

Chapter 9

Infrastructure



Introduction

9.1 The Council recognises that the growth aspirations set out in this local plan cannot take place without the delivery of transport improvements and other new or improved infrastructure and service provision. The provision of infrastructure in the right location, right scale and at the right time is therefore essential and is a strategic objective of this local plan.

9.2 There are three main types of infrastructure provision namely:

- 1 Transport and physical infrastructure such as the local and strategic road network, infrastructure to enable walking, wheeling and cycling, the rail network and stations, bus services and facilities, parking, waste and recycling facilities, water supply and wastewater treatment, electricity and gas supply, telecommunications infrastructure, Sustainable Drainage Systems (SuDS), flood alleviation measures.
- 2 Social and community infrastructure such as education, community facilities, affordable housing, healthcare, emergency services and libraries, places of worship, indoor sports facilities.
- 3 Green infrastructure such as open spaces, outdoor sports facilities and play spaces, parks, cemeteries and church yards, natural and semi-natural green spaces, allotments and water features such as lakes and rivers etc. Green infrastructure also includes Suitable Alternative Natural Greenspace (SANGs) as Habitats mitigation.

9.3 Through partnership working with infrastructure providers and organisations we have identified that infrastructure and service improvements are required within the district. We also understand how important it is that future development is supported by an appropriate level and type of infrastructure to ensure sustainable development and that our communities are supported by infrastructure.

9.4 The delivery of infrastructure is very much dependent on partnership working and a key part of our plan-making process is to work with those responsible for infrastructure delivery to assess the quality and capacity of infrastructure and its ability to meet forecast demands. The Council will continue this process to inform the Local Plan at its next stage.

9.5 The Council has published alongside this plan an Interim Infrastructure Delivery Plan (IDP) which sets out our understanding of the quality and capacity of our existing infrastructure, our infrastructure deficiencies as well as the infrastructure that will be required to support the delivery of development during the plan period. The Interim IDP has been informed through discussions with relevant infrastructure and service providers operating in the district and will be updated as the plan progresses. There are numerous partners involved in this process some are private sector partners, such as those associated with utilities and others are public sector providers such as East Sussex County Council (ESCC) or National Highways. They help us to identify what is needed to support development as well as the funding required and the timescales for when infrastructure is required to be delivered.

9.6 The Infrastructure Delivery Schedules (IDS) are sections of the Interim IDP that provide a database of infrastructure projects identified by the Council to support growth within the District. The projects have been put forward by stakeholders, internal and external infrastructure providers, parish councils, Councillors and members of the public.

9.7 As a live document the IDS is reviewed regularly but remains the first port of call in determining the direction of what may be funded. It will also act as a guide for developers, indicating the infrastructure that a development may be required to provide.

9.8 Not all infrastructure requirements in the district are due to new development and its associated population growth. Certain infrastructure may become tired or may just be outdated. We can only ask developers to provide for new or improved infrastructure that is associated with the impacts of the development, either alone or cumulatively.

What you have previously told us

9.9 As part of our Direction of Travel consultation you told us that we should ensure that all infrastructure to support development is delivered in advance of completion of a scheme; the timing of which is controlled by condition or legal agreement. You also said that development could also be delivered where the existing infrastructure was available and had capacity to support new growth. These suggestions related to both residential and commercial development to ensure that appropriate facilities were available in both working and home locations and the transition between both was easy.

9.10 You asked us to make better use of and improve the monitoring of S106 Legal Obligations ensuring that non-delivery of schedules was an exception and their implementation enforced in a timely and professional manner.

9.11 The provision of a variety of improved active and sustainable travel options received a high number of comments. These suggested that there is a need for improved connectivity through improving rail links and the bus network including supporting travel hubs and improving the coordination of bus and rail timetables. The comments included asking the Council to reaffirm their commitment to restoring rail links between Lewes and Uckfield. The delivery of this type of change would encourage a modal shift from using cars to other forms of transport.

9.12 Other comments focussed on the provision and expansion of a safe and accessible walking, wheeling and cycling networks to achieve better connectivity throughout the entire district. This integrated active travel network was proposed alongside the provision of higher quality roads that ensure safe and accessible options for travel by people walking, wheeling and cycling for everyday journeys.

9.13 You also raised concerns regarding the adequate provision of health and social care services, the availability and location of emergency services, improved broadband and mobile phone coverage as well as improved sewage capacity and the upgrading of fresh water and foul water pipework.

Infrastructure contributions and provision

9.14 The funding and delivery of infrastructure is complex, often requiring funding from different sources to enable the delivery of necessary infrastructure. Funding may take the form of in-kind physical infrastructure or a financial contribution depending on the needs of the development. The following are the key funding delivery mechanisms available to the Council.

Community Infrastructure Levy (CIL)

9.15 The Community Infrastructure Levy (CIL) is the principal mechanism for collecting development contributions for the delivery of infrastructure throughout the district.

9.16 The Council implemented CIL on 1st April 2016, charging the levy on residential and retail development in accordance with the adopted CIL Charging Schedule¹⁴⁹. CIL is a fixed rate charge which varies dependent on development type and is collected at the commencement of a project.

149 WDC (2015) Community Infrastructure Levy Charging Schedule. Available at https://www.wealden.gov.uk/UploadedFiles/CIL_Adopted_Charging_Schedule_November_2015.pdf

9.17 Unlike S106 Planning Obligations, funding from CIL does not have to directly relate to the development from which it is collected and can be used to enhance and deliver infrastructure district wide to offset the cumulative impact of new development.

S106 Planning Obligations

9.18 Planning Obligations also known as Section 106 development contributions, are private legal agreements made between interested parties, usually the developer/landowner and the Council. They have traditionally been collected towards the provision of infrastructure and facilities to support the community.

9.19 They differ from funds raised via CIL in that they are directly related to funding infrastructure to mitigate for an adverse impact a specific development may bring to a community or area. Planning Obligations are only sought where all the following tests are met:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

9.20 S106 obligations can either be in the form of onsite delivery of infrastructure such as a community hall or as a financial contribution that will be utilised by a different service provider including the Council for purposes outside the control of the developer. An example might be a financial contribution for education which is passed to East Sussex County Council for the delivery of new or improved education services that will serve the new community.

S278 Agreements

9.21 A Section 278 agreement (or S278) is a section of the Highways Act 1980 that allows developers to enter into a legal agreement with the Highway Authority (County Council or National Highways) to make alterations or improvements to a public highway, as part of a planning application. The details of the S278 are set out in the S106 agreement but are monitored by the Highways Authority.

Infrastructure Funding Statement

9.22 In December each year, the Council publishes an Infrastructure Funding Statement¹⁵⁰ (IFS) which provides information on the developer contributions (CIL / S106) collected within each year. The report also provides information on the types of infrastructure secured and the future plans to which CIL and S106 revenue will be allocated.

9.23 In liaison with and on the advice of infrastructure providers, the Council will continue to seek funding for infrastructure projects from developers to support development and the local plan will play a key role in securing investment allowing providers to plan for the forecast growth as well as align delivery with growth.

9.24 The Council will also continue to seek funding through a range of sources including central government, Transport for South East (TfSE), funding bids and other grant funding as available.

¹⁵⁰ Wealden District Council – Infrastructure Funding Statements. Available at <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/infrastructure-funding-statement/>

Policy INF1: Infrastructure provision, delivery, and funding

- 1 New development will be required to consider the capacity of existing infrastructure and consider whether new or improved infrastructure will be required to support development. All types of infrastructure should be considered including whether the scale and location of existing infrastructure, services and facilities would be able to support the development proposal. Early engagement with infrastructure providers is expected.
- 2 Planning permission will only be granted where it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all necessary infrastructure requirements arising from the proposal.
- 3 The timing of infrastructure provision will need to be considered and agreed with the Council in liaison with infrastructure providers to ensure that infrastructure is delivered and is operational prior to, or alongside the development it is required to serve. For larger applications, the phasing of development may be appropriate. Where this is the case, the Council will use conditions or planning obligations to secure the phasing arrangement to ensure that infrastructure is delivered at the right phase/time.
- 4 The delivery of relevant infrastructure will be secured either through direct provision by the developer or financial contributions, such as CIL and / or S106. Contributions towards infrastructure maintenance will also be secured as relevant.
- 5 The provision of infrastructure facilities such as those relating to healthcare and education should be provided in locations that relate well to both existing and new development. They should also be located in areas well served by existing or new/enhanced public transport services and walking, wheeling and cycling routes. Infrastructure must be designed in a way to ensure accessibility for all.

Viability

- 1 In considering the importance of infrastructure and its role in creating and supporting sustainable communities, viability reasons for non-delivery will only be considered in exceptional circumstances. To demonstrate viability constraints the developer must provide a satisfactory viability assessment (open book) prior to the validation of the planning application in accordance with the terms agreed by the local planning authority. All costs associated with the development will be required to be clearly set out by the developer including any costs that were not anticipated. The assessment will be required to demonstrate how the value of planning obligations have been maximised alongside likely viability. The Council will use an independent consultant to verify the assessment and the costs associated with this will be funded by the developer. All viability assessments will be made publicly available.
- 2 Where relevant, a clawback mechanism will be incorporated into any legal agreement to ensure that infrastructure can be provided should viability as set out in viability assessments be better than originally anticipated.
- 3 If full mitigation measures and contributions are not able to be delivered due to viability, the development will only be permitted where the benefits of the development outweigh the lack of full mitigation for its impacts, having regard to other material considerations.

Supporting text

9.25 When reviewing existing infrastructure provision at the outset of the planning process consideration should be given to the most recent evidence base documents and IDS available on the Council's website in relation to infrastructure provision. These will provide guidance on the shortfalls and deficiencies that may exist as a result of new development and indicate what provision may be necessary for mitigation. Developers will be expected to discuss infrastructure provision at the pre-application stage of the process.

9.26 In addition to the evidence base documents the Interim IDP will also set out strategic and local infrastructure requirements that should be considered at this same stage.

9.27 The type of infrastructure identified will determine the type and level of contribution required including ongoing maintenance funding as relevant.

Viability Reviews

9.28 A viability review is a mechanism that allows Wealden to require developers to reassess the viability of their scheme at certain stages, such as when planning permission is granted, when construction starts, or when a certain percentage of the units are sold. If the review shows that the scheme is more profitable than expected, the developer will be required to provide additional infrastructure or make a financial contribution to support the provision of infrastructure within the District.

9.29 Where a viability review is required, the details will be set out as part of the S106 legal agreement and approved by all parties.

9.30 Clawback on viability is not a substitute for setting and enforcing clear and realistic policies in the first place, but rather a complementary tool that will help Wealden maximise the delivery of infrastructure in the district.

Question 60

Consultation Questions

- Do you agree with draft Policy INF1: Infrastructure provision, delivery, and funding?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Active and Sustainable Travel

9.31 Whilst additional development in the district will likely add pressure onto the existing transport network and will require suitable mitigation to ensure that development will not result in a severe impact on roads, the wider policy agenda for transport now looks beyond the traditional approach of mitigation (referred to as predict and provide or 'planning for vehicles').

9.32 There is now an expectation to both deliver mitigation as well as contribute to delivering a decarbonised, sustainable transport system using a ‘decide and provide’ approach or ‘planning for people and places’. This new focus is driven by a need to address the climate crisis including delivering a carbon neutral district, by which supporting the delivery of inclusive and sustainable travel modes (walking, wheeling, cycling and public transport) and enabling the adoption of vehicles with cleaner fuels alongside the utilisation of emerging transport technologies will help towards the creation of healthy, inclusive and high-quality places. Decarbonising transport impacts, by reducing the need to travel and prioritising sustainable transport, including more integrated and accessible active travel options alongside improved digital communications for residents and businesses, are important to delivering our carbon neutral targets.

9.33 The high level of car ownership and car travel, coupled with gaps in sustainable transport infrastructure and poor connectivity within and between rural areas, are key challenges within the district and wider functional geography. This plan will therefore seek to address this by delivering development in sustainable locations therefore reducing the need to travel long distances for key services and ensuring that the connections between people and places can be achieved through the provision of wider sustainable and safer travel options (walking, cycling, wheeling and public transport).

9.34 The Council has been working with East Sussex County Council and other local authorities in several ways to develop existing strategies and transport mitigation packages supported by transport modelling data. Details of mitigation schemes and transport modelling are provided in the **Interim IDPs** as well as within the **Wealden Local Plan Shared Transport Evidence Base (STEB) reports**¹⁵¹. The Council will continue to work with partners as the plan progresses to the Regulation 19 stage to develop its understanding and policy position to ensure that development can be supported by sustainable transport, accessible and integrated active travel, and can secure appropriate transport mitigation. This work will align with both the emerging East Sussex Local Transport Plan 4¹⁵² which is a partnership plan being developed by East Sussex County Council, outcomes from transport modelling in relation to mitigation required as well as the Transport Strategy for the South East (2020)¹⁵³.

9.35 Policy INF2 will deliver safer, accessible, inclusive, and sustainable travel infrastructure and highways mitigation to enable people to walk, wheel, cycle and use public transport for both existing and new development throughout the district.

Policy INF2: Active and Sustainable Travel

- 1 Working with partners, the Council will support proposals that will focus on:
 - a) enabling an integrated and improved transport network for all users;
 - b) reducing car journeys by encouraging and enabling active, inclusive, accessible and sustainable travel (walking, wheeling, cycling and public transport such as rail, bus, and delivering sustainable travel initiatives including car sharing/car clubs/cycle hire); and

151 Available at: WDC – Planning Policy Evidence Bases. [Planning Policy Evidence Base - Wealden District Council - Wealden District Council](#)

152 Draft Local Transport Plan 2024 – 2050: <https://www.eastsussex.gov.uk/roads-transport/transport-planning/local-transport-plan/local-transport-plan-4>

153 Transport Strategy for the South East (2020): <https://transportforthesoutheast.org.uk/app/uploads/2020/09/TfSE-transport-strategy.pdf>

- c) providing greater travel choices.
- 2 Sustainability, patterns of movement, active travel, parking facilities and public transport connectivity (around 400m from most homes for major / strategic developments) are integral to the design of a scheme and the creation of high quality and healthy places. To ensure appropriate connectivity between people and places, transport design should be an integral and fundamental consideration from the start of the planning process.
- 3 New development will be supported where it:
- a) Is situated in sustainable locations with good access to schools, jobs, shops, and key services with travel to these facilitated by sustainable travel modes;
 - b) Maintains, and where required, improves existing transport networks, ensuring that sufficient capacity is available to accommodate the development and that development will not result in a highways safety issue;
 - c) Delivers healthy places and streets contributing to complete, compact and connected neighbourhoods;
 - d) Provides or contributes to the provision of, new and/or improved public transport infrastructure and services proportionate to the projected number of additional trips arising from the development;
 - e) Delivers an inclusive integrated active travel network for people walking, wheeling, and cycling with particular regard to convenient connections, safety and permeability, including provision of new routes / filling in gaps in connectivity;
 - f) Retains and where relevant improves existing public rights of way, including improving local and strategic routes and links;
 - g) Provides for an appropriate level of cycle, car parking and electric vehicle space allocations that takes into consideration the impact of development upon on-street parking, highway safety and accords with East Sussex County Council guidance;
 - h) Provides a Transport Assessment, Transport Statement and Sustainable Travel Plan as relevant to the scale and nature of the development (in line with East Sussex County Council guidance). Where assessments are required, they must cover the extent of transport implications; and
 - i) Provides suitable alternative transport schemes such as Car Clubs, Car Share Schemes and / or Bicycle/Scooter Share Schemes, where appropriate.
- 4 In terms of design, development will be supported where:
- j) The nature and level of traffic can be accommodated without adversely impacting upon the safety, amenity or character of the surrounding area;
 - k) Roads and junctions within the development, including those to be altered or added as a result of the development, are designed, and delivered in accordance with the appropriate highway guidance with particular emphasis on safety of all active and motorised vehicle users;
 - l) Suitable and safe vehicle access, turning and access provision for service vehicles e.g. refuse vehicles, emergency service vehicles and deliveries can be made in a forward direction;

m) The development provides a design and layout that will deliver and encourage slower driving speeds prioritising non-motorised travel (walking, wheeling and cycling) modes as suitable to the scheme;

- 5 Any transport improvements required will be secured by planning condition or a Section 106 planning obligation to include an appropriate highway related legal agreement under the Highway Act 1980 [i.e. s278, s171, s38, Traffic Regulation Order]

9.36 The Council will continue to work closely with ESCC and National Highways, as the respective Highway Authorities in the consideration of impacts from development on the transport network to ensure that development will not have a severe residual impact on the operation of, safety of or accessibility to the local, major or strategic road network.

9.37 We will also liaise with partners to ensure that the required information needed to support proposals is identified at an early stage in planning as well as working with developers to identify the right opportunities to ensure that a proposal contributes to sustainable development and sustainable travel. New development will be expected to provide mitigation to ensure that it will not result in a severe impact on the transport system.

9.38 Developers will be required to identify and design active travel infrastructure in accordance with Active Travel England's planning and infrastructure design guidance (including Local Transport Note 1/20).

Transport assessment, Transport statement or Travel plan

9.39 Developers will need to quantify the transport impacts that a proposed scheme will have and identify the level and type of mitigation required. Where there is a significant increase in the level of transport movements, they will need to provide a transport assessment or transport statement, and potentially also a travel plan, in accordance with National Planning Practice Guidance¹⁵⁴. These transport assessments, transport statements and travel plans will be expected to comply with the latest ESCC Guidance.

9.40 A transport assessment provides detailed information on the transport impact of a proposed development, while a transport statement is a lower level of assessment for smaller developments. Travel plans are long-term management strategies for integrating sustainable travel proposals into the planning process and are required where the proposal is to be supported by a full transport assessment.

9.41 The implementation of the travel plan will be secured as part of a planning permission and agreed and monitored via a S106 planning obligation.

9.42 The need for a transport assessment, transport statement, or travel plan will be determined on a case-by-case basis in discussion with the planning case officer. Initial guidance on the need for and scope of transport statements and assessments is available in the Council's planning application validation requirements. Further transport assessment guidance is provided by the ESCC Highway Authority¹⁵⁵.

154 Department for Levelling Up, Housing and Communities (2014). Travel Plans, Transport Assessments and Statements. Available at <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

155 ESCC (2009) Transport Assessments, Transport Statements and Transport Reports. Available at <https://www.eastsussex.gov.uk/planning/roads/planning-applications>

9.43 All transport assessments must consider the cumulative impact of the proposed development with other relevant local plan sites and committed development in order not to prejudice the delivery of development required during the plan period.

9.44 Prior to submitting any planning application for a development that may have a transport impact, applicants are encouraged to engage with the Council and ESCC Highway Authority to agree the scope of work on transport matters required. Where proposals could potentially impact upon the strategic road network early engagement with National Highways will also be expected.

Question 61

Consultation Questions

- Do you agree with draft Policy INF2: Active and Sustainable Travel?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Parking Provision

9.45 The Council supports the appropriate provision of parking in new development and will ensure that such parking is provided and maintained to meet the needs of local communities both now and in the future. This includes parking for vehicles, bikes, powered two-wheel vehicles, for example.

9.46 The NPPF states that if a local planning authority is to set local parking standards for new development, then the policy should take into account the accessibility of the development; the type, mix and use of the development; the availability of and opportunities for public transport provision, local car ownership levels and the need to ensure adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. This is reiterated by East Sussex County Council (ESCC) in its draft Local Transport Plan (LTP) 4.

9.47 The NPPF also states that 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.

9.48 Currently, for residential development, the Council applies the vehicle and cycle parking standards laid out in ESCC Guidance for Parking at New Residential Development¹⁵⁶ that was published by ESCC in 2017. For non-residential development, the Council applies the parking standards for parking at non-residential development also published by ESCC¹⁵⁷. These guidelines are due to be updated shortly.

¹⁵⁶ [Guidance for Parking at New Residential Development Oct 2017 \(ESCC\)](#)

¹⁵⁷ [Guidance for Parking at Non-Residential Development \(ESCC\)](#)

9.49 There is a need to respond to the challenges of climate change, as well as the need to optimise the density of development in locations that are already well served by public transport provision (see Policy HO2: Density), which may mean that some residential schemes around public transport hubs may require less parking provision. This may also be similar for accessible employment uses. The ESCC vehicular and cycle parking guidelines explain that a degree of flexibility should be applied depending on the local characteristics and other considerations such as the proposed land use, the accessibility of the site for non-car mode users and forecast trip rates. However, as Wealden is largely rural, this is a challenge to move away from the reliance of the private vehicle. Therefore, reducing the carbon impact of existing trips through supporting the roll out of electric vehicles will be important and the provision of adequate and safe car parking that aligns with this will remain.

9.50 Therefore, Policy IF3 seeks to ensure that any new development is supported by safe, secure, accessible, and adequate parking provision, whilst being fully integrated within the active and alternative travel networks.

9.51 Planned parking must also be provided at a level that is appropriate for the size and type of development it is to support and, should meet the future demand for electric and hybrid vehicles as well as alternative means of transport such as e-bicycles and e-scooters.

Policy INF3: Parking Provisions

- 1 All new development will be required to provide adequate and well-integrated vehicular and cycle parking, taking account of the standards set out in the ESCC Guidance for Parking at New Residential Development (2017) and Non-Residential Development or any subsequent replacement guidance. The guidance must be the starting point for decision-taking on appropriate parking provision for new developments.
- 2 In considering new parking provision for all types of development, the applicant shall consider:
 - a) The character of the local area;
 - b) The proximity and availability of public transport provision;
 - c) The accessibility of the site for non-car mode users;
 - d) Forecast trip rates
 - e) Highway safety and access to and from the development site; and
 - f) The provision of facilities for shared transport schemes (i.e. Car Clubs);
- 3 In considering new parking provision on residential development schemes, the applicant shall also take account of:
 - g) The layout of the new residential development;
 - h) The mix of dwellings in terms of the number of bedrooms and type; and
 - i) Local car ownership levels.
- 4 All new development shall also deliver an appropriate level of cycle (including E-bikes), car, disabled, and visitor parking including electric vehicle active and passive provision that takes into consideration the impact of development upon on-street parking.

Supporting text

9.52 Policy IF3 applies to all applications for new development. This will include, for example, alterations or additions to existing buildings/uses where existing parking provision may be affected.

9.53 The accessibility and availability of alternative modes of transport should inform the appropriate level of car parking provision for both residential and non-residential development. However, there must be a realistic expectation of the impact that modal shift will have on the level of parking as insufficient parking or reliance on unallocated spaces can lead to drivers parking on roads or in other locations which in turn may impede the flow of traffic or accessibility for service and emergency vehicles.

9.54 Areas for parking and servicing should be designed to comply with policies CC7: Managing Flood Risk and CC8: Sustainable Drainage of this Local Plan. All parking associated with new development should also be laid out to ensure the relevant requirements of Schedule 1 Part S of the Building Regulations regarding Electric Vehicle Charging are met.

9.55 Lastly, consideration must also be made for the change in vehicle type with a shift to ultra-low emission vehicles expected with the cessation of the sale of new petrol and diesel cars by 2035. Proposed parking must account for this shift at the outset and include the necessary passive infrastructure such as underground ducting and servicing for future charging points within the development process.

Question 62

Consultation Questions

- Do you agree with draft Policy INF3 Parking Provision?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Utilities

9.56 The provision of adequate utilities infrastructure is essential to deliver the planned sustainable growth as set out in this Local Plan. Utilities are defined as services that come to or from your property or place of work and includes the provision of water, sewerage disposal services, digital and communication infrastructure, electricity, gas and oil.

9.57 The government attaches great importance to ensuring that sufficient infrastructure is in place in the right locations at the right time to support investment and growth. However, as Wealden is a rural district, there are locations within the district that do not benefit from all the services/utilities that are developed within a major town or city. It is commonplace to have properties in Wealden without a direct connection to mains sewage or mains gas for example,

or for areas of the district to have slower broadband or poorer quality mobile phone network connections.

9.58 Policy IF4 seeks to ensure that all areas of the district have equal access to the provision of high-quality utility services. All development proposals should be able to demonstrate that, at a minimum, they can provide for the forecasted needs of their own development and that this should be undertaken in a way that does not prejudice future utility provision coming forward. The applicant/developers should also ensure that the layout of utilities on site allow for the future access to those utilities for their maintenance and/or improvement. These issues should be considered at an early stage in the design of the development, and the Council encourages developers to liaise with utility providers on capacity and design prior to the submission of a planning application.

Policy INF4: Utilities

Utilities

- 1 All development proposals should demonstrate that the infrastructure capacity for surface water disposal, water supply, wastewater treatment, gas, electricity and oil will be sufficient to meet the forecast demands arising from the development over its lifetime and that appropriate connections can be made to the development created.
- 2 All development proposals should ensure that the layout of the utilities is planned to allow future access to existing water supply, wastewater, gas, electricity and other utilities infrastructure for maintenance and upsizing/upgrading purposes.
- 3 The utility network should be protected and development proposals that would compromise existing utilities infrastructure, or encroach on future connections for utilities, will be refused. Opportunities should be sought to safeguard the provision of utilities wherever possible.
- 4 The Council will work with its utilities partners to ensure the necessary physical and environmental infrastructure is provided to support communities. Development that supports or provides carbon neutral utilities schemes that contributes to helping the Council meet its carbon neutral target will be particularly supported.
- 5 Lastly, new development proposals must take into account the impact of overhead power lines on site and should wherever feasible, aim to provide power cables underground in order to protect residential amenity.

Supporting Text

9.59 It is recommended that utility companies are consulted for major development schemes at the pre-application stage to confirm the capacity of the local services at the time of the application and for the duration of the plan. A site wide utilities master plan to establish principles during the construction process and early liaison with infrastructure providers is advised prior to the submission of a planning application for major development.

9.60 Utilities provision and connections on large sites (particularly those developments that are phased), which will take a number of years to build out, should be planned in a comprehensive way between phases and, where required, between multiple developers. This

should be determined at an early stage and should be considered as part of the pre-application process for major development.

9.61 There are a number of planning policies within the draft Local Plan that should be considered alongside Policy IF4. The provision of water infrastructure is considered specifically under Policy NE13: Water Environment and Water Infrastructure and surface water disposal is considered specifically under Policy CC8: Sustainable Drainage. These policies should be read alongside Policy IF4.

9.62 Digital infrastructure including, broadband, mobile phone services and fibre networks are covered in detail within Policy IF5: Digital and Communications Infrastructure.

Question 63

Consultation Questions

- Do you agree with draft Policy INF4 Utilities?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Safeguarding Infrastructure

9.63 Safeguarding land relates to protecting certain areas which may be required to deliver infrastructure provision in the future, within or beyond the plan-period. The purpose is to protect the land from development as well as potential conflicting uses that could impede infrastructure delivery.

9.64 There are currently a number of infrastructure projects being considered that would have long term benefits for the district and its residents. Policy INF5 sets out the areas where land will be protected to offer continued opportunity for the infrastructure programmes to come forward as agreed with strategic infrastructure partners. The safeguarded areas are provided on the Council's policies maps.

Policy INF5: Safeguarding of Infrastructure

- 1 As defined on the Policies Map, development will not be permitted which would prejudice the reinstatement of the following railway lines:
 - Lewes to Uckfield; and
 - Eridge to Tunbridge Wells
- 2 As defined on the Policies Maps, development will also not be permitted which would compromise the delivery of:
 - an extension to the Arlington Reservoir.

- 3 Development will also not be permitted which would compromise the delivery of any offline improvements to the A27 between Lewes and Polegate.

Supporting text

Lewes-Uckfield Railway Line

9.65 The Lewes to Uckfield Line is a former railway line that linked not only the town of Lewes and Uckfield but potentially Brighton Station to London. The reinstatement of this line would provide opportunities to reduce vehicle movements between Mid-Wealden and Lewes/ Brighton but could also assist in dealing with capacity issues at Brighton. The draft East Sussex Local Transport Plan 2024 - 2050 has identified this scheme for delivery in the medium to longer term.

9.66 East Sussex County Council and Wealden District Council continue to support the reinstatement of the Lewes to Uckfield Railway Line, because this would provide significant additional rail capacity in the county and improve resilience for rail journeys between London and the Sussex Coast. This is in alignment with ESCC Draft Local Transport Plan 4.

Eridge to Tunbridge Wells

9.67 The Eridge to Tunbridge Wells rail link would enable, if implemented, the Uckfield service to be extended through to Tunbridge Wells, providing greater accessibility and resilience across the network, especially for rail journeys between London and the Sussex Coast. This would also form part of long-term mitigation measures to reduce traffic across the district. This rail link is also safeguarded by Tunbridge Wells Borough Council.

Arlington Reservoir Extension

9.68 The South East Water (SEW), Water Resource Management Plan (2020 to 2080)¹⁵⁸ identifies the extension of the Arlington Reservoir in the 2025 to 2045 timeframe to assist in addressing the projected increased shortfall for the water supply-demand balance anticipated over the period of the plan. For this reason, the Council will safeguard the land to enable this project to be brought forward.

Offline A27 project

9.69 There is congestion, journey time reliability and safety issues on this part of the strategic highways network between Lewes and Polegate and further development will add to the local and strategic connectivity issues. This scheme in combination with other identified schemes will form a key element in the delivery of an integrated transport package for development in the Eastbourne and South Wealden growth area. This project was identified in the Government's Road Investment Strategy (RIS) 2, covering the period 2020 to 2025, as a RIS pipeline scheme for further development and potential delivery in the RIS3 period (2025 – 2030), however has been slipped to a potential scheme for delivery in RIS4 (2030 – 2035). It is therefore essential that the Council safeguard the land that sits within the boundaries of the district to enable the delivery of this scheme.

158 SEW Water Resources Management Plan 2020 to 2080. Available at <https://cdn.southeastwater.co.uk/Publications/Water%20resources%20management%20plan%202019/wrmp19-sea-report.pdf>

Question 64

Consultation Questions

- Do you agree with draft Policy INF5 - Safeguarding of Infrastructure?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Digital and Communication Infrastructure

9.70 Digital communications are now an integral part of everyday life. Technologies such as mobile phones and broadband have dramatically changed the way we work, socialise, and conduct our everyday activities and both businesses and domestic users are increasingly reliant on them. The importance of digital communications to the economy, both current and future, is widely accepted. Good telecommunications infrastructure is particularly important in relation to the economy and in attracting new employment opportunities to the area and supporting the high proportion of small and medium enterprises as well as support those who work from home.

9.71 In addition to this, high quality digital and communication infrastructure has the ability to support and improve people's quality of life allowing people to connect despite distance, facilitating social inclusion as well as providing opportunities to access employment, education and services. It can also assist to reduce the need to travel, relieving congestion on our roads as well as assist in reducing carbon emissions through reduced travel.

9.72 Within the District there is a disparity between the provision of full fibre broadband across the district with the primary issue being provision in rural areas. This is due to provision not being as commercially attractive compared to more densely populated areas.

9.73 In terms of superfast broadband coverage, the most recent figures published by East Sussex County Council state that as of February 2022 superfast coverage in East Sussex is 98%, compared to 95% in February 2018 against a baseline of 3% in 2012. Take up of these services is 79.4% against a national benchmark of 56%. Mobile phone coverage while near 100% in the district only achieves this percentage of coverage with one provider. Other providers do not currently provide district wide coverage. Therefore, residents of Wealden do not have the opportunity to shop around for suppliers and are restricted in the service levels they can currently utilise.

9.74 In the last few years, there have been improvements in digital and communications infrastructure across the district, however, we do need to see further improvements to support the decarbonisation agenda as well as support economic prosperity and our communities. However, whilst improved digital and communications infrastructure is essential, we will also need to ensure that the provision of new communications infrastructure has a minimal impact on the natural and built environment, landscapes and residential amenity.

9.75 The NPPF recognises the importance that high-speed broadband and other communication technologies plays in the delivery of sustainable communities, economic growth and health and wellbeing. The Council supports the delivery of this type of infrastructure, subject

to other policies in the local plan, to enable a good quality of life for our residents and to create a work environment that stimulates employment and development opportunities within our commercial, retail and industrial sectors. Policy INF5 seeks to ensure that both new and existing development is supported by a comprehensive digital communication network.

Policy INF6: Digital and Communication Infrastructures

- 1 The Council supports the expansion and improvement of digital and communication infrastructure across the district, subject to other policies in this Local Plan.
- 2 Applicants will be required to actively engage at the earliest opportunity with the Council to discuss deployment plans to minimise costs, time and uncertainty associated with the planning process for the deployment of fixed and mobile infrastructure.
- 3 Applicants will be required to actively demonstrate that they have considered broadband and mobile connectivity within their proposals for new housing, employment and retail developments and will enable Fibre-to-the-Premises (FTTP) or where it is demonstrated that this is not possible, other satisfactory gigabit-capable wireless solutions.
- 4 All new dwellings, including those provided via building conversions must be designed and constructed in a way that enables them to meet or exceed the Government's Building Regulations relating to the provision of high speed FTTP infrastructure in the home or any subsequent national equivalent standard should the Building Regulations and/or national policy be reviewed in the future.
- 5 Where FTTP is not possible, infrastructure for the FTTP in the future should be provided where this is practicable.

Existing Telecommunications Infrastructure

- 6 Residential developments of ten or more units and all new employment generating development should demonstrate that there is sufficient mobile telecommunications coverage.

New Telecommunications Infrastructure

- 7 Telecommunications infrastructure proposals should demonstrate that they are required considering other sites available, considering the opportunity of mast sharing and using existing buildings or structures and that the installation exceeds the minimum required for the efficient operation of the network.
- 8 All relevant proposals (including prior approvals) will need to demonstrate that:
 - a) the proposal is the least environmentally harmful option;
 - b) Pre-application consultation has taken place with the community, local groups and organisations who may be affected by the proposal;
 - c) the cumulative exposure will not exceed the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP);
 - d) the location and design of the proposed apparatus and associated structures will minimise any adverse visual impacts on visual amenity or the character and appearance of the surrounding area / host building; and

e) The location and design will have no significant adverse impact on the historic environment, on sensitive sites including areas of ecological interest, areas of landscape importance or sensitive landscape areas.

Supporting text

9.76 Policy INF5 applies to all major development for new residential sites and all public and business premises. It does not apply to householder development such as extensions to existing dwellings.

9.77 Due to the rural nature of the district, digital connections are mainly but not always, delivered by full fibre connections but can also be delivered via technologies such as cable and fixed wireless access.

9.78 At submission stage applicants should provide a Digital Infrastructure Statement which outlines how digital communication technology, will be delivered through the development.

9.79 The Digital Infrastructure statement should include the following information for full and reserved matters applications:

- That discussion has been undertaken with the providers in relation to serving the proposed development.
- The method of delivery either by connecting to existing infrastructure or by providing additional infrastructure if needed.
- Is provided and delivered in such a way that provides competitive choice;
- Confirmation that the provision of digital communication infrastructure will be available and in place prior to occupation,
- For both full and reserved matter applications, how the proposed infrastructure will be delivered in terms of the layout. Connectivity should be provided on an indicative drawings and diagrams which set out full details.

9.80 In exceptional circumstances this policy requirement may not be achievable, for example in very isolated locations which are not close to an existing fibre network, or in cases of new properties coming forward in existing structures such as sensitive heritage assets. In these circumstances alternative solutions such as fixed wireless may be considered acceptable. These circumstances must be evidenced within the Digital Infrastructure Statement in order to justify a departure from the policy.

9.81 For both pre-application discussions and outline applications a statement must be provided that indicates that the requirements for connectivity and delivery can be met, or that non-compliance is justified.

Question 65

Consultation Questions

- Do you agree with draft Policy INF6 - Digital and Communication Infrastructure?

- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Local services and Community Facilities

9.82 Community facilities play an essential role in supporting health and well-being, as well as the social, educational, spiritual, recreational, leisure and cultural needs of the community. They also contribute to community cohesion and social interaction.

9.83 The NPPF sets out that we should plan positively for the provision and use of shared spaces, community facilities and local services to enhance sustainability and guard against unnecessary loss.

9.84 There is a range of community facilities across the district including community centres and village halls, local shops, places of worship, education facilities, healthcare facilities, libraries, public houses and cultural venues and these are important to both urban and rural areas.

Policy INF7: Local services and Community Facilities

New and Additional Provision

- 1 Development proposals for the provision of new or improved local services and community facilities will be supported.
- 2 The Council will work with developers and relevant organisations to ensure that appropriate local services and community facilities, including new provision and enhancements to existing facilities, or shared provision of facilities are provided in the most appropriate locations to facilitate the needs of development as well as those of existing communities.
- 3 Development of new community facilities should:
 - a) Be located within development boundaries, unless it can be demonstrated that the proposed location is the only suitable option and is well-related to the community it will serve;
 - b) Be of an appropriate scale and intensity of use, without negatively impacting upon adjoining or nearby uses or the vitality or viability of existing facilities in the area;
 - c) Be accessible to the community it serves by public transport, walking, wheeling or cycling.
 - d) Be designed for flexible use to encourage the sharing of facilities by different organisations and services, and to ensure adaptability if the demand for the facility changes;
 - e) Be designed to ensure all potential users can access the services/ community facility;

- f) Provide accessible public toilets for community facility users and the public as appropriate, including suitable toilet facilities for childcare and disabled users;
 - g) Provide adequate car parking including electric vehicle parking charge points (active and passive provision), to allow for the use of the facility including for those with disabilities;
 - h) Seek to minimise light pollution; and
 - i) Be designed in a way that will reduce the potential for crime and nuisance.
- 4 New or enhanced local service or community provision will be delivered via a combination of on-site measures and / or through off-site financial contributions, secured through planning obligations.

Retention of Local Services and Community Facilities

- 5 Development proposals that will result in the loss or partial loss of local services and / or community facilities will be required to provide appropriate evidence to justify their loss and will not be supported unless:
- a) It is no longer needed or viable and suitable alternative provision that is of a suitable size, scale, use and capacity would be developed nearby in a location that is accessible to the community the existing facility serves;
 - b) The partial loss contributes to the continuation of the existing local service or community use (should the existing use require less floorspace) and it can be demonstrated that the existing use would otherwise be unviable but can be retained by cross-subsidy;
 - c) A robust case can be demonstrated that the property has been vacant for at least a period of 18 months, and it can be demonstrated that there is no current or future need or demand for the local service or community facility, either as its current use or an alternative service/community use;
- 6 The approach set out in Policy EC8: The Retention of Sites in Economic or Tourism Uses and Community Facilities should also be applied.
- 7 In the case of public facilities, proposals will not be supported unless the demand within the locality no longer exists and the building(s) is no longer suitable to accommodate the existing use and there are clear operational reasons for closing or moving the facility. In such cases where this is proven, it should be explored whether the site could reasonably be adapted to provide an alternative local service or community use prior to the consideration of any other uses.
- 8 Proposals that would result in the loss of a local service or community facility, or features associated with them, that may undermine a sites viability such as, but not limited to car parks, gardens and function rooms, will be refused planning permission, unless there are exceptional circumstances for such a proposal to proceed and this meets all other policy provisions in this Local Plan.
- 9 The Council may require the review of any submitted information by an independent consultant, and it would be expected that the applicant will cover the cost of this.

Supporting text

9.85 Where there is a proposal for the redevelopment or the reuse of a building that would lead to the loss of an existing community service or facility, developers will be required to provide detailed evidence to show that the service or building is no longer required and is no longer viable. The type of evidence that will need to be provided for a planning application involving the loss of a local service (i.e. public house or local shop) and / or community facilities is established under Policy EC8: The Retention of Sites in Economic or Tourism Use and Community Facilities. Ordinarily, the marketing period should run for a period of at least 18-months before a planning application is to be submitted to the Council, with the premises being offered for sale or let both locally and regionally.

9.86 The Council will support development where there is loss of a community facility or local service as part of a wider development scheme, which would, in turn, provide new or improved services or community facilities within the local area. The delivery of these new services and community facilities must ensure that the existing community is not adversely impacted by the new development and be provided and completed prior to the occupation of the development. This may be secured through a planning condition or planning obligation.

Question 66

Consultation Questions

- Do you agree with draft Policy INF7: Local services and Community Facilities?
- Should policy EC8 apply to all local services and community facilities including publicly owned services and facilities (such as public schools, public libraries, public medical facilities or should Policy EC8 just apply to commercial local services and facilities, such as public houses and shops?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?

Open space, sports and recreation provision

9.87 Attractive, safe, accessible, and well-maintained open space, sports and recreation facilities are essential to support the council's active and healthy lifestyles ambitions and are critical in ensuring opportunities at all levels for sport and recreation.

9.88 Open spaces, sports and recreation provision not only contribute to our sports and recreation pastimes, but they also promote positive mental and physical behaviours, helping to reduce health inequalities in all ages, by providing opportunities to improve our physical and mental wellbeing while supporting social interaction and community engagement. In addition, open space provision can also contribute to our cultural heritage, landscape, education, help address the climate crisis and can provide places for nature.

9.89 Within our Health and Wellbeing Strategy¹⁵⁹ the Council describes health and well-being as “Leading a healthy lifestyle through good health choices, physical fitness and mental resilience”.

9.90 The population of Wealden is due to grow during the plan period and new residential development will create additional demand on open space, sports and recreation facilities. Therefore, new residential development will be required to deliver new provision to meet the needs of the development.

9.91 To understand current provision and identify future needs for open space, sports and recreation provision the Council commissioned an Open Space Report (2022)¹⁶⁰, a Playing Pitch and Outdoor Sport Strategy (2022)¹⁶¹ and a Playing Pitch Action Plan (2023)¹⁶². The studies have identified a need to protect all forms of provision, improve the quality and value of existing provision, improve the maintenance of provision as well as a need to provide additional provision and associated facilities to support the development in the local plan. In relation to open space and recreation provision all types of provision will be required, however the type of provision will need to be determined on a case-by-case basis, ideally at the pre-application stage.

9.92 For sports provision, additional facilities required to facilitate forecast population growth include adult, youth and mini football pitches, rugby pitches, netball courts, hockey pitches, badminton courts and cricket pitches and also 3G / 4G pitches as identified within the PPOSS Action Plan⁴.

9.93 The open space report identifies those areas in Wealden that have an open space deficiency in relation to the differing types of open space. These deficiencies are identified in terms of quantity, quality and accessibility. This is also provided on a parish-by-parish basis in the Open Space Parish Area Summary¹⁶³.

9.94 The Playing Pitch and Outdoor Strategy presents a supply and demand assessment of all formal playing pitch and outdoor sport facilities across the district to assist planning for the future and to ensure that the provision of facilities meets local community needs of both existing and future residents.

9.95 The facilities referred to in this policy include:

- Parks and Gardens including urban parks, country parks and formal gardens
- Natural and semi-natural greenspaces including woodlands, scrubland, orchards, grasslands (e.g., meadows and non-amenity grassland), wetlands and river corridors, nature reserves and brownfield land
- Amenity greenspaces including village greens and greenspaces within development.
- Children’s, youth and adult play and activity spaces including playgrounds, outdoor gyms, bowling greens, BMX tracks, pump tracks and skate parks
- Allotments and community growing spaces

159 [Wealden Health and Wellbeing Strategy 2022 - 2025](#)

160 WDC (2022) Open Space Report. Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

161 WDC (2022) Playing Pitch and Outdoor Sports Strategy – Assessment Report. Available at <https://www.wealden.gov.uk/planning-and-building-control/planning-policy/planning-policy-evidence-base/open-space/>

162 [1] WDC (2023) Playing Pitch & Outdoor Sport Strategy & Action Plan. Available at: <https://www.wealden.gov.uk/UploadedFiles/FINAL-Wealden-PPOSS-Strategy-and-Action-Plan-18.12.23.pdf>

163 WDC (2022) Open Spaces Study: Parish Area Summary. Available at <https://www.wealden.gov.uk/UploadedFiles/Final-Wealden-Parish-Areas-Summary.pdf>

- Cemeteries and Churchyards
- Sports facilities including grass and artificial pitches and associated infrastructure including changing rooms, pavilions, and other buildings and indoor sports facilities.

Policy INF8: Open Space, sports and recreation provisions

- 1 The Council will seek to increase the availability and accessibility to high quality and high value open space, sports, and recreation provision by protecting and enhancing existing provision including ancillary facilities, improving the management of provision, as well as through the delivery of new open space, sports and recreation provision, including within sites allocated in this Local Plan.

Protecting existing open space, sports and recreation provision

- 2 Existing open space, sports and recreation provision, including lapsed provision, should not be built on unless:
 - a) A robust assessment has been undertaken which has clearly shown the provision is surplus to requirements in relation to quantity, quality, and accessibility standards as relevant to its catchment area; or
 - b) It is demonstrated that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality as well as being located in a suitable location, including with good accessibility.
 - c) The development is for alternative provision at the site, the benefits of which clearly outweigh the loss of the current or former use.
- 3 Open space, sports and recreation provision can have multi-functional benefits. Proposals will therefore only be supported where alternative provision does not adversely impact on other benefits or functions or can sufficiently mitigate any adverse impacts.
- 4 In addition to (1) and (2) above, proposals relating to sports provision or their associated facilities will only be supported where:
 - d) The proposed development is for ancillary facilities that will support the principal use of the site and does not affect the quantity and quality of existing playing pitches or otherwise adversely affect their use; and
 - e) The proposed development affects only land incapable of forming part of a playing pitch and does not affect the use.
- 5 Proposals that would result in the loss of playing pitches will only be supported where the site has no special significance to the interests of sport to the satisfaction of both the Council and Sports England.

New or enhanced open space and recreation provision

- 6 Residential development* of 10 or more dwellings (net) will be required to provide either new and / or enhanced publicly accessible open space and recreation provision to meet the needs of their occupants. Provision should be provided based on the size of the dwellings proposed and in accordance with Table 27 in appendix 1.

- 7 The expectation is for development to deliver provision on-site in accordance with appendix 1 unless exceptional circumstances where off-site provision would better facilitate the needs of the development or where provision may not be suitable onsite due to either the nature / size of the site or specific constraints.
- 8 Where off-site provision is required developer contributions for the enhancement and maintenance of existing open space and recreation provision will be sought with contributions secured through a S106 legal agreement.
- 9 Where on-site provision is required, the type of on-site open space provision to be delivered will be discussed with the applicant at the pre-application stage and will be dependent on the suitability of the site to accommodate different types of open space provision as well as the quantity and type of provision needed in the local area. Proposals should have regard to the findings of the Wealden Open Space Report (or any future updated studies) to inform the provision required, as well as consider any updates to provision that may change requirements. In all cases, the starting point for the consideration of provision should be based on the Council's open space evidence base.

Sports provision (including indoor sports facilities, playing pitches and ancillary facilities)

- 10 Proposals for sports provision will be supported where they meet the needs of the local community and/or unmet need within the district and where they meet the requirements of other relevant policies in the development plan.
- 11 Residential development* of 10 or more dwellings will be required to contribute to the provision or enhancement of sports provision (in addition to open space and recreation provision) to meet the needs and demand of its future occupants. Where shortfalls are identified but do not require the provision of new facilities or provision on site, the Council will seek developer contributions for the enhancement and maintenance of existing sports provision secured through a S106 legal agreement.
- 12 The requirement for new or enhanced sports provision will be informed by the Playing Pitch and Outdoor Sport Strategy and Playing Pitch Action Plan and the Indoor Sports facilities Assessment (2022) (or any updates to this) and the distance and capacity of existing facilities. The scale of development and the site-specific context will inform whether provision should be made on site or through contributions towards existing sites. New provision will need to include appropriate ancillary facilities and parking.
- 13 Where new schools are provided in major new residential developments, they should be designed to facilitate community access, with opportunities for meeting the community's outdoor sports needs explored at the outset to maximise the potential for facility provision to be made within the developments.

Design of open space, sports and recreation provision

- 14 In accordance with other policies in this plan and in particular Policy DE3, the provision and design of new open space, sports and recreation provision will be expected to:
 - a) Meet the required quality standards;
 - b) Provide safe facilities sited in a location that can benefit both new and existing residents;
 - c) provide accessible and inclusive facilities for all potential users that benefit healthy living;

d) be sustainably located, accessible by a range of transport modes including active travel (walking, wheeling, and cycling) and public transport;

e) maximise opportunities to deliver benefits for nature, support efforts to address climate change and strengthen the existing network of multi-functional green space; and

f) provide adequate funding towards the long-term maintenance of new provision. A management plan for the on-site provision will also be required as relevant to the proposal; and

g) provide adequate funding towards the long-term maintenance of new provision. A management plan for the on-site provision will also be required as relevant to the proposal; and

h) provide sufficient developer contributions towards the long-term maintenance of new provision

- 15 On-site provision will be required to be completed prior to the first occupation of the development. Developer contributions towards maintenance of the site will be secured through a section 106 agreement.

Consultation

- 16 Where relevant consultation on the proposal for open space, sports and recreation provision will be required with the parish/town council and / or local communities. Advice on consultation recommendations will be provided at the pre-application stage. In relation to sports provision consultation with Sport England will be required also.

*This includes both market and affordable housing, older persons housing (where occupants are active) and permanent mobile homes.

Supporting text

9.96 The basic principle is that a development should provide for the open space, sports and recreation needs that they generate. All new developments should therefore contribute to adequate open space, sports, and recreation provision, alongside other requirements such as playing pitches.

9.97 The open space and playing pitch studies provide information to help applicants determine the requirements for proposed development. Details relating to thresholds and standards taken from the Council's open space, sports and recreation evidence base are provided in Appendix 1.

9.98 Appendix 1 sets out the standards for on-site provision for open space including amenity green space, natural green space and parks. It also sets out calculations for the provision of equipped children's play provision and allotments / community gardens.

Off Site Contributions

9.99 If new facilities cannot be sufficiently provided on-site it may be possible to seek to enhance the quality and accessibility of existing provision. Investment in the quality and robustness of open space can often help to improve the capacity of an open space to accommodate more people. In some instances, a development may have specific site constraints

that would impede delivery on site, or a site may be located within proximity to an existing site. In such cases, it may be more beneficial for an off-site contribution to be made to improve or enhance existing open space and to avoid the creation of small incremental spaces so close to existing sites. This will be a matter for the Council to consider as relevant and on a 'case by case' basis.

9.100 Comprehensive information on how to calculate financial contributions are set out in Part 13 – Approach to Contributions within the Open Space Report¹⁶⁴.

Development contributions

9.101 Both on and off-site contributions will be secured through a S106 legal obligation and at a level that is proportionally commensurate with the proposed development or cumulative growth from multiple developments. Sites that are too small to deliver provision i.e. sites of 10-15 dwellings will also be required to contribute to off-site provision.

9.102 Where a development is for 100% affordable housing and qualifies for a regulation 49 exemption (Community Infrastructure Levy Regulations 2010 (as amended))¹⁶⁵, financial contributions, where required, for offsite provision and / or maintenance contributions will be secured via S106 Legal Agreement.

Indoor Sports Facility Provision

9.103 The Indoor Sports Facilities¹⁶⁶ assessment has identified a need to optimise the use of existing informal community halls and/or centres or where new development indicates a requirement to provide new opportunities for purpose-built community facilities.

9.104 Major strategic development, if requested to provide indoor sports facilities, will be required to ensure that community buildings are delivered with appropriate facilities suitable for multiple indoor sports and daytime activities in line with Sport England guidance¹⁶⁷.

9.105 Smaller scale development, where it is not feasible or viable to provide an entire new indoor sports / community facility, may be required to contribute to the upgrading or improvement of existing indoor sports / community facilities to ensure sufficient capacity and provision of facilities to meet the needs of the development. The Sport England Indoor Sports Facility calculator will be used by the Council to help determine whether a development will be required to provide new provision or contribute to existing provision.

Sport Related Contributions

9.106 Sport England provide comprehensive guidance on the costs and delivery of recreational and sports facilities¹⁶⁸. The guidance is based on good practice and experience. It sets out the minimum standards you should aim for to produce acceptable and best practice solutions.

9.107 The Council will use the Sport England playing pitch calculator (or any subsequent update to this) to determine financial contributions for both the provision and long-term maintenance of recreational and sports facilities. The playing pitch calculator reflects the

164 WDC (2022) Open Space Report. Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-Open-Space-Report-26.05.22.pdf>

165 DLHUC (2010) Community Infrastructure Levy Regulations (2010) (as amended). Available at <https://www.legislation.gov.uk/uksi/2010/948/contents>

166 WDC (2022) Indoor Sports Facility Needs Assessment (March 2022). Available at <https://www.wealden.gov.uk/UploadedFiles/Wealden-IFS-FINAL-02.10.22.V1-SDS-Checked-FINAL.pdf>

167 Sport England Design and Guidance – Sports Halls (Webpage with multiple links). Available at <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/sports-halls>

168 Sport England – Design and Cost Guidance. Available at <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance>

recommendations set out in the Design and Cost guidance and is regularly updated to market conditions.

Maintenance Contributions

9.108 There will be a requirement on developers to demonstrate that where, on-site provision is to be provided, it will be managed and maintained accordingly. The procedure for the adoption of new sites may include:

- The developer being responsible for maintenance of the site for an initial agreed establishment period.
- Sums to cover the maintenance costs of a site (once transferred to the relevant body) intended to cover an agreed set period.

9.109 To facilitate the provision of new or the enhancement of open space, sports, and recreation facilities and to align with the Council's evidence base, the Council will provide a guidance note for developers and / or an SPD (as relevant) to support the application of this policy once adopted.

Question 67

Consultation Questions

- Do you agree with draft Policy INF 8 – Open Space, sports and recreation provision?
- Should we change anything? if so, what should we change and why?
- Have we missed anything? If so, what have we missed and how should it be included?