

Supplementary Report to the Planning Applications Committee
on 23rd April 2018

LW/17/0226

Lower Hoddern Farm, Peacehaven

S106 Agreement will include the creation of a Liaison Group during the development, which will include representation from the developer and Peacehaven Town Council. This will be for any issues that arise during the construction period, to be discussed and resolved quickly and easily.

Condition 7 to be amended read:

“No development shall take place until details of electric vehicle charging points (to be a minimum of 20% of all residential units) have been submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be installed in accordance with the approved and retained as such thereafter.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions and minimising the impact of the development on the nearby Air Quality Management Areas in accordance with policies CP9, CP13 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2012.”

Eight further objections have been received since the Committee date was announced and Cllr Harrison-Hicks raises an objection by letter. These do not raise new material considerations that are not already fully considered within the officer’s report.

In January Wealden District Council raised an objection and Lewes District Council responds as follows:-

Subsequent to the December Planning Committee, the Council has received an objection to this planning application from Wealden District Council (WDC) which relates to the Habitat Regulations Assessment (HRA) for the Joint Core Strategy (JCS). Following a High Court Judgement, which criticised the way in which the HRA for the JCS approached the in-combination assessment for air quality impacts on the Ashdown Forest, the council in conjunction with the South Downs National Park Authority (SDNPA) has undertaken two further iterations of the HRA in relation to air quality impact assessment for Ashdown Forest.

Firstly the 2017 HRA Addendum carried out a robust in-combination assessment and concluded no adverse effect on integrity of the Ashdown Forest – a conclusion formally endorsed by Natural England; nonetheless WDC raised further objections to this work through their representation to the SDNPA Pre-Submission Local Plan and through the Local Plan Part 2 Draft Plan Consultation.

A 2018 HRA Addendum has now been finalised, which addresses all those concerns raised by WDC by setting out key methodological differences between the LDC and WDC approach, explains the evidential basis for any assumptions used, explains the relevance of ecological interpretation, robustly defends the scenarios and undertakes additional modelling of pollutants. Critically the same conclusion has been reached, i.e. that there will be no adverse effect on the integrity of the Ashdown Forest SAC. The assessment has been scrutinised by a barrister on behalf of the SDNPA, has been approved by Natural England through their Discretionary Advice Service (on behalf of joint working with Tunbridge Wells Borough Council) and both councils have full confidence in the work undertaken.

This strategic site allocation (Spatial Policy 8) has been modelled within the transport modelling for in combination assessment of the Lewes Downs SAC (2015) and for the Ashdown Forest (2017 and 2018) and the conclusions of no adverse effect on integrity are endorsed by Natural England. The other site mentioned in the WDC objection is the Pevensey Levels SAC and Ramsar site. The 2018 HRA Addendum specifically addresses this point, albeit officers have been aware of the position of Natural England for some time. The Pevensey Levels is a 'phosphate-limited' environment and phosphate is the important nutrient to control, which doesn't derive from the atmosphere - it is agricultural runoff and treated sewage effluent that contribute in large volumes. Air quality and specifically nitrogen deposition is not currently considered by Natural England to be a risk to the integrity of the site.

Therefore the Council can be satisfied that the WDC objection, which restates earlier objections raised by them in relation to plan-making, has been considered in detail and significant work has been undertaken in response to ensure and prove beyond reasonable scientific doubt that no harm to European sites will result from the development set out within the JCS in combination with other Local Plans and projects. This clearly includes the strategic allocation (SP 8) of 450 new dwellings at Lower Hoddern Farm.
