environment

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value<sup>63</sup>. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations<sup>64</sup>.
190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
  - d) opportunities to draw on the contribution made by the historic environment to the character of a place.
191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.
192. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:
- a) assess the significance of heritage assets and the contribution they make to their environment; and
  - b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.
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193. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

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<sup>63</sup> Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

<sup>64</sup> The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

## Proposals affecting heritage assets

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
197. In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

## Considering potential impacts

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>65</sup>.
201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing

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applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible<sup>66</sup>. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal

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<sup>65</sup> Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

<sup>66</sup> Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

207. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.
208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

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## 17. Facilitating the sustainable use of minerals

209. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
210. Planning policies should:
- a) provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction;
  - b) so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;
  - c) safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas<sup>67</sup>; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked);

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<sup>67</sup> Primarily in two tier areas as stated in Annex 2: Glossary



- d) set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place;
- e) safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;
- f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;
- g) when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and
- h) ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place.

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211. When determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy<sup>68</sup>. In considering proposals for mineral extraction, minerals planning authorities should:

- a) as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites, scheduled monuments and conservation areas;
- b) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;
- c) ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source<sup>72</sup>, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
- d) not grant planning permission for peat extraction from new or extended sites;
- e) provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;
- f) consider how to meet any demand for the extraction of building stone needed for the repair of heritage assets, taking account of the need to protect designated sites; and
- g) recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the duration of planning permissions reflecting the intermittent or low rate of working at many sites.

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<sup>68</sup> Except in relation to the extraction of coal, where the policy at paragraph 217 of this Framework applies. <sup>72</sup> National planning guidance on minerals sets out how these policies should be implemented.

212. Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.

## Maintaining supply

213. Minerals planning authorities should plan for a steady and adequate supply of aggregates by:
- a) preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);
  - b) participating in the operation of an Aggregate Working Party and taking the advice of that party into account when preparing their Local Aggregate Assessment;
  - c) making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans, taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;
  - d) taking account of any published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;
  - e) using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;
  - f) maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised<sup>69</sup>;
  - g) ensuring that large landbanks bound up in very few sites do not stifle competition; and
  - h) calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.
214. Minerals planning authorities should plan for a steady and adequate supply of industrial minerals by:
- a) co-operating with neighbouring and more distant authorities to ensure an adequate provision of industrial minerals to support their likely use in industrial and manufacturing processes;
  - b) encouraging safeguarding or stockpiling so that important minerals remain available for use;

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<sup>69</sup> Longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites.

- c) maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment<sup>70</sup>; and
- d) taking account of the need for provision of brick clay from a number of different sources to enable appropriate blends to be made.

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## Oil, gas and coal exploration and extraction

215. Minerals planning authorities should:

- a) when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production), whilst ensuring appropriate monitoring and site restoration is provided for;
- b) encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility;
- c) indicate any areas where coal extraction and the disposal of colliery spoil may be acceptable;
- d) encourage the capture and use of methane from coal mines in active and abandoned coalfield areas; and
- e) provide for coal producers to extract separately, and if necessary stockpile, fireclay so that it remains available for use.

216. When determining planning applications, minerals planning authorities should ensure that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution.

217. Planning permission should not be granted for the extraction of coal unless:

- a) the proposal is environmentally acceptable, or can be made so by planning conditions or obligations; or
- b) if it is not environmentally acceptable, then it provides national, local or community benefits which clearly outweigh its likely impacts (taking all relevant matters into account, including any residual environmental impacts).

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<sup>70</sup> These reserves should be at least 10 years for individual silica sand sites; at least 15 years for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant, and for silica sand sites where significant new capital is required; and at least 25 years for brick clay, and for cement primary and secondary materials to support a new kiln.

# Annex 1: Implementation

218. The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this Framework has made.
219. However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
220. The policies in the original National Planning Policy Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.
221. For the purposes of the policy on larger-scale development in paragraph 22, this applies only to plans that have not reached Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage at the point this version is published (for Spatial Development Strategies this would refer to consultation under section 335(2) of the Greater London Authority Act 1999).
222. The Housing Delivery Test will apply the day following publication of the results, at which point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used. For the purpose of footnote 8 in this Framework, delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results:
- a) for years 2016/17 to 2018/19 (Housing Delivery Test: 2019 Measurement, published 13 February 2020), indicated that delivery was below 45% of housing required over the previous three years;
  - b) for years 2017/18 to 2019/20 (Housing Delivery Test: 2020 Measurement, published 19 January 2021), and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.
223. The Government will continue to explore with individual areas the potential for planning freedoms and flexibilities, for example where this would facilitate an increase in the amount of housing that can be delivered.

# Annex 2: Glossary

**Affordable housing:** housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

**Air quality management areas:** Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

**Ancient or veteran tree:** A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

**Ancient woodland:** An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

**Annual position statement:** A document setting out the 5 year housing land supply position on 1st April each year, prepared by the local planning authority in consultation with developers and others who have an impact on delivery.

**Archaeological interest:** There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

**Article 4 direction:** A direction made under [Article 4 of the Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#) which withdraws permitted development rights granted by that Order.

**Best and most versatile agricultural land:** Land in grades 1, 2 and 3a of the Agricultural Land Classification.

**Brownfield land:** See Previously developed land.

**Brownfield land registers:** Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.

**Build to Rent:** Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

**Climate change adaptation:** Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

**Climate change mitigation:** Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

**Coastal change management area:** An area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion.

**Community forest:** An area identified through the England Community Forest Programme to revitalise countryside and green space in and around major conurbations.

**Community Right to Build Order:** An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a sitespecific development proposal or classes of development.

**Competent person (to prepare site investigation information):** A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

**Conservation (for heritage policy):** The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

**Decentralised energy:** Local renewable and local low carbon energy sources.

**Deliverable:** To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

**Design code:** A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

**Design guide:** A document providing guidance on how development can be carried out in accordance with good design practice, often produced by a local authority.

**Designated heritage asset:** A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

**Designated rural areas:** National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under Section 157 of the Housing Act 1985.

**Developable:** To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

**Development plan:** Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

**Edge of centre:** For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

**Entry-level exception site:** A site that provides entry-level homes suitable for first time buyers (or equivalent, for those looking to rent), in line with paragraph 72 of this Framework.

**Environmental impact assessment:** A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

**Essential local workers:** Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.

**General aviation airfields:** Licenced or unlicenced aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.

**Geodiversity:** The range of rocks, minerals, fossils, soils and landforms.

**Green infrastructure:** A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

**Habitats site:** Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

**Heritage asset:** A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

**Heritage coast:** Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

**Historic environment:** All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

**Historic environment record:** Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

**Housing Delivery Test:** Measures net homes delivered in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.

**International, national and locally designated sites of importance for biodiversity:** All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.

**Irreplaceable habitat:** Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

**Local Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

**Local Enterprise Partnership:** A body, designated by the Secretary of State for Housing, Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

**Local housing need:** The number of homes identified as being needed through the application of the standard method set out in national planning guidance (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 61 of this Framework).



**Local Nature Partnership:** A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

**Local planning authority:** The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

**Local plan:** A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

**Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

**Major development**<sup>71</sup>: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development

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it means additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Major hazard sites, installations and pipelines:** Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply.

**Minerals resources of local and national importance:** Minerals which are necessary to meet society's needs, including aggregates, brickclay (especially Etruria Marl and fireclay), silica sand (including high grade silica sands), coal derived fly ash in single use deposits, cement raw materials, gypsum, salt, fluorspar, shallow and deep-mined coal, oil and gas (including conventional and unconventional hydrocarbons), tungsten, kaolin, ball clay, potash, polyhalite and local minerals of importance to heritage assets and local distinctiveness.

**Mineral Consultation Area:** a geographical area based on a Mineral Safeguarding Area, where the district or borough council should consult the Mineral Planning Authority for any proposals for non-minerals development.

**Mineral Safeguarding Area:** An area designated by minerals planning authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

**National trails:** Long distance routes for walking, cycling and horse riding.

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<sup>71</sup> Other than for the specific purposes of paragraphs 176 and 177 in this Framework.

**Natural Flood Management:** managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

**Nature Recovery Network:** An expanding, increasingly connected, network of wildlife-rich habitats supporting species recovery, alongside wider benefits such as carbon capture, water quality improvements, natural flood risk management and recreation. It includes the existing network of protected sites and other wildlife rich habitats as well as landscape or catchment scale recovery areas where there is coordinated action for species and habitats.

**Neighbourhood Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

**Neighbourhood plan:** A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

**Non-strategic policies:** Policies contained in a neighbourhood plan, or those policies in a local plan that are not strategic policies.

**Older people:** People over or approaching retirement age, including the active, newlyretired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

**Open space:** All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

**Original building:** A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

**Out of centre:** A location which is not in or on the edge of a centre but not necessarily outside the urban area.

**Out of town:** A location out of centre that is outside the existing urban area.

**Outstanding universal value:** Cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations. An individual Statement of Outstanding Universal Value is agreed and adopted by the UNESCO World Heritage Committee for each World Heritage Site.

**People with disabilities:** People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

**Permission in principle:** A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.

**Planning condition:** A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

**Planning obligation:** A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

**Playing field:** The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Previously developed land:** Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

**Primary shopping area:** Defined area where retail development is concentrated.

**Priority habitats and species:** Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.

**Ramsar sites:** Wetlands of international importance, designated under the 1971 Ramsar Convention.

**Renewable and low carbon energy:** Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

**Rural exception sites:** Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

**Recycled aggregates:** aggregates resulting from the processing of inorganic materials previously used in construction, e.g. construction and demolition waste.

**Safeguarding zone:** An area defined in Circular 01/03: *Safeguarding aerodromes, technical sites and military explosives storage areas*, to which specific safeguarding provisions apply.

**Secondary aggregates:** aggregates from industrial wastes such as glass (cullet), incinerator bottom ash, coal derived fly ash, railway ballast, fine ceramic waste (pitcher), and scrap tyres; and industrial and minerals by-products, notably waste from china clay, coal and slate extraction and spent foundry sand. These can also include hydraulically bound materials.

**Self-build and custom-build housing:** Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

**Setting of a heritage asset:** The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

**Significance (for heritage policy):** The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

**Special Areas of Conservation:** Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites.

**Special Protection Areas:** Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds.

**Site investigation information:** Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 Investigation of Potentially Contaminated Sites – Code of Practice).

**Site of Special Scientific Interest:** Sites designated by Natural England under the Wildlife and Countryside Act 1981.

**Spatial development strategy:** A plan containing strategic policies prepared by a Mayor or a combined authority. It includes the London Plan (prepared under provisions in the Greater London Authority Act 1999) and plans prepared by combined authorities that have been given equivalent plan-making functions by an order made under the Local Democracy, Economic Development and Construction Act 2009 (as amended).

**Stepping stones:** Pockets of habitat that, while not necessarily connected, facilitate the movement of species across otherwise inhospitable landscapes.

**Strategic environmental assessment:** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

**Strategic policies:** Policies and site allocations which address strategic priorities in line with the requirements of Section 19 (1B-E) of the Planning and Compulsory Purchase Act 2004.

**Strategic policy-making authorities:** Those authorities responsible for producing strategic policies (local planning authorities, and elected Mayors or combined authorities, where this power has been conferred). This definition applies whether the authority is in the process of producing strategic policies or not.

**Supplementary planning documents:** Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

**Sustainable transport modes:** Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.

**Town centre:** Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

**Transport assessment:** A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that will be needed deal with the anticipated transport impacts of the development.

**Transport statement:** A simplified version of a transport assessment where it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

**Travel plan:** A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

**Wildlife corridor:** Areas of habitat connecting wildlife populations.

**Windfall sites:** Sites not specifically identified in the development plan.

## Annex 3: Flood risk vulnerability classification

### ESSENTIAL INFRASTRUCTURE

- Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk.
- Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including infrastructure for electricity supply including generation, storage and distribution systems; and water treatment works that need to remain operational in times of flood.
- Wind turbines.
- Solar farms

### HIGHLY VULNERABLE

- Police and ambulance stations; fire stations and command centres; telecommunications installations required to be operational during flooding.
- Emergency dispersal points.

- Basement dwellings.
- Caravans, mobile homes and park homes intended for permanent residential use.
- Installations requiring hazardous substances consent. (Where there is a demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or such installations with energy infrastructure or carbon capture and storage installations, that require coastal or water-side locations, or need to be located in other high flood risk areas, in these instances the facilities should be classified as 'Essential Infrastructure'.)

### **MORE VULNERABLE**

- Hospitals
- Residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels.
- Buildings used for dwelling houses, student halls of residence, drinking establishments, nightclubs and hotels.
- Non-residential uses for health services, nurseries and educational establishments.
- Landfill\* and sites used for waste management facilities for hazardous waste.
- Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan.

### **LESS VULNERABLE**

- Police, ambulance and fire stations which are not required to be operational during flooding.
- Buildings used for shops; financial, professional and other services; restaurants, cafes and hot food takeaways; offices; general industry, storage and distribution; non-residential institutions not included in the 'more vulnerable' class; and assembly and leisure.
- Land and buildings used for agriculture and forestry.
- Waste treatment (except landfill\* and hazardous waste facilities).
- Minerals working and processing (except for sand and gravel working).
- Water treatment works which do not need to remain operational during times of flood.
- Sewage treatment works, if adequate measures to control pollution and manage sewage during flooding events are in place.
- Car parks.

### **WATER-COMPATIBLE DEVELOPMENT**

- Flood control infrastructure.
- Water transmission infrastructure and pumping stations.
- Sewage transmission infrastructure and pumping stations.
- Sand and gravel working.
- Docks, marinas and wharves.
- Navigation facilities.
- Ministry of Defence installations.
- Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location.
- Water-based recreation (excluding sleeping accommodation).
- Lifeguard and coastguard stations.
- Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms.

- Essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific warning and evacuation plan.

\* Landfill is as defined in Schedule 10 of the Environmental Permitting (England and Wales) Regulations 2010.