

**Cabinet**  
**10 June 2021**



**Lewes District Council**

**Time and venue:**

**2.30 pm in the Ditchling and Telscombe Rooms - Southover House, Lewes**

**Note: This meeting is a public meeting. However, the number of public seats are limited and need to be carefully managed to ensure the meeting is covid-secure. For this reason, we would like to ask that anyone intending to attend as a member of the public, contact Democratic Services in advance by email: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk) or phone: 01323 415021. Anyone attending the meeting will be asked to check in at the venue and to wear a face covering.**

**Membership:**

**Councillor James MacCleary (Chair); Councillors Zoe Nicholson (Vice-Chair) Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, William Meyer, Emily O'Brien and Ruth O'Keeffe**

**Quorum: 4**

*Published: Wednesday, 2 June 2021*

## **Agenda**

**1 Minutes of the meeting held on 25 March 2021 (Pages 5 - 8)**

**2 Apologies for absence**

**3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

**4 Urgent items**

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be circulated at the meeting to update the main reports with any late information.

**5 Public question time**

To deal with any questions received from members of the public in accordance with Council Procedure Rule 11 (if any).

**6 Written question from councillors**

To deal with written questions which councillors may wish to put to the Chair of the Cabinet in accordance with Council Procedure Rule 12 (if any).

**7 Matters referred to the Cabinet**

Matters referred to the Cabinet (whether by the Policy and Performance Advisory Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Policy and Performance Advisory Procedure Rules or the Budget and Policy Framework Procedure Rules set out in part 4 of the Council's Constitution.

None.

**8 Waiver of Contract Procedure Rules - Marshall Regen for Newhaven Towns Fund - 26 March 2021 (Pages 9 - 12)**

Cabinet to note in accordance with Section 2.4.1 (b) of the Contract Procedure Rules.

**9 Recovery and Reset (Pages 13 - 16)**

Report of Chief Executive

Lead Cabinet members: Councillors James MacCleary and Zoe Nicholson

**10 Community Wealth Building (Pages 17 - 30)**

Report of Deputy Chief Executive and Director of Regeneration and Planning

Lead Cabinet member: Councillor Zoe Nicholson

**11 Biodiversity Strategy (Pages 31 - 62)**

Report of Director of Service Delivery

Lead Cabinet members: Councillors Matthew Bird and Julie Carr

**12 Local Council Tax Reduction Scheme 2022/23 (Pages 63 - 68)**

Report of Director of Service Delivery

Lead Cabinet member: Councillor Zoe Nicholson

**13 Local Plan Issues and Options Consultation (Pages 69 - 76)**

Report of Deputy Chief Executive and Director of Regeneration and Planning

Lead Cabinet member: Councillor Emily O'Brien

**14 Planning Local Validation List (Pages 77 - 114)**

Report of Deputy Chief Executive and Director of Regeneration and Planning

Lead Cabinet member: Councillor Emily O'Brien

## Information for the public

### **Accessibility:**

Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

### **Filming/Recording:**

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

### **Public participation:**

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

## Information for councillors

### **Disclosure of interests:**

Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

### **Councillor right of address:**

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that Committee or Sub-Committee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

### **Other participation:**

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

# Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

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## Cabinet

**Minutes of meeting held remotely on 25 March 2021 at 2.30 pm.**

**Present:**

Councillor James MacCleary (Chair).  
Councillors Zoe Nicholson (Vice-Chair), Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, William Meyer, Emily O'Brien and Ruth O'Keeffe.

**Officers in attendance:**

Robert Cottrill (Chief Executive), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Simon Russell (Head of Democratic Services), Oliver Dixon (Head of Legal Services) and Kate Richardson (Strategy and Partnership Lead for Sustainability) and Simon Russell (Head of Democratic Services).

**Also in attendance:**

Councillor Liz Boorman (Vice-Chair of Policy and Performance Advisory Committee)

**49 Minutes of the meeting held on 4 February 2021**

The minutes of the meeting held on 4 February 2021 were submitted and approved and the Chair was authorised to sign them as a correct record.

**50 Apologies for absence**

Apologies for absence were reported from the Chair of Policy and Performance Advisory Committee, Councillor Joe Miller and Leader of the Opposition, Councillor Isabelle Linington.

**51 Declarations of interest**

None were declared.

**52 Interim Policy Statement for Housing Delivery**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking their approval of the draft Interim Policy Statement for Housing Delivery.

Thanks were conveyed to officers, the cross-party Local Plan Steering Group, town and parish councils in the Lewes district and all that had taken part in the consultation exercise.

Councillor O'Brien clarified that the Statement would only apply to the Lewes District Council Planning Authority area and would not apply to land within the South Downs National Park, including Lewes Town, where the South Downs National Park Authority was the local planning authority.

Policy and Performance Advisory Committee (PPAC), held on 15 March 2021, considered the report and were supportive of the recommendation in full. Councillor Boorman, Vice-Chair of PPAC, was in attendance to present PPAC's discussion.

**Resolved (Key decision):**

To approve the Draft Interim Policy Statement for Housing Delivery, as set out at Appendix 1 to the report.

**Reason for decision:**

To help provide a clear and consistent approach to the assessment of planning applications for housing development outside of the adopted planning boundaries.

**53 Planning Enforcement Policy Document**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking their approval for the adoption and publication of the Council's Planning Enforcement Policy document and to use it for managing and processing planning enforcement related matters.

The Cabinet thanked the Planning Applications Committee for their consideration of the report, at their meeting on 10 March 2021.

**Resolved (Key decision):**

(1) To agree the publication and use of the Planning Enforcement Policy contained at Appendix 1 to the report.

(2) To provide delegated authority to the Director of Regeneration and Planning, in consultation with the Portfolio Holder for Planning and Infrastructure, to make minor or technical amendments to the Planning Enforcement Policy prior to their publication or as otherwise required following publication.

**Reasons for decisions:**

(1) To publicise the Council's expectations for the delivery of the planning enforcement function.

(2) To make minor amendments to address technical or drafting issues.

## 54 Investing in green energy initiatives

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking an allocation of revenue funding to enable a later decision to be made regarding development of, or financing of, proposed green energy initiatives; and to facilitate associated due diligence work.

Thanks were conveyed to OVESCO and officers for their work on the project.

The Policy and Performance Advisory Committee, at its meeting on 15 March 2021, made the following recommendation to Cabinet:

To support the recommendations in the report subject to the following amendment to recommendation (2) being considered by the Cabinet:

(2) Subject to (1) above, to delegate authority to the Deputy Chief Executive, in conjunction with the Chief Finance Officer and Cabinet member for finance and assets, ***and in consultation with the Chair of the Policy and Performance Advisory Committee***, to provide up to £100,000 for development funding to take the solar farm proposal set out in section 2 and Appendix 1 of this report, to planning submission, subject to further due diligence being carried out.

The recommendation from the Policy and Performance Advisory Committee (PPAC), was presented by Councillor Boorman, Vice-Chair of PPAC and considered by Cabinet during their discussions. Councillor Nicholson responded that all necessary feasibility and due-diligence work would be undertaken for the project. A full business case would be presented at July's Cabinet meeting and PPAC would have an opportunity to review this, prior to determination at Cabinet. This negated the incorporation of PPAC's recommendation to the resolution below.

### **Resolved (Key decision):**

(1) To delegate authority to the Deputy Chief Executive to initiate feasibility and due-diligence work as required for the project outlined in section 2 and exempt appendix 1 of this report, and for other potential green energy initiatives up to a value of £50,000 from revenue funds.

(2) Subject to (1) above, to delegate authority to the Deputy Chief Executive, in conjunction with the Chief Finance Officer and Cabinet member for finance and assets, to provide up to £100,000 for development funding to take the solar farm proposal set out in section 2 and exempt appendix 1 of this report, to planning submission, subject to further due diligence being carried out.

(3) Delegate authority to the Deputy Chief Executive to procure Local Partnerships to carry out due diligence work as required, including that of the development proposal referred to in recommendation (2) above.

**Reasons for decisions:**

Investigating the opportunities to develop and enable solar energy production directly supports the aims of the Council detailed within the Corporate Plan 2020-2024 to lead the community to net zero carbon and engage with the community energy sector.

Supporting community energy generation could enable community investment and assist with community wealth building objectives. Developing solar generation within the district will help meet goals and targets detailed within the Climate Change & Sustainability Strategy including the overarching net zero carbon by 2030 targets. Investing in operational solar farms is a potentially viable financial decision for the authority that could diversify the investment portfolio.

Notes: (1) The appendix remained exempt. (2) Exempt information reasons 3 - paragraph 3 – Information relating to the financial and business affairs of any particular person (including the authority holding that information).

The meeting ended at 2.57 pm

Councillor James MacCleary (Chair)



## Lewes District Council – Contract Procedure Rules

### Waiver by Accountable Officer

**CONTRACT:**

Appointment of Marshall Regen and Nairne Ltd for business case consultancy work for Stage 2 of the Newhaven Towns Fund bid.

**BACKGROUND:**

*LDC is the accountable body for Newhaven’s bid to the Towns Fund. The Stage 1 Town Investment Plan was submitted to Government on 29 January 2021 and is seeking £24.7m of funding for 7 Strategic Programmes. Subject to assessment, a Town Deal will be offered. This will require LDC to prepare detailed business cases for each of the 7 Strategic Programmes and have these signed off within a maximum of 12 months. This is a significant piece of work and timescales are accelerated by the need for some projects to commence delivery in 2021/22.*

**REASON FOR WAIVER** (include relevant section of 2.4 CPRs for ref):

As a general principle, waivers should only be authorised where there are objectively demonstrable grounds for doing so.

*Given the timescales for the funding and the amount of work required it is considered that there is a case for urgency. Equally, the consultants have previously undertaken work on Newhaven funding bids with considerable success (eg. Future High Streets Fund) and provided some initial business case analysis for Stage 1 of the Towns Fund bid. To appoint a different consultant now would likely cost more due to the need to re-start financial modelling and build a detailed understanding of the 7 Strategic Programmes.*

*[Usually will be 2.4.1 e) i and Section 9 of regulation 32 below]*

[CPR 2.4.1.b: The *Accountable Officer* has power to waive any requirements within these Rules in cases of urgency, after consultation with the *Leader of the Council*. Any necessary resulting action must be reported to the next meeting of the *Cabinet*.]

**CONTRACT VALUE:** Up to £80,000 + VAT (this will depend on how many of the Strategic Programmes are approved by Government).

**CONTRACT LENGTH:** Up to 12 months – again depending on how many business cases need to be produced

**AUTHORITY FOR THE CONTRACT:**

I confirm that:

- 1) In accordance with section 3 of the CPRs, sufficient budget approval has been obtained;
- 2) In accordance with section 15.1 of the CPRs, a successful financial check has been carried out on the proposed supplier<sup>i</sup> (details attached); and
- 3) I authorise the Designated Officer (Peter Sharp) to proceed with the contract award.

Signed



Ian Fitzpatrick  
Accountable Officer  
Deputy Chief Executive and Director of Regeneration & Planning

## **NOTES:**

**\*Designated Officer.** The Officer designated by the Chief Officer to deal with the procurement in question. The Chief Officer for EBC and LDC is the Chief Executive, Deputy Chief Executive, the Directors, the Senior Heads, the Monitoring Officer and the Chief Finance Officer. For EHL these are the Executive Officers ie the Chief Executive or Managing Director and the Services Directors (Director of Finance and Corporate Services and Director of Operations).

**\*\*The Accountable Officer** for EBC and LDC is the Chief Executive or Senior Head of Service responsible for the Particular Project. For EHL this means the Chief Executive or Managing Director as appointed by the Board of EHL.

**\*\*\*Cabinet** means for EBC/LDC the Cabinet of the Council. For EHL this is (1) the Board of Directors appointed in accordance with the Articles and Memorandum of Association or (2) a Committee, where the matter relates to a function delegated to that Committee in both cases after considering a report from one or more of the Executives.

**\*\*\*\*Leader of the Council** For EBC and LDC this is the Leader of the Council as appointed under their respective Constitutions. For EHL this shall be the Chairman of the Board.

**\*\*\*\*\*Officer** Any member of staff employed by EBC/LDC/EHL; any person seconded or made available to EBC/LDC/EHL; any agent or consultant acting for EBC/LDC/EHL; and in the case of EHL, any director of the company.

## REGULATION 32:

- (1) In the specific cases and circumstances laid down in this regulation, contracting authorities may award public contracts by a negotiated procedure without prior publication.

### *General grounds*

- (2) The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:
- (a) where no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered and that a report is sent to the Commission where it so requests;
  - (b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:
    - i. the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance,
    - ii. competition is absent for technical reasons,
    - iii. the protection of exclusive rights, including intellectual property rights,but only, in the case of paragraphs (ii) and (iii), where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;
  - (c) insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with.
- (3) For the purposes of paragraph (2)(a)—
- (a) a tender shall be considered not to be suitable where it is irrelevant to the contract, being manifestly incapable, without substantial changes, of meeting the contracting authority's needs and requirements as specified in the procurement documents;
  - (b) a request to participate shall be considered not to be suitable where the economic operator concerned—
    - i. is to be or may be excluded under regulation 57, or
    - ii. does not meet the selection criteria.
- (4) For the purposes of paragraph (2)(c), the circumstances invoked to justify extreme urgency must not in any event be attributable to the contracting authority.

### *Additional grounds relevant to public supply contracts*

- (5) The negotiated procedure without prior publication may be used for public supply contracts-
- (a) where the products involved are manufactured purely for the purpose of research, experimentation, study or development, but contracts awarded in reliance on this subparagraph shall not include quantity production to establish commercial viability or to recover research and development costs;
  - (b) for additional deliveries by the original supplier which are intended either as a partial replacement of supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire supplies having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance;
  - (c) for supplies quoted and purchased on a commodity market;
  - (d) for the purchase of supplies or services on particularly advantageous terms, from either a supplier which is definitively winding up its business activities, or the liquidator in an insolvency procedure, an arrangement with creditors, or a similar procedure under national laws or regulations.
- (6) In the case of paragraph (5)(b), the duration of the contract, as well as that of recurrent contracts, shall not, save in exceptional circumstances, exceed 3 years.

### *Additional ground relevant to public service contracts that follow a design contest*

- (7) The negotiated procedure without prior publication may be used for public service contracts where the contract concerned—
- (a) follows a design contest organised in accordance with this Part, and
  - (b) is to be awarded, under the rules provided for in the design contest, to—
    - i. the winner of the design contest, or
    - ii. one of the winners of the design contest.
- (8) Where paragraph (7)(b)(ii) applies, all winners must be invited to participate in the negotiation.

*Additional ground relevant to new works or services which repeat similar ones*

- (9) The negotiated procedure without prior publication may be used for new works and services consisting of the repetition of similar works or services entrusted to the economic operator to which the same contracting authority awarded an original contract, provided that such works or services are in conformity with a basic project for which the original contract was awarded following a procedure in accordance with regulation 26(1) and (2).
- (10) The basic project shall indicate the extent of possible additional works or services and the conditions under which they will be awarded.
- (11) As soon as the first project is put up for tender, the possible use of this procedure shall be disclosed and the total estimated cost of subsequent works or services shall be taken into consideration by the contracting authority when it applies regulation 5.
- (12) This procedure may be used only during the 3 years following the conclusion of the original contract.

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<sup>i</sup> **15.1 CPRs**

*In the case of contracts to be awarded which either have an estimated value in excess of £100,000, or where the Accountable Officer considers that the failure of the contractor to perform would result in a high risk to the Organisation, the Accountable Officer must request that the Chief Finance Officer carry out a financial status check on all applicants.*

|                                     |  |
|-------------------------------------|--|
| <b>Report to:</b>                   | <b>Cabinet</b>   |
| <b>Date:</b>                        | <b>10 June 2021</b>  |
| <b>Title:</b>                       | <b>Recovery and Reset</b>  |
| <b>Report of:</b>                   | <b>Robert Cottrill, Chief Executive</b>  |
| <b>Cabinet member:</b>              | <b>Councillor James MacCleary, Leader of the Council, Chair of Cabinet and Cabinet member for regeneration and prosperity<br/>Councillor Zoe Nicholson, Deputy leader of the Council and Cabinet member for finance and assets</b> |
| <b>Ward(s):</b>                     | <b>All</b>   |
| <b>Purpose of report:</b>           | <b>To update on progress of the Recovery and Reset Programme.</b>  |
| <b>Decision type:</b>               | <b>Non key</b>   |
| <b>Officer recommendation(s):</b>   | <b>To note the progress made with the Recovery and Reset Programme.</b>  |
| <b>Reasons for recommendations:</b> | <b>The Recovery and Reset Programme provides a structured and accountable approach for delivering the level of significant organisational change needed to respond to current and future challenges.</b>                           |
| <b>Contact Officer(s):</b>          | <b>Name: Jo Harper<br/>Post title: Head of Business Planning and Performance<br/>E-mail: <a href="mailto:jo.harper@lewes-eastbourne.gov.uk">jo.harper@lewes-eastbourne.gov.uk</a><br/>Telephone number: 01273 085049</b>           |

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## **1 Introduction**

- 1.1 Cabinet will recall that the purpose of the Recovery and Reset programme is to tackle the financial, organisational and district-wide challenges we are facing. These challenges result from the Covid-19 pandemic, the resultant economic climate and the changing needs and demands of our residents, all of which need to be addressed in a sustainable way. The council faces a significant budget shortfall over the next four years (Medium Term Financial Strategy (MTFS) period). The Recovery and Reset Programme (R&R) will deliver changes in the way the council operates which are needed to meet these challenges and to oversee the council's response to the Covid pandemic.

- 1.2 As previously reported, R&R has four pillars; best use of digital, reshaping delivery, best use of assets, and restart. The progress that has been made in each of these areas is set out in the next section of the report.

## 2 Financial context

- 2.1 When the Recovery and Reset programme was established in the autumn of 2020, it was clear that significant savings would need to be delivered. To this end, Medium Term Financial Strategy (MTFS) set savings targets of £1,200k for 2021/22 and each year thereafter. However, an updated position was set out in as part of the annual budget setting process in February 2021 which has slightly amended this position. The table below sets out the current savings requirements of the programme.

2.2

|  | <b>21/22</b><br><b>£'000</b> | <b>22/23</b><br><b>£'000</b> | <b>23/24</b><br><b>£'000</b> | <b>24/25</b><br><b>£'000</b> |
|--|------------------------------|------------------------------|------------------------------|------------------------------|
| Original R&R savings target                  | 1,200                        | 1,200                        | 1,200                        | 1,200                        |
| Revised savings target as stated in Feb MTFS | 600                          | 1,830                        | 1,830                        | 1,830                        |
| Potential pay awards                         |                              | 250                          | 250                          | 250                          |
| <b>Revised R&amp;R savings target</b>        | <b>600</b>                   | <b>2,080</b>                 | <b>2,080</b>                 | <b>2,080</b>                 |

## 3 Recovery and Reset Progress

- 3.1 Good progress has been made in delivering the Recovery and Reset plans which were agreed by Cabinet in the autumn of 2020.

We have identified and delivered, or projected delivery of, a range of savings against the R&R target, although further work is needed to ensure a balanced budget for 22/23 and beyond. This work will continue during the summer and as part of the usual business and financial planning process, reporting to Cabinet in the autumn.

|   | <b>21/22</b><br><b>£'000</b> | <b>22/23</b><br><b>£'000</b> | <b>23/24</b><br><b>£'000</b> | <b>24/25</b><br><b>£'000</b> |
|---|------------------------------|------------------------------|------------------------------|------------------------------|
| <b>R&amp;R Portfolio Pillars</b>                    |                              |                              |                              |                              |
| <b>Reshaping Delivery</b>                           |                              |                              |                              |                              |
| RESHAPING TOTAL                                     | 121                          | 275                          | 275                          | 275                          |
| CONTRACT AJUSTMENT TOTAL                            | 100                          | 200                          | 200                          | 200                          |
| <b>Digital</b>                                      |                              |                              |                              |                              |
| DIGITAL TOTAL                                       |                              | 50                           | 50                           | 50                           |
| <b>Assets</b>                                       |                              |                              |                              |                              |
| ASSETS TOTAL  | 90                           | 230                          | 230                          | 230                          |
| <b>IDENTIFIED SAVINGS TOTAL</b>                     | <b>311</b>                   | <b>755</b>                   | <b>755</b>                   | <b>755</b>                   |
| <b>REVISED R&amp;R SAVINGS TARGET</b>               | <b>(600)</b>                 | <b>(2,080)</b>               | <b>(2,080)</b>               | <b>(2,080)</b>               |
| <b>Shortfall - further savings to be identified</b> | <b>289</b>                   | <b>1,325</b>                 | <b>1,325</b>                 | <b>1,325</b>                 |

Some key outcomes of the R&R programme so far have been;

- The new system for 'taking payments at home' has been introduced to ensure safe and secure financial transactions with customers in all working environments.
- The Digital Democracy project is progressing and will deliver at least £50k within the current financial year.
- The project to explore a new Revenues and Benefits system has progressed to meeting with potential suppliers.
- The pilot to automate a number of processes has been a success and areas of search for additional automation are being explored.
- A digital strategy is being prepared to steer the council's use of digital technology in the future.
- A number of service reshaping exercises have been undertaken in different parts of the organisation which have delivered savings which in the current financial year will amount to over £100k and £275k in future years without degradation of service.
- A review of the capital programme was completed ahead of the annual budget process.
- An asset review has also been completed which has identified both savings and community wealth building opportunities.
- A review of the council-owned Companies has started and, again will result in proposals for Cabinet to consider in due course.
- The covid community hub helpline continues to operate, but has experienced a very low level of activity in recent months
- Positive feedback from staff has been received, through the staff wellbeing survey, to the new hybrid working style enabling a reduced office space requirement
- The council continues to focus on how it can support social and economic recovery going forward.

#### **4 Community Wealth Building**

- 4.1 A report elsewhere on this agenda provides a full update on the council's activities to progress community wealth building in the district. The R&R management team continues to ensure that community wealth principles are applied across all aspects of the R&R programme.

#### **5 Consultation**

- 5.1 There are no proposals in this report which require formal consultation to be undertaken.

#### **6 Corporate plan and council policies**

- 6.1 The proposals in this report support the councils' long term strategic aims as set out in the Corporate Plan and associated policies.

## **7 Financial appraisal**

- 7.1 The table in section 3.1 of the report shows that progress is being made to meet the target savings. However, there is still a gap of £289k in the current financial year and over £1.3m in future years. It is essential that further savings are identified in order to ensure a balanced budget can be achieved in future years, and also that the current year remains balanced without having to draw on reserves.

## **8 Legal implications**

- 8.1 This report is for noting only, and there are no legal implications arising directly from it.

*Lawyer consulted 10.05.21*

*Legal ref: 09830-LDC-OD*

## **9 Risk management implications**

- 9.1 The risks within R&R are regularly assessed and managed as part of the R&R and project management activities. The identification and management of any significant risks in relation to the programme will be reported to CMT and the R&R Member Board, along with mitigation plans to address them.

## **10 Equality analysis**

- 10.1 There are specific no proposals in this report which require an equality and fairness analysis to be undertaken. However, the Equalities Stakeholder Group for Lewes and Eastbourne is regularly updated on progress with the R&R programme and equality analyses are undertaken for all staff reshaping exercises.

## **11 Environmental sustainability implications**

- 11.1 The proposals in this report do not adversely impact on the councils' long term carbon reduction aims, as set out in the LDC Climate Change and Sustainability Strategy.

## **12 Contribution to Community Wealth Building**

- 12.1 See para 4 above.

## **13 Appendices**

None

## **14 Background papers**

None



|                                     |   |
|-------------------------------------|---|
| <b>Report to:</b>                   | <b>Cabinet</b>  |
| <b>Date:</b>                        | <b>10 June 2021</b>   |
| <b>Title:</b>                       | <b>Community Wealth Building</b>  |
| <b>Report of:</b>                   | <b>Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning</b>  |
| <b>Cabinet member:</b>              | <b>Councillor Zoe Nicholson, Deputy Leader of the Council and Cabinet member for finance and assets</b>   |
| <b>Ward(s):</b>                     | <b>All</b>  |
| <b>Purpose of report:</b>           | <b>To provide Cabinet an update on progress with delivery of the Reimagining Lewes District Action Plan.</b>  |
| <b>Decision type:</b>               | <b>Key</b>  |
| <b>Officer recommendation(s):</b>   | <ul style="list-style-type: none"><li><b>a) To note the progress made in delivering the Reimagining Lewes District Action Plan and to agree the Re-imagining Lewes District Community Wealth Building Strategy set out at appendix A,</b></li><li><b>b) To agree £80k to fund a two-year fixed term post to oversee the implementation of the Strategy, and</b></li><li><b>c) To agree a one-off allocation of £20k to enable the development of initiatives to promote and enable social entrepreneurialism, with both additional cost items being funded from reserves.</b></li></ul> |
| <b>Reasons for recommendations:</b> | <b>The Council is committed to developing a Community Wealth Building approach as part of the Corporate Plan adopted in February 2020.</b>  |
| <b>Contact Officer(s):</b>          | <b>Name: Jo Harper<br/>Post title: Head of Business Planning and Performance<br/>E-mail: jo.harper@lewes-eastbourne.gov.uk<br/>Telephone number: 01273 085049</b>   |

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## **1 Introduction**

- 1.1 In its Corporate Plan, adopted in February 2020, the council made a strong commitment to community wealth building (CWB) alongside complementary commitments to sustainability and affordable housing. The key principles of CWB are to use the combined power of institutions, businesses and communities in order to retain as much wealth as possible in the local economy;

creating opportunity locally, creating new local jobs and new locally owned enterprises. As has been set out in previous reports, the CWB approach comprises five pillars, which are;

- Shared ownership of the economy between public, business and community sectors
- Making financial power work for local places
- Fair employment and just labour markets
- Progressive procurement of goods and services
- Socially productive use of land and property

1.2 The Cabinet on 10 December 2020 adopted the 'Reimagining Lewes District Action Plan' as a vehicle for embedding CWB principles across the council and within the district. At that time a further report was requested to update Cabinet on progress. This report provides that update. In addition, as the action plan was only intended to address early, short term, actions, this report now proposes the adoption of a longer term strategy (see appendix A) to take the work forward.

## **2 A Community Wealth Building strategy**

2.1 The Re-imagining Lewes District Community Wealth Building Strategy set out at Appendix A sets out, under 6 themes, how the council has, and intends to, promote and enable CWB principles to be realised locally.

2.2 The six themes of the Strategy, which link to the CWB pillars, are;

1. Lewes District Council as a Community Wealth Building Council
2. Progressive procurement of goods and services
3. Fair employment and just labour markets
4. Socially productive use of land and assets
5. Making financial power work for local places
6. Plural ownership of the economy

For each theme, the strategy sets out what progress has already been made against the original action plan, and what the longer-term strategic direction will be. A range of specific projects are also detailed.

## **3 Delivering the Strategy**

3.1 An officer working group has been established to drive forward this work, reporting to the Deputy Chief Executive and Director of Regeneration and Planning. This group is responsible for ensuring that CWB principles continue to be embedded in all relevant aspects of the council's work and that this also complements, and works in conjunction with, the council's sustainability strategy.

3.2 The actions set out in the strategy at appendix A will be embedded into the service plans of relevant teams across the council to enable implementation as part of the councils' core business. Progress against these plans will continue to be reported regularly to the Lead Cabinet Member and to the Cabinet annually. In order to provide additional momentum and to drive this work forward at pace,

it is recommended that £80k be allocated from reserves to fund a 2 year post to coordinate the work of officers, build engagement with key stakeholders and to provide overall programme management for the delivery of the strategy.

- 3.3 To further embed the CWB approach across the district, we will build on the series of Recovery Summits held over the past year. We will work to progress an Anchor Institutions Network to enable further cross agency opportunities to be explored and developed. The concepts and importance of CWB will continue to be communicated internally to staff through briefing sessions.
- 3.4 Promoting and enabling social entrepreneurialism and plural ownership of the economy are key parts of the strategy. We are currently at the early stages of developing a local programme to deliver this. Cabinet is asked to agree a one-off allocation of £20k as start-up funding for these initiatives which over the first 6 months of the strategy, and alongside the work to embed CWB into the Councils day to day business set out above, will fund legal and technical advice associated with:
- Exploring the potential to establish community or social enterprise(s) which could have the potential to deliver services on behalf of the council.
  - Increasing the capacity within the district to ‘incubate’ new community or social enterprises, including provision of training and development support.
  - Exploring whether, or how, suitable council assets could be repurposed, and potentially ownership or management transferred, in order to further social entrepreneurialism and plural ownership in the district.

## 4 Consultation

- 4.1 As previously reported, the diagnostic study undertaken by CLES involved wide engagement with key partners and stakeholders during the summer of 2020. Following this, there has been ongoing engagement with partners through the Lewes District Recovery Summits. The establishment of an Anchor Network, as proposed in the appended strategy, will provide a forum for on-going partner engagement and consultation around these issues.

## 5 Corporate plan and council policies

- 5.1 One of the four main themes in the Corporate Plan adopted in February 2020 is Community Wealth Building. It is stated that “*We need a people-centred approach to local economic development, which redirects wealth back into the local economy, and places control and benefits into the hands of people*” the plan goes on to commit that “*We will work with key local institutions, our county council, local businesses, police and NHS partners to provide more local employment. We will change the way we outsource services, supporting more local businesses to deliver council services, and we will bring services in-house or establish social enterprises where additional social value can be demonstrated.*” This work is intrinsically linked with sustainability and tackling climate change, another key component of the Corporate Plan (see para 10.1).

## **6 Financial appraisal**

- 6.1 The £100k additional cost will be funded from reserves established as part of the 2021/22 budget to accelerate the capital programme delivery of which Community Wealth Building forms a significant element. The revenue budget will be updated accordingly to reflect the £20k allocation in 2021/22 and the £80k required for the new post for 2021/22 and 2022/23.

## **7 Legal implications**

- 7.1 There will be a need to address the detailed legal issues that arise in taking forward individual elements of the Reimagining Lewes Action Plan as they develop further. However there are existing legislative general provisions which support the overall Community Wealth Building Approach as follows:
- a) Local Government Act 1999: As a best value authority the council must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
  - b) Public Services (Social Value) Act 2012: This provides that the council must consider how what it procures might improve the economic, social and environmental well-being of the relevant area; and how in conducting the procurement process, it might act with a view to securing that improvement.
- 7.2 The Government published a Procurement Policy Note in September 2020 launching a new model to deliver social value through its commercial contracts. The PPN requires social value should be explicitly evaluated in all central government procurement, where the requirements are related and proportionate to the subject-matter of the contract, rather than just 'considered' as currently required under the Public Services (Social Value) Act 2012. It notes that unnecessary burdens should not be placed on commercial teams or suppliers. It also published PPN6/20 in relation to social value for central government and PPN 11/20 to encourage the use of additional freedoms following Brexit for procurements below the regulatory threshold, giving the potential to reserve the procurement by supplier location and to SME/VCSE in appropriate circumstances.

[009681-LDC-CJEC 11 May 2021]

## **8 Risk management implications**

- 8.1 As the council and the district start to recover from the impact of the Covid pandemic, the CWB approach set out in this report is intended to help address the social and economic challenges which face the area. The main risks around this approach are;
- a) That further outbreaks of Covid impact on the council's capacity to deliver.

- b) That the council is adversely impacted financially by the pandemic to the extent that it limits capacity to deliver this strategy. This risk is mitigated by the Recovery and Reset programme which is taking a careful and planned approach to addressing budget challenges corporately.
- c) That other anchor institutions do not engage or wish to participate in this approach. This risk is being managed by early and continuing engagement with local partners through Recovery Summits, and also through established partnership bodies such as GBEB and Team East Sussex.

## **9 Equality analysis**

- 9.1 Targeting and addressing inequality in the district is central to what the CWB agenda is aiming to achieve. Potentially it will go far in supporting the council to meet its Public Sector Equality Duty, particularly around advancing equality of opportunity. Following consideration of the draft Strategy by Cabinet, an equality and fairness analysis will be undertaken to ensure all opportunities for reducing inequalities through this work are maximised, and due consideration given to the make-up of our local communities.

## **10 Environmental sustainability implications**

- 10.1 Within the Corporate Plan the objectives around CWB, carbon reduction and sustainability are intrinsically linked. For example the council has committed to use its power as a public sector body to buy and procure locally, and create local supply chains and ecosystems of enterprises, focussing on decarbonising our housing stock, through use of circular economy principles. It is also stated in the Corporate Plan, in relation to CWB, that the council will develop local skills, supply chains and employment through partnership working with public sector organisations, social enterprises, cooperative businesses, as well as other forms of business, particularly focussing on clean, green technologies.

## **11 Appendices**

Appendix A - Re-imagining Lewes District Community Wealth Building Strategy

## **12 Background papers**

None

## Re-imagining Lewes District Community Wealth Building Strategy

### Introduction

Lewes District Council is committed to building and retaining wealth within the district for the benefit of local communities and the local economy. This strategy sets out how the council will drive forward this ambition using Community Wealth Building (CWB) principles, building on the research and analysis undertaken in conjunction with the Centre for Local Economic Strategies<sup>1</sup> in 2020.

A short-term action plan was adopted in 2020<sup>2</sup> which has already delivered a number of initiatives and interventions which will contribute to local wealth building. This strategy builds on that work and sets out a longer-term, five year vision for the realising of a transformational approach as the district recovers from the Covid pandemic.

### 1. Lewes District Council as a Community Wealth Building Council

The council, along with local other publicly funded bodies, makes a significant contribution to the local economy, both as employers and as holders of land and property assets. (We call these bodies Anchor Institutions). By changing the way we and other Anchor Institutions act, as employers, how we spend our money and use our assets, we can make a real difference to the way our economy operates, and how it benefits local people. This is central to CWB.

The council is embedding CWB approaches within the planning and delivery of its services. Along with this, as the democratically elected body covering the geography of the Lewes District, the council is well placed to take a community leadership role in relation to CWB. It plans to be proactive in delivering its commitment to CWB principles not just in how it delivers its own functions, but also in how it works with, and influences, other key partners – statutory, voluntary, community and business – across the district.

#### In line with the Re-imagining Lewes District action plan:

- We have hosted a series of Recovery Summits bringing together key local stakeholders and Anchor Institutions to explore CWB principles and gain multi-agency buy-in to this approach.
- Partners in Team East Sussex have been influenced to ensure the East Sussex Economy Recovery Plan - 'East Sussex Reset' - included CWB approaches. To this end, Mission 1 of this document is entitled 'Thinking Local Acting Local' and

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<sup>1</sup> <https://cles.org.uk/>

<sup>2</sup> [https://democracy.lewes-](https://democracy.lewes-eastbourne.gov.uk/documents/s18556/Community%20Wealth%20Building.pdf)

[eastbourne.gov.uk/documents/s18556/Community%20Wealth%20Building.pdf](https://democracy.lewes-eastbourne.gov.uk/documents/s18556/Community%20Wealth%20Building.pdf)

states that “*It makes sense for businesses and public sector organisations to focus their procurement on local contractors, suppliers and providers. This helps to support local employment and training too.*”<sup>3</sup>

- We have appointed officer and Councillor champions, and established an officer working group within LDC to drive this work forward corporately.
- The critical relationship between CWB and delivering sustainability has been made explicit, through the adoption in February 2021 of the Climate Change and Sustainability Strategy.

#### Our future commitments are:

- Building on our actions of the past year, we will continue to take a community leadership role to engage further with key stakeholders with the aspiration to establish an Anchor Network for the district. The purpose of the Network would be to foster a shared understanding of, and shared commitment to, CWB principles. More importantly, however, the Network would identify and commit to tangible actions which can be delivered by agencies individually, or in partnership, which will contribute to local community wealth building.
- As part of Team East Sussex we will work with others in that partnership to realise the Think Local Acting Local commitment within the East Sussex Economy Recovery Plan.

## **2. Progressive procurement of goods and services**

The council spends approximately £6m on goods and services each year. We are committed to reviewing our commissioning and procurement activities in order to maximise the positive impact this can have on our local economy.

#### In line with the Re-imagining Lewes District action plan:

- We have appointed a Strategic Procurement Manager to oversee our approach to commissioning and procurement going forward. This role has been seconded from Orbis, a shared services Partnership between East Sussex County Council, Surrey County Council and Brighton and Hove City Council. This has enabled us to benefit from the knowledge, skills and experience within the wider sector, in particular around the application of social value legislation.
- We have mapped our current contract arrangements including contract renewal dates.

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<sup>3</sup> <https://www.eastsussex.gov.uk/media/16223/east-sussex-reset-recovery-as-opportunity.pdf>

- All our current contracts have been reviewed and we have analysed our spend data to understand spend patterns and assess the potential for improving the proportion of spend directly benefitting local communities.
- A Social Value Charter has been developed based on the Orbis Model. This along with an Employment and Training Plan has been included in current development tenders.
- We have considered our current approach to social value monitoring, which is focused on local labour agreements, in order to determine how the approach could be extended to other social value agreements.
- Procurement Forward Plans are being developed which will enhance our ability to work more collaboratively with other Local Authorities and Anchor Institutions and give us more scope to work with local providers to enable them to bid for contracts.

Our future commitments are:

- Building on our actions of the past year, we will, over the coming year, share the procurement analysis work we have undertaken with the Anchor Network and engage partners in wider investigation of procurement opportunities and approaches which support local and small suppliers.
- We will produce a revised procurement strategy, and associated contract procedure rules, enabling the council to give weighting to local suppliers in some circumstances, in line with the recently published government Procurement Policy Note 11/20<sup>4</sup>.
- By the end of 2021, we will establish a clear and consistent process to enable additional social value to be leveraged through procurement. Central Government departments are required to apply a minimum of 10% weighting for Social Value when evaluating tenders and we will, where practical, align our processes to this best practice<sup>5</sup> guidance being achieved in contracts above £100k.
- As part of our project to decarbonise our council housing stock, we will work to develop local supply chains which can help deliver this programme of retrofit (the scope and prioritisation of which will be determined by the Council's stock condition survey) and new build.

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<sup>4</sup> <https://www.gov.uk/government/publications/procurement-policy-note-1120-reserving-below-threshold-procurements>

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/940827/Guide-to-using-the-Social-Value-Model-Edn-1.1-3-Dec-20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940827/Guide-to-using-the-Social-Value-Model-Edn-1.1-3-Dec-20.pdf)



- We are currently in the process of bringing our Public Convenience Cleaning and Office Cleaning contracts in-house and this should be completed by September 2021. In future, when external contracts are ending we will actively consider insourcing as an option to further community wealth building objectives.
- We will report annually on the proportion of council budgets spent with local suppliers.

### **3. Fair employment and just labour markets**

The council employs around 760 fte across LDC and EBC. Twenty one percent of these live in District of Lewes, and the vast majority of staff (95%) live within East Sussex or Brighton and Hove. Less than 5% live further afield. Our recent move to more flexible working has been well received by staff and a recent staff well-being survey the majority of our staff consider that they have a good work/life balance. We are committed to providing our staff with fair and just employment and are working towards becoming a Living Wage employer.

Beyond this, we want our organisation to be an exemplar to others and we want to use our community leadership role to encourage other employers, across all sectors, to be good employers and to commit to paying a Living Wage<sup>6</sup>.

#### In line with the Re-imagining Lewes District action plan;

- We have developed a deeper understanding of the council's workforce by analysing data that our staff provide us with, about how they feel about work, about their protected characteristics under the Equality Act, and also about where they live and their relationship to the local area.
- We are exploring Living Wage accreditation with the Living Wage Foundation.
- Our Training and Development guidance for staff has been refreshed to embed work force development principles that are in line with CWB.
- A Technical Advice Note on Local Employment and Training has been adopted, requiring developers to commit to creating employment and training opportunities for local residents to ensure that development directly benefits our communities.

#### Our future commitments are;

- We will build anchor relationships around employment and labour force matters, to share best practice and encourage joint approaches

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<sup>6</sup> <https://www.livingwage.org.uk/what-real-living-wage>

- We will explore the potential for a Good Employment Charter for the area, initially developing a charter for the council to commit to (by Dec 2021), but with a view to encouraging other local Anchor Institutions and employers also to sign up to this.
- We will continue to make best use of the apprenticeship levy to maximise apprenticeship opportunities within the council.
- We will introduce new approaches to recruitment by December 2021, and continue to explore opportunities thereafter, to target lower income communities and those furthest away from the job market.
- We will work to enable the Lewes district to become a Living Wage Place<sup>7</sup> to spread to Lewes and will actively promote it with local businesses.

#### **4. Socially productive use of land and assets**

The council owns a significant number of assets in the district in the form of buildings and land. Over time the use of, or need for, such buildings and land can change. In light of this, we are committed to regularly reviewing our assets and being open and flexible in our consideration of how they could be used in the future. We are keen to ensure that future use maximises community benefit and community wealth building opportunities, whilst balancing this against the need to seek best value in relation to public funds and to maintain a sustainable financial position as a council.

##### In line with the Re-imagining Lewes District action plan;

- We have undertaken a review of all our corporate and commercial assets and given consideration to how they may support insourcing and social entrepreneurialism. As a result of this we have identified which sites already support the CWB agenda and which sites could, in future. Where expressions of interest are sought for vacant properties, these now contain a section requiring proposers to provide evidence of how they will support the Re-imagining Lewes District action plan and specifically CWB.
- A similar strategic review of the council's housing land and assets, within our existing estates and communities, is underway which will help to identify further opportunities to deliver more homes and community-led initiatives.
- We have embedded sustainability within our Employers Requirements, incorporating a dedicated checklist, which will guide the future design of new buildings within the district.
- The 'meanwhile use' of a number of council assets has been enabled including the development of the Sidings and Railway Quay, re-animating a key site that

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<sup>7</sup> <https://www.livingwage.org.uk/living-wage-places>

adjoins the former UTC building in Newhaven, and also 4 Fisher Street in Lewes which is being partially let to local community organisations and local businesses.

- We are exploring options for ways in which Southover House in Lewes and the old University Technical College building in Newhaven could contribute to CWB objectives.
- We have appointed a council lead for Community Land Trusts (CLTs) and Community led housing. This postholder is currently working with the various CLT's formed across the district to help enable new initiatives by identifying land, providing technical support, and acting as a conduit with central government to unlock available grant funding opportunities.

Our future commitments are:

- Building on our actions of the past year, we will continue to develop, and then subsequently deliver, plans around the future use of Southover House, Lewes which will promote wealth building in the district, whilst also ensuring we continue to maintain a council reception facility for our customers in the town.
- We will incorporate social value into our sustainability checklist in planning and build CWB approaches into future planning policies.
- We will continue to explore how the council may utilise a range of different delivery vehicles to make local land and assets work for community wealth building outcomes.
- Working with local businesses and community organisations we will deliver new facilities and opportunities for our residents, with the aim of revitalising and regenerating our area. This will include the bid to the Towns Fund for Newhaven set out in the Town Investment Plan.
- We will work to enable the re-use of key vacant and underutilised assets within Newhaven town centre following the announcement of the Future High Streets Fund grant award, with an emphasis on local and community benefits.
- A range of forms and types of community-led housing will continue to be explored, including opportunities to utilise smaller parcels of land for self/custom build, where we will seek to take advantage of all available government grants.
- Building upon the council's capital programme for housing delivery in accordance with the Corporate Plan target, we will continue to also work with the public sector through the One Public Estate (OPE) to maximise the combined asset base of the sector. This will also include the continued enabling of other private schemes to increase the overall supply of new homes, promoting CWB objectives through procurement, apprenticeships, training and skills.

## 5. Making financial power work for local places

The council, with an annual revenue budget of around £13m, has significant spending power. Section 2 of this strategy sets out how the council will use its procurement power to further community wealth building objectives.

Beyond this, there are a variety of ways in which the council can enable, influence and support within the local area to make financial power work for local places. This section explores what the council has done already to this end, and what more it has planned.

### In line with the Re-imagining Lewes District action plan:

- We have lobbied ESCC regarding policies relating to its Pension Fund.
- We are working with partners to develop Low Carbon investment propositions for everyday investors. This may be in the form of a council backed community municipal bond or working with community energy companies to enable them to release their own bonds and investment opportunities.
- We are using our influence through Coast to Capital and South East Local Enterprise Partnerships, and the Greater Brighton Economic Board, to discuss how to lever the resources of these boards for the creation of a regional community investment bank.
- Through the LGA Net Zero innovation fund we have run a series of workshops to explore how community municipal bonds could be used to add a community wealth element to any capital project utilising council funds or borrowing.
- Work is underway on developing a Modular Housing Framework. We are currently out to tender to appoint a single contractor to deliver our housing development programme, which is primarily for affordable housing. As well as providing accessible housing for the wider community, one of the main purposes is to engage with local contractors, to target contracts that fundamentally support training and employment for local people. By providing a solid pipeline of orders for a modular manufacturer they will be able to invest in a local workforce and offer economies of scale which has been recognised nationally as a weakness in the industry. The majority of new schemes delivered via the framework will be subject to a Local Labour Agreement, which includes an Employment and Training Plan (ETP). This sets out the obligations of the contractor to provide apprenticeships, work experience, NVQ qualifications etc. for each development worked on.

### Our future commitments are:

- Building on our actions of the past year, we will apply our learning from the pilot work around community energy to consider future investment opportunities.
- We will complete work on our Modular Housing Framework as a vehicle for investment in our local workforce.
- We will build on the outputs of the LGA Net Zero Innovation fund work to develop a pipeline of projects to be funded using community wealth building financing options.

## **6. Plural ownership of the economy**

As part of its commitment to Community Wealth Building, the council is keen to promote local social entrepreneurialism and community ownership models such as cooperatives and community interest companies. We look to do this by making our assets available, where possible, to support such activities, by giving business advice that is tailored to these forms of ownership and by raising the profile of such approaches in the area.

### In line with the Re-imagining Lewes District action plan;

- We have extended our LEAP business support programme to offer a dedicated focus on social enterprises, building on the success of the programme in supporting new private and social enterprise start-ups.
- Through 3VA, to whom we provide core funding, training has been delivered locally on how to set up Charitable Incorporated Organisations and Community Interest Companies.

### Our future commitments are;

- Building on our actions of the past year, we will maintain and build on our links with key community infrastructure organisations, such as 3VA, Sussex Community Development Association and Action in Rural Sussex, in order to take a partnership approach to promoting community ownership models.
- We will continue to use the LEAP business support programme to support new social enterprises.
- We will develop and deliver a range of other projects and interventions which promote and enable social entrepreneurialism in the district.

## **Measuring success**

The purpose of Community Wealth Building is to create and retain as much wealth as possible in the local economy; creating opportunity locally, creating new local jobs and new locally owned enterprises. Therefore the success of this strategy will be measured by

the experiences of local people, in terms of jobs for local people, wages sufficient for people to live happily and healthily and local businesses that thrive and can give back to the local area. More fundamentally, we hope to see more fair and equal communities as a result.

Specifically, for the council, we will measure our success through measures including;

- An increase in the proportion of council goods and services being purchased from local suppliers and contractors
- An increase in the proportion of council assets adding community value (in both 'meanwhile' and long term use)
- Number of units delivered for / via community-led housing
- Number of apprenticeships secured via directly delivered development schemes

More widely in the district we will measure the impact of our community wealth building approaches through the following metrics, recognising that these can also be influenced by a wide range of factors outside of council control;

- Reducing unemployment levels
- Increasing small and medium sized enterprises setting up and thriving
- Increasing levels of social entrepreneurship
- Increasing numbers of business committed to the Living Wage

## **Implementation**

This strategy will drive forward the council's work in relation to Community Wealth Building over the next 5 years. The work will continue to be steered internally through the CWB delivery group, and on a multi-agency basis through the Anchor Institution Network. An annual report will be submitted to update on progress.

**Report to:** Cabinet

**Date:** 10 June 2021

**Title:** Biodiversity Strategy

**Report of:** Tim Whelan, Director of Service Delivery

**Cabinet member:** Cllr Julie Carr, Cabinet member for recycling, waste and open spaces and Cllr Matthew Bird, Cabinet member for sustainability

**Ward(s):** All

**Purpose of report:** To introduce the Biodiversity Strategy and associated work plan

**Decision type:** Key

**Officer recommendation(s):** That Cabinet approves

(1) The Lewes District Council Biodiversity Strategy 2021-2025 set out in Appendix 1

(2) The associated Action Plan, set out in Appendix 2

**Reasons for recommendations:** To set out the principles and approach to supporting biodiversity and to provide a framework and work plan for Lewes District Council in its collaborative approach to protecting and enhancing natural assets

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## **1 Introduction**

- 1.1 The natural world is facing threats on an unprecedented scale with the known rates of biodiversity loss and disappearance of habitats and species attributed to ongoing human pressures.
- 1.2 In 2019, Lewes District Council committed to reduce council greenhouse gas emissions to net zero and to become fully climate resilient by 2030 and to address the ecological disaster (Feb 2021). Meaningful biodiverse and nature-based solutions are at the heart of these ambitions.
- 1.3 Across Lewes district work is aligned to climate resilience and improving local biodiversity, through:
- the adoption of a pollinator strategy and pesticide policy in 2019.
  - ongoing projects to increase valuable ecological habitats through better mowing regimes, tree and hedge planting where feasible.
  - continual reviews of management and contracts for council-owned land and property, as well as working closely with our town and parish councils where we provide contracted services.

## **2 Proposal**

- 2.1 The purpose of this strategy is to set out ambitious yet achievable aims and actions in order to better tackle biodiversity loss and ecosystem degradation through nature-based solutions across the district and the wider inter-connected landscape.
- 2.2 Our broad key aims can be summarised as follows:
- To seek nature-based solutions, ecosystem services and re-naturing or rewilding opportunities as guiding principles in all council and partnership endeavours.
  - To maintain and increase biodiversity on council-owned and managed land.
  - To engage and enable community-led nature-based projects and to be involved in partnerships that promote natural capital and biodiversity across the district.
  - To ensure that all developments maximise the opportunities for well-considered gains in biodiversity.

## **3 Outcome expected and performance management**

- 3.1 As a custodian of land, by adopting these strategies the council can make a positive impact on the natural environment across the district and influence others where possible.



- 3.2 Biodiverse landscapes bring a multitude of benefits including:
- Carbon storage
  - Ecosystem function
  - Recreation and wellbeing
  - Food production
  - Adaptation to climate change
- 3.3 As an example of applying nature-based solutions to ecosystem services and our collaborative approach, Lewes District Council has provided funding to the Ouse and Adur River Trust, Sussex Flow Initiative, National Trust and landowners via the Sussex Wildlife Trust to deliver a wide range of natural flood management projects in the Ouse catchment and the upper eastern Adur to provide capacity to hold and manage the flow of water through the district. The project has delivered:
- Planting of small woodlands
  - Planting of hedgerows
  - New Storage Pond at Green Lane Ringmer
  - Many woody dams
  - Many swales
  - Working with partners, delivery of 200 hectare of the Ouse floodplain storage at Sheffield Park
  - Catchment mapping of the Bevern, Longford, Glynde and Plumpton Mill streams
  - Investigation of flood storage ponds in Wivelsfield and Ringmer at location where properties are at risk of flooding
- To date around 18 homes in the Ouse catchment have been protected by these works, properties that would be difficult to protect by conventional methods.
- 3.4 The visions and actions contained within the strategy have been developed in response to the urgency of the climate emergency being faced. The strategy will enable the council to work with the community to co-ordinate its response into meaningful and long-lasting action.

## **4 Consultation**

- 4.1 Residents were encouraged to take part in developing Lewes District Council's sustainability and climate change strategy through July – October 2020. People were invited to have their say on seven key areas: energy and the built environment, sustainable transport and air quality, biodiversity, agriculture and food, reducing waste, water, circular economy and community wealth.
- 4.2 Specialist advice was also sought as part of that process from a series of Expert Panels.

## **5 Corporate plan and council policies**

- 5.1 The strategy aligns with and complements the Sustainability and Climate Change Strategy.

## **6 Financial appraisal**

- 6.1 The adoption of the strategy will not of itself have an immediate direct financial consequence, as the incorporation of biodiversity into many of the Council's functions and services can be achieved within existing resources, providing that this is maintained.
- 6.2 The strategy is a key component of the Council's Climate Change and Sustainability commitments. The authority's capital programme makes sufficient provision for the delivery of these initiatives within its capital allocation for Regeneration. Any future revenue requirements will be assessed as part of the Council's service and financial planning processes.

## **7 Legal implications**

- 7.1 Part 3 of the Natural Environment & Rural Communities Act 2006 requires specified public bodies (including borough councils), in exercising their functions, to have regard to the purpose of conserving biodiversity. In this context, conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

*Lawyer consulted 17.02.21*

*Legal ref: 009913-JOINT-OD*

## **8 Risk management implications**

- 8.1 Failure to agree and progress the strategy could impact upon the council achieving its ambitions to address the climate emergency.

## **9 Equality analysis**

- 9.1 The Equality Act does not have key relevance to this strategy, which is chiefly aimed at land management and development considerations.

However, the Covid 19 pandemic has brought the subject of mental health and wellbeing to the fore, with access to nature paramount to healthy, thriving communities able to cope with such difficult times.

*Statement agreed 06/05/2021*

## **10 Environmental sustainability implications**

- 10.1 The council is committed to supporting measures to help arrest biodiversity losses, restore habitats and species and work for climate resilience to promote healthy and thriving communities. This is recognised through this strategy, with the need to protect and maintain as well as enhance and increase biodiversity and nature across Lewes district.

## **11 Contribution to Community Wealth Building**

- 11.1 The Corporate Plan prioritises Sustainability and Community Wealth Building. The council is considered 'an anchor institution' and can use its substantial

spending power and influence to drive investment in the local economy to enable a green economic recovery and local job creation and retention. Community wealth is a thread that runs through the overarching climate change and sustainability strategy particularly in relation to procurement but also training and skills.

## **12 Appendices**

- Appendix 1 – Lewes District Council Biodiversity Strategy 2021-25
- Appendix 2 – Biodiversity action plan

## **13 Background papers**

- Climate Change and Sustainability Strategy 2021

<https://www.lewes-eastbourne.gov.uk/resources/assets/inline/full/0/310115.pdf>

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Lewes District Council

# Biodiversity Strategy

2021 - 2025



# STRONGER together



Lewes District Council



Working in partnership with **Eastbourne Homes**

|                       |                              |
|-----------------------|------------------------------|
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## Biodiversity strategy

### Executive Summary

With the natural world facing threats to an unprecedented degree, Lewes District Council is scaling up efforts to defend local biodiversity, reduce carbon emissions and improve air quality. For more detail on the council's approach to these issues, visit our [climate change webpage](#).

Healthy and resilient societies depend on giving nature the space it needs. The Covid-19 pandemic makes the need to protect and restore nature all the more urgent. The pandemic has raised awareness of the links between our own health and the health of ecosystems and that the risk of emergence and spread of infectious diseases increases as nature is destroyed. It has demonstrated the need for sustainable supply chains and consumption patterns that do not exceed planetary boundaries. Protecting and restoring biodiversity and well-functioning ecosystems is therefore key to boost our resilience and prevent the emergence and spread of future diseases.

Past wildlife laws have looked to tackle biodiversity losses through legislative channels for over 30 years, but have been largely ineffective, falling short of achieving the desired outcomes of arresting loss and promoting gains.

New legislation by way of the Environment Bill and Agriculture Bill are on the horizon, and look to redress shortcomings by setting out new measures to better arrest biodiversity declines through focus on natural capital, ecosystem services and biodiversity net gains with the aim to leave the environment in a better state than it is in currently.

In 2019, Lewes District Council committed to reduce council greenhouse gas emissions to net zero and to become fully 'climate resilient' by 2030 and to address the ecological disaster (Feb 2021). Meaningful biodiverse and nature-based solutions are at the heart of these ambitions.

Across Lewes district work is aligned to climate resilience and improving local biodiversity, through:

- the adoption of a pollinator strategy and pesticide policy in 2019.
- ongoing projects to increase valuable ecological habitats through better mowing regimes, tree and hedge planting where feasible.
- continual reviews of management and contracts for council-owned land and property, as well as working closely with our town and parish councils where we provide contracted services.

Lewes District Council will support and proactively pursue measures to help arrest biodiversity losses, restore habitats and species and work for climate resilience to promote healthy and thriving communities. This is recognised through this strategy, with the need to protect and maintain, as well as enhance and increase biodiversity and nature across the district, contributing to recoveries at a landscape-wide scale.

Our broad key aims can be summarised as follows:

- To seek nature-based solutions, ecosystem services and re-naturing and rewilding opportunities as guiding principles in all council and partnership endeavours.
- To maintain and increase biodiversity on council-owned and managed land.

## Biodiversity strategy

- To engage and enable community-led nature-based projects and to be involved in partnerships that promote natural capital and biodiversity across the district.
- To ensure that all developments maximise the opportunities for well-considered gains in biodiversity.

## Purpose of this strategy

The purpose of this strategy is to set out ambitious yet achievable aims and actions to better tackle biodiversity loss and ecosystem degradation across the district and the wider inter-connected landscape. This strategy aligns to the council's climate and ecological emergency commitments, which have the overarching aspiration to achieve carbon neutrality and climate change resilience by 2030.

## What is biodiversity and why is it important?

Biological diversity or biodiversity is the wealth of ecosystems, species and genes on our planet, which underpin every part of our health and our livelihoods, and which are ecologically, inextricably interrelated and interdependent.

The definition of biodiversity includes the variability within and between species and within and between ecosystems and so also includes size of habitats and the quantity of plants and animals as well as the number of species.

According to the [Natural Capital Protocol](#), biodiversity is our....

'...life insurance, giving us food, fresh water and clean air, shelter and medicine, mitigating natural disasters, pests and diseases and contributing to regulating the climate. Biodiversity is our natural capital, delivering ecosystem services that underpin our economy.'<sup>1</sup>

## Natural assets

Nature offers the potential to store and sequester carbon at a comparatively low cost with a wide range of natural capital enhancements for the investment. For example, engineered solutions can cost between four and ten times more per tonne of CO<sub>2</sub> when compared to nature-based interventions. The following four options need to be evaluated, while recognising that each approach will be spatially explicit<sup>1</sup>:

- i) Managing and increasing soil carbon
- ii) Improving wildlife / biodiversity
- iii) Managing and increasing tree cover and
- iv) Managing freshwaters and wetlands.
- v) Managing the marine and coastal environment

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<sup>1</sup>Natural Capital Committee 2020

*Advice on using nature-based interventions to reach net zero greenhouse gas emissions by 2050*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/879797/ncc-nature-based-interventions.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/879797/ncc-nature-based-interventions.pdf)

## Biodiversity strategy

Where feasible, biodiversity indicators and metrics will be reported as part of the Sustainability and Climate Change Action Plan.

### Why do we need a biodiversity strategy?

Biodiversity losses allied with climate change are deemed the most critical global environmental threat of our time.

Current rates of species extinction are unparalleled with little dispute within the scientific communities that it is being driven by human activities namely loss of habitats to urbanisation and agricultural intensification. Population sizes of wildlife decreased by 60% globally between 1970 and 2014<sup>2</sup>. The UK context is set out in the [State of Nature Report, 2019](#).

A study published in the Proceedings of Natural Science shows that farmed poultry today makes up 70% of all birds on the planet, with just 30% being wild. The picture is even more stark for mammals – 60% of all mammals on Earth are livestock, mostly cattle and pigs, 36% are human and just 4% are wild animals.

This well-documented deterioration and loss of biodiversity jeopardises the environment at every level including climate regulation and the provision of ecosystem services on which all healthy and thriving communities depend. Quite simply put, life as we know it and all that we hold dear is at risk.



Photo: An insect pollinating a wildflower

The need to better protect, restore, and increase biodiversity has come to prominence in light of the Covid-19 pandemic, with the essential need for access to nature, open spaces and wild landscapes for all. The pandemic has brought the

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<sup>2</sup> <https://www.newscientist.com/article/dn25645-we-are-killing-species-at-1000-times-the-natural-rate/>

## Biodiversity strategy

subject of mental health and wellbeing more to the fore, with nature solutions – bigger, better and more joined up natural greenspaces, especially for those in more deprived or urban communities – paramount to healthy, thriving communities able to cope with such difficult times.

### Policy and legislative context

Emerging legislative drivers, namely the UK Government’s long-anticipated Environment Bill<sup>3</sup>, alongside the Agricultural Bill<sup>4</sup>, seek to redress this by providing a framework for the tangible recovery of our natural environment through a natural capital, ecosystems services and biodiversity net gain approach.

The Bills set out a more substantial legal framework to achieve the Defra 25 Year Environment Plan’s ambition to leave our environment in a better state than we found it and to pass on to the next generation a natural environment protected and enhanced for the future by restoring and enhancing nature and green spaces<sup>5</sup>.

### The focal areas

Aligned to Lawton’s “Making Space for Nature” principles of ‘**Bigger, better, more joined up**’<sup>6</sup>, we see the following as the key focal areas for this biodiversity strategy:

- 1. Collaboration through partnership working**  
The need for partnership and community involvement, including integrated working, to feasibly achieve tangible, meaningful and germane biodiversity aims at a local and landscape scale.
- 2. Preservation and enhancement of existing habitats**  
The need to genuinely protect and enhance existing biodiversity resources through biodiversity led management at a landscape scale including council owned assets, designated sites, buffer zones and corridors.
- 3. Create more and connect up**  
The need to achieve Nature Recovery Networks (NRNs) and Ecological Networks dedicating land specifically for biodiversity-rich habitats and wild landscapes, by increasing and creating new and joining up fragmented islands of habitat, such as nature reserves, etc.
- 4. Implementation of Biodiversity Net Gain within development management**  
The need to accurately and transparently implement meaningful, measurable and appropriate biodiversity net gains in new developments – secured for the long term.
- 5. Promotion of biodiversity understanding council wide**  
The need for coherent and integrated understanding and due process to ensure current and future biodiversity duties are being meaningfully met.
- 6. Nature based solutions and ecosystem services**  
Nature based solutions (NBSs) demonstrate potential as cost-effective long-term interventions for flooding risks and land degradation and when delivered

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<sup>3</sup> [The Environment Bill 2020](#)

<sup>4</sup> [www.gov.uk/government/news/agriculture-bill-to-boost-environment-and-food-production-16-January-2020](#)

<sup>5</sup> [www.gov.uk/government/publications/25-year-environment-plan-Published-11-January-2018-with-updates-May-2019](#)

<sup>6</sup> <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-2010>

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effectively can enhance the stocks of natural assets and the ecosystem services they provide.

### 1. Collaboration through partnership working

The need to pool knowledge and resources is paramount to achieving success. This is especially key given severe resourcing and funding restrictions, and other constraints such as land, assets and the on-going pursuit of conflicting disciplines such as development and economic growth.

To achieve collaboration and sharing of knowledge, resources, funds etc, we see the importance of working with new and existing partners from strategic to community levels to sustain and enhance biodiversity.

#### Strategic Level:

1. Active participation and appropriate representation and resourcing of strategic partnerships including Team East Sussex (LEP), Local Nature Partnerships (LNP), Sussex Wildlife Trust, Brighton and Lewes Downs UNESCO Biosphere Partnership, 'The Living coast'<sup>7</sup>, etc.
2. Support wider landscape project partnerships such as Changing Chalk, Ouse Valley CARES, Sussex FLOW, Local Wildlife Sites Initiative, Eastern South Downs Farm Cluster<sup>8</sup>.
3. Raising awareness and understanding of biodiversity.
4. Knowledge sharing and capacity building.
5. Influencing planning and development.
6. Enabling delivery and project design.

The above can be achieved directly and by working with our partners to pool our resources.

#### Community:

1. Key to our success is the support of town and parish councils, civic groups, local residents and local communities.
2. We will continue to work with and support informal groups of residents that actively look for space to plant trees and create more diverse areas within their communities, as well as working closely with more formal organisations that organise schemes and events, such as [www.greenhavens.network](http://www.greenhavens.network) and [www.facebook.com/LewesUrbanArboretum](https://www.facebook.com/LewesUrbanArboretum)
3. Support community group partnerships focused on shared aims such as increasing pollinator habitats and reducing pesticide usage.
4. We will build on our links with the community using existing community groups (such as Wildflower Lewes, Greenhavens, Railway Land Wildlife Trust, Friends of Groups etc) to encourage and promote better biodiversity awareness and understanding and we will use available tools such as social media, press releases and interpretation/information panels.

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<sup>7</sup> <http://www.unesco-mab.org.uk/brighton--lewes-downs-biosphere.html>

<sup>8</sup> [Eastern-south-downs-farmer-cluster](http://www.eastern-south-downs-farmer-cluster.org)

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### 2. Preserve and enhance existing valuable habitats

There is a real need to properly protect and manage existing biodiversity resources including council-owned assets, designated sites, buffer zones and corridors and help educate and influence regarding those resources outside council ownership.

The district covers a wide, varied and valued landscape and coast, with those assets under council control consisting of amenity spaces including parks, verges and open spaces, downland, grassland scrub and trees; cemeteries, amenity woodland; landscaped grounds in and around council housing as well as nature reserves.

Lewes District Council has a long stretch of coastline with the seaward and intertidal area almost completely lying within the Beachy Head West Marine Conservation Zone (MCZ) and parts of the Seaford to Beachy Head Site of Special Scientific Interest within the coastal sections. The SSSI area includes the highest chalk cliffs in the UK and below these extensive intertidal waves cut platforms and subtidal chalk ridges exist which are among the best examples of marine chalk habitat in the country. The importance of the geological features is recognised in the SSSI citation.

Nationally protected species such as peregrine falcons hunt and breed along the coastal cliffs.



Photo: A cliff top area showing diverse plant life and habitat.

The shallow nearshore waters and highly dynamic intertidal environment support a rich diversity of wildlife, including rock-boring worms, barnacles, anemones, crustaceans (e.g. velvet swimming crabs, lobsters, prawns) and molluscs (e.g. rock-

## Biodiversity strategy

boring piddocks, top shell snails, periwinkles, limpets) and protected animals including short-snouted seahorses, blue mussel beds and native oysters. It is also known to be a key nursery and spawning ground for several fish species.

We will support Sussex Inshore Fisheries and Conservation Authority (IFCA) in the restoration of marine habitats that can play a significant role in carbon sequestration and storage as well as providing a buffer against erosion processes. Between Seaford and Newhaven there is an open stretch of shingle beach supporting species specific to that habitat such as yellow-horned poppy and sea kale.

The many priority habitats including vegetated shingle, coastal salt marsh, chalk grassland, floodplain grazing marsh, saline lagoon, creeks, cliffs and maritime slopes are all important and irreplaceable habitats. Coastal Habitats are under threat from development, visitor pressure and coastal protection measures. Some of these habitats such as vegetated shingle are extraordinarily fragile once removed from or protected from natural processes. Sussex vegetated shingle is of high significance due to the proportion of national and European extent and yet it has probably suffered the greatest loss of area due to it being a favourite substrate upon which urban development has taken place.

It has become widely recognised that even the undesignated countryside and other undeveloped areas, due to their location near the coast, are particularly important for a wildlife assemblage not seen just a short distance from the coast. The local council and community recognise the importance of this and will support the protection and enhancement of coastal areas. We will recognise the significance of coastal areas in the Local Plan as part of wider habitat connectivity.

### 3. Creating more and joining up existing biodiversity habitats

There is a need to provide Nature Recovery Networks<sup>9</sup> and Ecological Networks<sup>9</sup> by creating new biodiversity-rich habitats, increasing the existing and joining them up where possible.

An ecological network can be understood as a number of core, well connected, high quality areas of well-functioning ecosystems, together with those parts of the intervening landscape that are 'wildlife-friendly' and which, collectively, allow wildlife to thrive. As well as having a primary role of supporting abundant wildlife, a nature network should also enhance natural beauty, heritage and conserve geodiversity. Opportunities should be taken to deliver benefits for people, such as flood alleviation, recreational opportunities and provide nature-based solutions to climate change adaptation and mitigation.

Many past projects have been undertaken to identify and map strategic locations to concentrate efforts and resources. These include Biodiversity Opportunity Areas mapped by Sussex Local Nature Partnership<sup>10</sup> since 2008, as shown on council mapping resources including those within the district, connected or in close proximity:

- East Brighton Downs
- Lewes Brooks and the Ouse Valley

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<sup>9</sup>[Wildlifetrusts.org/nature-recovery-network](https://wildlifetrusts.org/nature-recovery-network)

<sup>10</sup>[SussexLNP.org.uk/BOAs](https://SussexLNP.org.uk/BOAs)

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- Lewes Downs
- Mid Ouse Floodzone
- Stanmer and Ditchling Downs
- Western Ouse Streams and Ashdown Forest

The South Downs Nature Improvement Areas<sup>11</sup> (NIA) project was in response to the government's review, with the aim of creating bigger, better, more and joined spaces for nature. The South Downs Way Ahead NIA was one of 12 successful partnerships funded as Defra pilots, with significant matched funding, to deliver NIA projects, over three financial years, from 2012-15. Its 5 objectives are:

1. **'Walk the Chalk'** to broaden the South Downs Way National Trail as a semi-natural corridor and improve the habitat qualities and experiences of the route.
2. **'Linking the Fragments'** to achieve real improvements to conservation and management of chalk grassland at the heart of the matrix of downland habitats.
3. **'Surface to Groundwater'** to demonstrate the viability and benefits of an input-based approach to the improvement of groundwater quality.
4. **'Town to Down'** to assess and demonstrate the benefits of ecosystem services to urban populations.
5. **'Valuing the Chalk'** to attribute an environmental, economic and social value to the benefits and services provided by chalk downland.

Building on the Sussex Local Nature Partnership adopted Natural Capital Strategy<sup>12</sup> we will support the Sussex Local Nature Partnership, South Downs National Park, Sussex Wildlife Trust and Sussex Biodiversity Record Centre to identify strategic Nature Recovery Network areas and Ecological Networks within the district.

This would give us an opportunity to support partners in progressing NRNs following Natural England's practitioner's guidance<sup>13</sup> and the 10 steps:

- 1) Understand the place
- 2) Create a vision
- 3) Involve people
- 4) Create core sites
- 5) Build resilience
- 6) Embrace dynamism
- 7) Encourage diversity
- 8) Think 'networks'
- 9) Start now but plan long-term
- 10) Monitor progress.

This may then allow us to progress projects on strategic corridors such as the River Ouse and floodplains with projects including Lewes Brooks restoration and wildflower verge management.

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<sup>11</sup> [Gov.uk/publications/nature-improvement-areas-improved-ecological-networks-2015](https://www.gov.uk/publications/nature-improvement-areas-improved-ecological-networks-2015)  
[Southdowns.gov.uk/2016/Case-Study-South-Downs-Way-Ahead-NIA](https://southdowns.gov.uk/2016/Case-Study-South-Downs-Way-Ahead-NIA)

<sup>12</sup> [SussexLNP.org.uk/Natural-Capital-Investment-Strategy\\_ADOPTED\\_Final\\_Dec2019.pdf](https://sussexlnp.org.uk/Natural-Capital-Investment-Strategy_ADOPTED_Final_Dec2019.pdf)

<sup>13</sup> *Natural England Research Report NERR082. Nature Networks: A Summary for Practitioners*



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### 3.1 - The importance of appropriate planting

The council is committed to protecting, improving and developing the district's tree stock in public places, in accordance with the principle of the right tree for the right place. In addition, encouraging natural regeneration of woodland, ancient woodland restoration, maintenance of existing trees, and connecting habitats where we have the influence to do so.

A high priority and preference will always be given to native species, including fruit-bearing trees, and a conscious effort will be made to plant more native hedge mixes to assist or replace fences, providing living barriers with ecological value. According to the [Woodland Trust](#), a vital role played by trees and hedgerows is to provide connectivity between habitats, and this is another reason that native tree species are important, because other natives species (birds, bugs, fungi, small mammals, etc) rely on them as part of complex ecosystems.

The value of street trees and urban greening lies in improving climate resilience: they provide shelter and shade, urban cooling and contribute to natural drainage. They also have immense value for human wellbeing, absorbing pollution and improving mental health.

Resilience to pests and diseases will be achieved by varying species diversity wherever possible and where appropriate with locally, or at least UK & Ireland, sourced & grown plants, for biosecurity. The sad experience of ash dieback and other pests and diseases demonstrates why this matters.

In terms of carbon capture, it is established woodland, in particular woodland soil, that has the greatest value, as the recent [Natural England study on carbon and habitats](#) confirms.

We will work closely with partners such as town and parish councils, East Sussex County Council and local tree groups, to identify suitable planting locations.

## 4. Implement biodiversity net gains within development management

Biodiversity Net Gain (BNG) is an approach to development and/or land management that aims to leave nature in a measurably better state than it was beforehand. Following public consultation, the government confirmed the forthcoming Environment Bill will be used to mandate BNG within planning – meaning the delivery of much-needed infrastructure, housing and development is not at the expense of vital biodiversity.

In advance of biodiversity net gain becoming mandated we ask that development proposals incorporate BNG principles and to support this requirement we have produced a Biodiversity Technical Advice Note (TAN) to inform planning applicants of the council's expectations at an early stage, so the necessary integration of biodiversity can inform the design of schemes from the outset.

The BNG process will require developers to provide a quantitative account for biodiversity losses and gains resulting from development or land management changes through the use of DEFRA's / Natural England's Biodiversity Metric tool<sup>14</sup>

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<sup>14</sup> [publications.naturalengland.org.uk/publication/The Biodiversity Metric 2.0 \(JP029\)](https://publications.naturalengland.org.uk/publication/The-Biodiversity-Metric-2.0-(JP029))

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The metric provides an evaluation to be undertaken by suitably qualified, experienced and competent personnel (i.e. ecologists) to ensure habitats for wildlife are measurably left in a better state than they were pre-development.

They must assess the type of habitat and its condition before submitting plans, and then demonstrate how they are improving biodiversity – such as through the mitigation hierarchy of retention and protection of valuable habitats, mitigation and compensation required and appropriate measures such as habitats creation, improvement, and inclusion of green corridors, or forming integrated local nature spaces in-situ.

Biodiversity improvements on site would be encouraged, but in circumstances where they are not possible, developers will need to pay a levy for habitat creation or improvement elsewhere. These net gain credits can be used to fund biodiversity improvements within the district.

Linking to the NRN's (in section 3 above) – the NPPF (National Planning Policy Framework) says that plans should: “identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation”.

Paragraph 170 states; Planning policies and decisions should contribute to and enhance the natural and local environment by (among other criteria) minimising impact on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

We commit to working towards the British Standard and will achieve this by:

1. Promoting our Biodiversity TAN to clearly state what is expected of developers in line with the emerging legislation, British Standard and policy.
2. Ensuring developers provide ecological information, proportionate to scale and impacts, showing how the mitigation hierarchy has been applied and also to evidence how net biodiversity gains are to be achieved and integrated into the development.
3. Upskill our Planning staff by way of training and briefings, and knowledge sharing sessions.
4. Work closely with partners including SDNP etc adopting shared goals such as BNG and a landscape scale approach to planning and development.
5. We will work with local partners to ensure that Nature Recovery Network areas described in section 3 will inform off site BNG delivery.

## 5. Promoting biodiversity understanding throughout the council

There is a need for coherent and integrated understanding and due process to ensure current and future biodiversity duties are being meaningfully met, such as the current Natural Environment and Rural Communities Act 2006 Section 40: ‘A public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’

## Biodiversity strategy

We will:

1. Engage with all areas of the council to identify and review where adjustments and improvements can be made for biodiversity. This will be by way of setting up meetings with heads of departments and their teams, attending team meetings and understanding current practices and processes.
2. As and where relevant, facilitate and / or provide training and briefings to staff at team meetings or as standalone sessions.
3. Signpost and promote, by way of better internal and external communications including the website, standard guidance and information on biodiversity.

## 6. Nature based solutions and ecosystem services

The rehabilitation and restoration of nature, through nature-based solutions (NBSs) is vital to recover 'services' that ecosystems offer.

Nature based interventions, through changes in land / sea use and investment in natural assets, will be fundamental in reversing ecological declines and delivering net zero, as well as delivering a wide range of ecosystem service benefits for example carbon storage, flood alleviation, human wellbeing and biodiversity.

Land-based NBSs can be divided into two main groups of strategies: soil solutions and landscape solutions. Soil solutions aim to enhance the soil health and soil functions through which local eco-system services will be maintained or restored. Landscape solutions mainly focus on reducing flood risk, increasing soil moisture and reducing droughts and soil erosion to achieve sustainability.

According to the [Natural England report on carbon storage and sequestration](#) published on 20 April 2021:

The natural environment can play a vital role in tackling the climate crisis as healthy ecosystems take up and store a significant amount of carbon in soils, sediments and vegetation. Alongside many other negative impacts, the destruction and degradation of natural habitats has resulted in the direct loss of carbon stored within them. Restoring natural systems can start to reverse this damage at the same time as supporting and enhancing biodiversity, alongside delivering co-benefits for climate change adaptation, soil health, water management and society.

We will seek to deploy nature-based solutions as a mainstream approach in all appropriate programmes and projects within the action plan at Appendix 2.

### Pesticide Policy and Pollinator Strategy



Photo: Pollinator friendly wildflowers in an urban roadside environment

In 2019, Lewes District Council and Eastbourne Borough Council adopted a new Pesticide Policy and Pollinator Strategy. Both should be considered very much linked to this strategy, as their overall aims and goals are to achieve greater biodiversity across our areas.

#### Pesticide Policy

The Joint Pesticide Policy explains how both Lewes District Council and Eastbourne Borough Council are committed to working towards a pesticide free environment.

Pesticides will only be used as a last resort, and alternative non pesticide methods will always be used as a first choice wherever possible.

#### Pollinator Strategy

The Joint Pollinator Strategy looks at managing all council-owned land, and other land wherever possible, with a view to making it as pollinator friendly as possible.

This includes:

- maintaining our nature areas and downland in ways that are sympathetic to pollinators.
- pollinator friendly species selection for planting, including tree planting.
- reduced use of pesticides, with use of a pesticide-free alternatives.
- the creation and support of increasing planted wildflower areas in parks and verges.
- undertaking surveys on the reserves to monitor biodiversity including invertebrates.
- community work and education events on our downland and reserves.

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The above Policy and Strategy will be used in partnership with this Biodiversity Strategy to lead on how the councils manage all of their land including open space, parks, nature areas and housing areas in the future, and how work is specified in any new grounds maintenance contracts or to in-house teams.

Our councils recognise that this strategy needs to be all embracing, and not just confined to the direct work of the councils. Examples of where pesticides have caused concerns that affect us all include the use of pesticides that are used to treat cats and dogs for fleas. These are causing widespread contamination of English Rivers – scientists have found two neurotoxic pesticides (fipronil and imidacloprid) in river samples in concentrations that far exceed accepted safe limits. Both chemicals are banned in agricultural use due to their toxic effects on birds, fish and mammals.

However, they are still used in veterinary flea products and are applied to millions of dogs and cats in the UK. The highest levels of pollution were found immediately downstream of wastewater treatment works, suggesting they are passing from treated pets to the environment via household drains.

As part of this strategy we will, wherever possible, highlight concerns and provide information to the public as necessary, to help in the education and learning process.



Photo: Use of environmentally friendly hot foam to remove weeds

### Our councils will...

1. Employ sympathetic land management techniques in accordance with our recently-adopted pesticide policy and pollinator strategy, widening the basic principles to increase biodiversity on all council-owned estate to stimulate natural habitats, such as identifying verges / areas that would benefit from reduced mowing and wildflower management regimes, reduction in hedge cutting, maintenance of our woodland stock, maintaining chalk grass lands

## Biodiversity strategy

and understanding and educating that nature rich and ecologically productive areas are not always neat and tidy.

2. LDC will work in partnership, including with Newhaven Port Authority, to promote environmental protection and management of Newhaven Coastal areas including Tide Mills and the area west of the Ouse.
3. LDC will endeavour to protect and enhance the shoreline and nearshore waters in line with national and international legislation to secure the future of the region's unique range and abundance of marine life.
4. LDC and EBC will support the Inshore Fisheries and Conservation Authority in its lead role in managing inshore waters in the Beachy Head West and East Marine Conservation Zone (MCZ) including trawling limitation and exclusion byelaws and 'no-take' zones.
5. LDC will promote the use and study of Castle Hill LNR in conjunction with the MCZ Education Zone at Newhaven bordering Castle Hill.
6. We will encourage and support tree planting, and other natural habitat creation measures, to improve biodiversity, store carbon, protect against flooding and generally enhance the environment which can benefit our physical health and mental well-being.
7. We will manage our parks and open spaces in a way that encourages and promotes wildlife. For instance, to encourage hedgehogs (which are becoming extinct) we will provide suitable areas for hibernation, ensure areas are checked prior to clearing leaves, etc, make operatives aware of the risks of strimmers and other machinery, make Bonfire Societies aware of the risks that hedgehogs could enter their bonfires and create hedgehog friendly parks. The banning of pesticides and use of some slug pellets has already helped our wildlife.
8. We will ensure that our biodiversity objectives are taken fully into account when looking at devolving land to third parties.
9. We will ensure that biodiversity is key when developing any new contract for the grounds maintenance of our land, and to existing contracts wherever possible.
10. Review and adapt, as necessary, management prescriptions on a frequent basis in line with new research and emerging technologies such as pesticide alternatives etc. Promote and share good practice / knowledge using social media, networks and other communication channels.
11. Work with our partners, including our town and parish councils, to encourage them to adopt our policies on the land that they own and manage, as well as on land that we manage on their behalf.
12. Encourage academia to view council assets as a learning and research resource, for example inviting the University of Sussex to consider our sites for student research into flora and fauna.

## **Biodiversity strategy**

### **Appendix 1: List of Partner Groups**

#### **Strategic Partners - working on policy/strategy direction etc.**

Sussex Wildlife Trust (inc FLOW project)  
Sussex Biodiversity Records Centre (inc LWS initiative)  
Wildflower Lewes  
Brighton and Lewes Downs Biosphere  
Sussex Local Nature Partnership  
ESCC (Rights of Way)

#### **Development Planning partners**

Sussex Biodiversity Records Centre  
ESCC  
South Downs National Park

#### **Land management (nature reserves) partners**

South Downs National Park (Volunteer Ranger Service)  
Brighton Conservation Volunteers  
Castle Hill Group  
Railway Land Wildlife Trust  
Newick Roots  
Friends of Markstakes Common  
Friends of Landport Bottom  
Newhaven Town Council (Riverside Park)  
Lewes Town Council (Landport Bottom)  
Plumpton College (Landport Bottom)  
A Turner and Sons (Railway Land)  
Eastern South Downs Farm Cluster  
St Nicholas Centre - (Adults with learning difficulties)  
ESCC Dutch Elm Disease  
Marine Conservation Society

#### **Nature reserves information partners**

Castle Hill Group  
Friends of Markstakes Common  
Sussex Botanical Recording Society  
Sussex Ornithological Society  
Sussex Moth Group  
Bat Conservation Trust  
Sussex Amphibian and Reptile Group  
Wild Thymes Natural History Group  
Friends of the Old Brickfield  
Friends of Landport Bottom  
Railway Land Wildlife Trust  
Sussex University  
British Bryological Society (Sussex group)

## **Biodiversity strategy**

### **Community engagement partners**

Castle Hill Group  
South Downs National Park  
Friends of the Old Brickfield  
Priory School  
National Coast watch Institution  
Friends of Lewes (inc. Tree Committee)  
Sussex Moth Group  
Bat Conservation Trust  
National Trust (Changing Chalk)  
Sussex Community Development Association (irregular)  
Greenhavens  
Seahaven Academy  
Talking Trees (Railway land)

### **Misc.**

Seaford Natural History Society  
Whitbread Hollow Bird Ringing Station  
Sussex Ornithological Society  
Sussex Botanical Society  
Sussex Peregrine Group  
South Downs Society  
Woodland Trust



**Appendix 2: Biodiversity Strategy Action Plan – Lewes District Council**

| Focal Area | ACTION  | DETAIL  | TIMEFRAME   | RESOURCES NEEDED                     |
|------------|---|---|-------------|--------------------------------------|
| 1          | Maintain and expand partnership working with existing and new partnerships to ensure we are making the best use of resources, finance, grant funding and knowledge to achieve our biodiversity goals. | Partnerships include Sussex Biodiversity Records centre, Local Wildlife Sites initiative, Biosphere Partnership, Sussex Local Nature Partnership, SDNP, RWLT, town councils, FLOW, Greenhavens, Local community groups, Changing Chalk Partnership etc (For a full list of potential partners, please see Appendix 1) | Short term  | Officer time                         |
| 1          | Identify areas where the community could take on management of land to create local biodiversity assets at the heart of communities. This will also help in the education of nature to local people.  | Existing sites with community involvement include the Community Orchard at Landport, Riverside Park in Newhaven and Lost Wood in Seaford.<br><br>Existing sites can be reviewed to see if they are suitable for “local management” if the local community is keen.  | Medium term | Officer time in set up and oversight |
| 2          | Maintain and improve existing biodiversity friendly management of land owned or managed by LDC  | This includes nature reserves, parks, open spaces, housing areas, common land etc. Sites will be managed in line with our Pollinator Strategy and Pesticide Policy, along with this Biodiversity Strategy. Where work is to be carried out by a contractor, these elements will be built into any work specification. | Short term  | Existing staff and budgets           |

## LDC BD action plan May 2021

|     |   |   |                     |               |
|-----|---|---|---------------------|---------------|
| 2   | Where possible, ensure that our commitment to biodiversity is passed to third parties when and if our land is devolved to them.   | As land is devolved to third parties such as town and parish councils, we will ensure that, wherever possible, compliance to our Pollinator Strategy, Pesticide Policy and Biodiversity Strategy is built into any legal transfer agreements.   | Short – Long term   | Officer time. |
| 2/6 | Review management of and write management plans for land owned or managed by LDC that is not currently managed for biodiversity.  | Working with parks/estates/housing teams identify at least one/two new areas per year to bring in more favourable biodiversity management.  | Medium term         | Officer time  |
| 4   | Setup due process for taking account of biodiversity in all council decisions   | Up to date guidance and signposting readily available for all departments.  | Long                | Officer time  |
| 2   | Allow and encourage the re-naturing of areas wherever possible, to include the development of wildflower / wildlife verges and borders and the sowing of pollinator friendly species. | Ascertain suitable sites for nature restoration and promote and encourage feedback from residents as to where these areas could be, thereby encouraging community buy-in to new management regimes of local sites.<br><br>We will continue the existing programme of maintaining existing, and introducing new wildflower areas each year into parks, open spaces and verges. | Short – Long        | Officer time  |
| 2   | Adopt a policy within parks and open spaces where the use of pollinator friendly / biodiversity rich planting is used as a “first choice” where appropriate.                          | When landscaped areas within existing sites are renewed or renovated, pollinator friendly plants grown in peat free soils will be used in any new scheme as a first choice where this is possible and appropriate.<br><br>The use of annual bedding plants will be reduced over time and / or adapted to have   | Short – Medium term | Officer time  |

LDC BD action plan May 2021

|                |   |  |            |                        |
|----------------|---|--|------------|------------------------|
|                |   | both a visual and biodiversity friendly schemes.   |            |                        |
| <b>2/6</b>     | Develop tree planting programmes to increase tree planting on council-owned land where feasible and appropriate and explore options of tree planting on third party land where council land is not available. | <p>A year on year tree planting programme to be developed to assist towards the zero carbon target. Where land is limited, we should work in partnership with ESCC, local schools, Housing Associations etc to find additional sites where possible.</p> <p>Identifying suitable planting sites and just as importantly maintaining new trees to ensure they survive the planting process for the first 2-3 years will be essential to ensure success.</p> <p>The council will ensure that management of its woodlands and trees is appropriate and in accordance with accepted arboricultural and silvicultural practice, and respects their value as landscape features, wildlife habitats and recreational amenities.</p> | Medium     | Officer time / funding |
| <b>2</b>       | In support of the net zero 2030 target, develop the approach to 'carbon counting', reporting and monitoring in projects undertaken as part of this action plan.   | To estimate the current carbon sequestration capability of existing habitats under our control and to determine potential within these sites for increasing sequestration for use in carbon offsetting schemes.  | Short term | Officer time           |
| <b>3/4/5/6</b> | Promote the Biodiversity Net Gain Technical Advisory Note and sustainability checklist to reflect and incorporate BNG in the interim  | This Technical Advisory Note is designed to advise developers on our requirements. It will need to be promoted by the planning team who will need training in Biodiversity requirements. We will need to engage with   | Short term | Officer time           |

**LDC BD action plan May 2021**

|            |   |  |                    |  |
|------------|---|--|--------------------|--|
|            |   | Planning First to Identify existing practices and opportunities for better decision making for biodiversity.   |                    |  |
| <b>5</b>   | Gain up to date Biological Data - to be accessible for all officers through the mapping system  | Access to SxBRC through SLA and partnership working.   | Short / medium     | Officer time                                 |
| <b>3/6</b> | Create wildlife friendly parks and open spaces  | An initial project will be to make Grange Gardens a haven for hedgehogs by creating hibernation habitats, careful use of machinery, providing water etc.   | Short              | Officer time                                 |
| <b>2/5</b> | Review planning applications for new and existing developments to meet net biodiversity gains and ensure regulation with wildlife laws.   | These need to be reviewed by a qualified and experienced ecologist.  | Short              | Officer time                                 |
| <b>3</b>   | Feasibility and potential purchase of a suitable piece of land to create a new mini woodland forest to assist in carbon off setting, increase tree numbers and develop wildflower glades where other land is not available and improve natural sequestration. | Research will need to be carried out to find a suitable large piece of land, quite probably existing farmland.<br>Funding opportunities will need to be examined and sourced. Longer term maintenance costs will also need to be considered. | Medium / Long      | Officer time                                 |
| <b>3/6</b> | Stanley Turner Cockshut Project - A project to realign the Cockshut stream and to create a new nature area which will significantly increase biodiversity in the area and create a wildlife haven.  | This scheme is in the planning stages but is full of potential. A big advantage is that the land is owned by LDC.  | Medium / Long term | Officer time / finance / grant applications. |
| <b>3</b>   | Feasibility and potential purchase and management of an area of land adjacent to Bollens Bush in Newhaven.  | Some of the land adjacent to Bollens Bush is unused by people except for occasional walkers and is good habitat especially for birds. Acquiring this land would allow better   | Medium / Long term | Officer time / finance                       |

|          |  |  |                    |                        |
|----------|--|--|--------------------|------------------------|
|          |  | access to Bollens Bush and allow opportunities to restore the mixed mosaic nature of the habitat. Acquiring some farmed land beyond and adjacent to this area may create opportunities for new tree planting or allow small scale re-wilding/nature restoration as downland/other good habitat for biodiversity and form an extension to the nature area.  |                    |                        |
| <b>3</b> | Purchase of an area of land in the Lewes / Rural area to create a new natural / green burial site. Lewes Cemetery is almost at full capacity and there is no room for extension. One option would be to purchase a new site (low grade agricultural land) to create a new cemetery that is managed as a natural burial ground. | The aspiration is for a green burial site managed as a nature site, with significant tree planting and wildflower glades. Possibly a hybrid green burial/ traditional burial site. The benefits would be two-fold – both creating a new cemetery area for Lewes and providing a new nature area high in biodiversity value. This project would also have the advantage of creating an income stream for LDC once it was operational. | Medium / long term | Officer time / finance |

**Focal Areas:**

- 1 Collaboration through partnership working
- 2 Preservation and enhancement of existing biodiversity
- 3 Creation of more / connecting habitats
- 4 Implementation of Biodiversity Net Gain
- 5 Promotion of biodiversity understanding
- 6 Nature-based solutions and ecosystem services

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|                                     |   |
|-------------------------------------|---|
| <b>Report to:</b>                   | <b>Cabinet</b>  |
| <b>Date:</b>                        | <b>10 June 2021</b>   |
| <b>Title:</b>                       | <b>Local Council Tax Reduction Scheme 2022/23</b>   |
| <b>Report of:</b>                   | <b>Tim Whelan, Director of Service Delivery</b>   |
| <b>Cabinet member:</b>              | <b>Councillor Zoe Nicholson, Deputy Leader of the Council and Cabinet member for finance and assets</b>   |
| <b>Ward(s):</b>                     | <b>All</b>  |
| <b>Purpose of report:</b>           | <b>To seek Cabinet approval to commence the statutory consultation process the Council needs to follow in order the make changes to the current Local Council Tax Reduction scheme.</b>   |
| <b>Decision type:</b>               | <b>Key</b>  |
| <b>Officer recommendation(s):</b>   | <b>That Cabinet, with the objective of implementing a revised Local Council Tax Reduction Scheme for 2022/23–</b><br><b>(1) authorise the Chief Finance Officer to enter into consultation with the major precepting authorities</b><br><b>(2) authorise the drafting of a scheme that calculates a Council Tax Reduction of 100% of a person’s council tax liability, removes the Minimum-Income Floor for the self-employed and removes the £5.00 minimum award</b><br><b>(3) on completion of the consultation and drafting authorised under (1) and (2) above, authorise the Director of Service Delivery to consult with other interested parties.</b> |
| <b>Reasons for recommendations:</b> | <b>Any billing authority wishing to revise its Council Tax Reduction scheme for the working-age must follow the statutory process as set out in this report.</b>  |
| <b>Contact Officer(s):</b>          | <b>Name: Bill McCafferty</b><br><b>Post title: Lead for Income Maximisation and Welfare</b><br><b>E-mail: bill.mccafferty@lewes-eastbourne.gov.uk</b><br><b>Telephone number: (01323) 415171</b>  |

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## **1 Introduction**

- 1.1 The Local Council Tax Reduction (LCTR) scheme 2021/22 for the working-age has the following features:**

- a) Calculates LCTR on 80% of a claimant's council tax liability
- b) Applies a minimum-income floor to certain self-employed claimants
- c) Has a minimum award of £5.00 per week such that a claimant qualifying for less than £5.00 per week does not receive any LCTR

1.2 The LCTR scheme acts as a discount and reduces the amount of council tax available to be collected.

## **2 Proposal**

2.1 That the Council consults on adopting a scheme for 2022/23 that:

- a) Calculates LCTR on 100% of a claimant's council tax liability
- b) Does not apply the Minimum-Income Floor to self-employed claimants
- c) Does not have a minimum award value

2.2 The effect of these proposals would be to reduce the amount of council tax available be collected. i.e. increase the cost to the Council and preceptors.

## **3 Outcome expected and performance management**

3.1 That following the consultation process Cabinet can make recommendations to Full Council in February 2022.

## **4 Consultation**

4.1 The Local Government Finance Act 1992 requires that, for each financial year, the Council consider whether to revise its LCTR scheme or to replace it with another scheme. Cabinet has authority to recommend a revised or replacement scheme but formal adoption is reserved to full Council.

To comply with the Act, before revising its scheme the Council must in the following order–

- (a) consult any major precepting authority which has power to issue a precept to it,
- (b) publish a draft scheme in such manner as it thinks fit, and
- (c) consult such other persons as it considers are likely to have an interest in the operation of the scheme.

4.2 Any consultation must adhere to the following principles:

- Consultation should occur when proposals are at formative stage;
- Consultations should give sufficient reasons for any proposal to permit intelligent considerations; and
- Consultations should allow adequate time for consideration and response

In addition, there must be clear evidence that the decision maker has considered the consultation responses, or a summary of them, before taking a decision.



A draft timetable is set out below

|                             |  |
|-----------------------------|--|
| 10/06/2021                  | Report to Cabinet                                    |
| 11/6/2021 to<br>10/07/2021  | Consultation with major preceptors                   |
| 11/07/2021 to<br>17/07/2021 | Produce a draft scheme for 2022/23                   |
| 18/07/2021 to<br>16/10/2021 | Consultation with interested parties                 |
| 30/11/2021                  | Report to Policy, Performance and Advisory Committee |
| 09/12/2021                  | Report to Cabinet                                    |
| 21/02/2022                  | Report to Full Council                               |

## 5 Business case and alternative option(s) considered

5.1 There are no other options available should the Council want to alter its scheme.

## 6 Financial appraisal

6.1 The current cost of the scheme is c£7.2m and is met by the Council and preceptors in proportion to their share of council tax:

|                             | % share of Council Tax | cost       |
|-----------------------------|------------------------|------------|
| East Sussex County Council  | 70.67%                 | £5,088,240 |
| Lewes District Council      | 9.93%                  | £714,960   |
| Town and Parish Council     | 5.40%                  | £388,800   |
| Police                      | 9.47%                  | £681,840   |
| East Sussex Fire and Rescue | 4.53%                  | £326,160   |

A scheme based on 100% liability, no minimum-income floor and no minimum award would, at the current levels of council tax, reduce the amount of council tax to be collected c£1.4m and the additional cost would be met by the Council and preceptors as set out in the table below:

|                             | % share of Council Tax | cost     |
|-----------------------------|------------------------|----------|
| East Sussex County Council  | 70.68%                 | £989,380 |
| Lewes District Council      | 9.93%                  | £139,020 |
| Town and Parish Council     | 5.40%                  | £75,600  |
| Police                      | 9.47%                  | £132,580 |
| East Sussex Fire and Rescue | 4.53%                  | £63,420  |

Should the changes to the scheme be approved, then Lewes District Council would see a shortfall in income of c£139k which would need to be factored into the setting of the 2022/23 budget.

## **7 Legal implications**

- 7.1 The statutory basis for a billing authority's LCTR scheme is provided by section 13A of the Local Government Finance Act 1992; and the statutory basis for consulting over revisions to such a scheme is provided by Schedule 1A to the same Act.
- 7.2 The legal principles governing the consultation process reflect case law made by the High Court in judgments relating to consultations conducted by public bodies. The Council should, additionally, have regard to the consultation principles issued by the Cabinet Office in 2018.

*Date of legal advice: 10.05.21*

*Legal ref: 010133-LDC-OD*

## **8 Risk management implications**

- 8.1 The forecasted increase in cost of the proposed new scheme is based on current caseload levels. An increase in caseload will increase the cost of the scheme by approximately £1,200 per case.

The preceptors contribute, in proportion to their share of council tax, to 2.5FTE posts in the Customer First Resolution Income maximisation and Welfare team that deal with council tax administration and collection. This contribution has been in place since 2016 when the 80% maximum award was introduced. The additional 2.5 posts were to assist in the collection of council tax from people who may not have had to pay anything towards their council tax in the past and to administer the Exceptional Hardship scheme. Should the scheme revert to a 100% scheme it is likely the preceptors will withdraw their financial support for the 2.5 posts.

## **9 Equality analysis**

- 9.1 At this stage, there is no requirement for an Equality Analysis.

## **10 Environmental sustainability implications**

10.1 There are no environmental sustainability implications arising from this report.

## **11 Contribution to Community Wealth Building**

11.1 Reducing the amount of Council Tax that the most financially challenged must pay increases their disposable income which could be spent on goods and services in the local area thus increasing employment opportunities and contribute to business growth.

## **12 Appendices**

- None

## **13 Background papers**

The background papers used in compiling this report were as follows:

- None

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|                                     |   |
|-------------------------------------|---|
| <b>Report to:</b>                   | <b>Cabinet</b>  |
| <b>Date:</b>                        | <b>10 June 2020</b>   |
| <b>Title:</b>                       | <b>Local Plan Issues &amp; Options Consultation</b>   |
| <b>Report of:</b>                   | <b>Ian Fitzpatrick, Director of Regeneration and Planning and Deputy Chief Executive</b>  |
| <b>Cabinet member:</b>              | <b>Councillor Emily O'Brien, Cabinet Member for Planning and Infrastructure</b>   |
| <b>Ward(s):</b>                     | <b>All wards in Lewes District that lie wholly or partially outside of the South Downs National Park</b>  |
| <b>Purpose of report:</b>           | <b>To seek Cabinet approval to undertake an 'Issues &amp; Options' consultation as part of the preparation of the new Local Plan</b>  |
| <b>Decision type:</b>               | <b>Non-Key</b>  |
| <b>Officer recommendation(s):</b>   | <b>(1) That Cabinet authorise the principle of undertaking public consultation on 'Issues &amp; Options' for the Local Plan for an eight week period between 9<sup>th</sup> July and 3<sup>rd</sup> September 2021.</b><br><b>(2) That Cabinet delegate authority to the Director of Regeneration and Planning, in consultation with the Cabinet Member for Planning and Infrastructure, to approve and release the Issues and Options document for consultation.</b> |
| <b>Reasons for recommendations:</b> | <b>(1) To meet the requirements of Regulation 18 of the Town &amp; Country Planning (Local Planning) (England) Regulations 2012 (as amended) in the preparation of a Local Plan.</b><br><b>(2) To ensure that the Lewes Local Plan is progressed in accordance with the timetable set out in the Lewes Local Development Scheme.</b>  |

**Contact Officer(s):**      **Name: Matthew Hitchen**  
**Post title: Interim Planning Policy Lead**  
**E-mail: matthew.hitchen@lewes-eastbourne.gov.uk**  
**Telephone number: 01323 415253**

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## **1            Introduction**

- 1.1        The National Planning Policy Framework [NPPF] requires local planning authorities to prepare succinct and up-to-date plans that provide a positive vision for the future of their area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings (para 15).
- 1.2        The existing local plan is now more than five years old and can no longer be considered to be up to date when considered against national planning policy and guidance. The Lewes Local Development Scheme [LDS], which was adopted by Full Council in July 2020, identifies a timetable for the preparation of a new Local Plan for the area of the district that Lewes District Council is the local planning authority for (i.e. the district outside of the South Downs National Park).
- 1.3        As part of the preparation of a local plan, local planning authorities are required to invite statutory consultees and other stakeholders with an interest in the area to make representations on what the Local Plan should contain, and to take these representations into account when preparing the new Local Plan. This requirement will be met by undertaking public consultation on the 'Issues and Options' and inviting comment on the main issues that the Local Plan should address and on potential options for addressing those issues.
- 1.4        An 'Issues and Options' consultation is the very first stage of the plan making process and is a request for information to identify the key planning issues and opportunities that the Local Plan should address, rather than a draft policy document that seeks to address any particular policy direction at this stage.
- 1.5        The principle of undertaking an 'Issues and Options' consultation in July 2021 is being sought ahead of the finalisation of the document for consultation in order that the progress of the local plan preparation is not delayed by Cabinet cycles. Delegated authority is sought for the Director of Regeneration and Planning, in consultation with Cabinet Member for Planning and Infrastructure, to approve the 'Issues and Options' document, which itself is being prepared in consultation with the cross-party Local Plan Steering Group.

## 2 Background

- 2.1 Amendments to the Town and Country Planning (Local Planning) (England) Regulations introduced in December 2017 made it a legal requirement for all local plans to be reviewed at least every five years. The revisions to the NPPF in 2018 further clarified that policies in local plans should be *reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. 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.*
- 2.2 The Lewes Local Plan Part 1 2010-2030 (Joint Core Strategy with the South Downs National Park) was adopted on 11th May 2016, and contains the strategic policies including the housing target, spatial distribution of new development and strategic site allocations. Therefore the strategic policies in the local plan were five years old on 11<sup>th</sup> May 2021.
- 2.3 A review of the Lewes Local Plan Part 1 has been undertaken, and this has determined that changing circumstances since the adoption of the Local Plan Part 1 demonstrates the need to undertake a full update of its strategic policies. These circumstances include:
- The adoption of the South Downs Local Plan in July 2019 (this means that more than 50% of Lewes District area falls within the National Park where their local plan will lead on planning related matters)
  - The publication of the new NPPF in 2019
  - A significant increase in the district's local housing need from May 2021 (this derives from Central Government mandating that the standard method should be used in assessing housing need)
  - The adoption of a new Council Corporate Plan and the declaration of a climate emergency, including the target of achieving net-zero carbon emissions and being climate-resilient by 2030
- 2.4 There is a statutory process for the preparation of local plans that needs to be followed, which is set out through the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 2.5 This process includes:
1. gathering evidence;
  2. consulting with the community; and
  3. submitting the plan to the Secretary of State to arrange an independent examination by a Planning Inspector.

- 2.6 The examination process will determine whether or not the local plan is legally compliant and 'sound'. Only after the Inspector has reported that the local plan is legally compliant and 'sound' can the local plan be adopted. Failure to follow the correct procedure could mean that local plan fails at examination or be subject to legal challenge.
- 2.7 A Written Ministerial Statement made on 19<sup>th</sup> January 2021 by the Minister for Housing Christopher Pincher re-emphasised the Government's expectation that all authorities should have an up-to-date local plan in place by December 2023.
- 2.8 A Local Development Scheme, which sets out a timetable for the preparation of a new local plan to update LPP1, was adopted in July 2020. This identifies a timetable for the preparation of a new local plan, including the undertaking of an 'Issues & Options' consultation, and eventual adoption of the local plan by the end of 2023.

### **3 Lewes Local Plan**

- 3.1 The NPPF requires that local planning authorities (individually or in conjunction with other local planning authorities) prepare a plan that sets out the strategic policies for their area, with non-strategic policies being included in either the same plan or a separate plan.
- 3.2 Once adopted, the new Local Plan will supersede and replace the strategic policies in the current Local Plan Part 1 for the area of the district outside of the South Downs National Park. It will not replace the non-strategic policies in the Local Plan Part 2: Site Allocations and Development Management Policies DPD, which was adopted in February 2020, unless there is a need to do so as a result of new evidential material.
- 3.3 The strategic policies in the new Local Plan will set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for housing, employment, retail, leisure, and other commercial development, infrastructure, community facilities, conservation of the natural, built and historic environment, and planning measures to address climate change mitigation and adaptation.

### **4 Issues and Options Consultation**

- 4.1 As part of meeting Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended), the Local Development Scheme identifies that an 'Issues and Options' consultation will be undertaken.



- 4.2 An Issues and Options consultation is a structured way to gather information and views from local communities and other stakeholders that will assist in the development of the next stages of the local plan.
- 4.3 The Issues and Options document will provide a summary of the key issues that it is considered that the local plan should address, and invite representations on whether any additional issues should be included for consideration.
- 4.4 The Issues and Options will be presented at a high level and be based around principles that will help to determine the overall strategy for the local plan. It will not contain detail on specific sites, policies or proposals. These will come in later stages once the local community and other stakeholders have provided their input and the overall strategy has been determined.
- 4.5 Public consultation on the 'Issues and Options' is proposed to take place between Friday 9<sup>th</sup> July and Friday 3<sup>rd</sup> September 2021. Consultation will be undertaken in accordance with the Council's Statement of Community Involvement (SCI), which was revised and adopted in July 2020.
- 4.6 The Issues and Options document is currently being prepared in consultation with, and based on advice and guidance from the cross-party Local Plan Steering Group. Delegated authority is requested to enable the Director of Regeneration and Planning, in consultation with the Cabinet Member for Planning and Infrastructure, to approve the Issues and Options document for publication prior to the start of the consultation period.
- 4.7 A copy of the Issues and Options document will be provided for all Members prior to publication, and a Members Briefing session on this will also be arranged before the start of the consultation period.

## **5 Corporate plan and council policies**

- 5.1 The Lewes District Council Corporate Plan 2020-24 identifies that a key area of focus is *to have the greenest Local Plan* and (put) *sustainability at the heart of our local planning process*. The Local Plan will also assist in delivering a number of priorities set out Council's Corporate Plan, including:
- delivering new homes;
  - promoting access to housing for all groups;
  - encouraging more walking and cycling, increasing biodiversity; and
  - ensuring an effective and transparent planning service.
- 5.2 The Issues and Options consultation is the first public consultation stage in the preparation of the local plan.

## **6 Financial appraisal**

- 6.1 The financial implications of publishing the Issues and Options Report will be minimal, and will be primarily associated with producing consultation material. As such, it is considered that these costs will be covered within the existing budget.

## **7 Legal implications**

- 7.1 The Issues and Options consultation is being undertaken in order to comply with Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework. The Council must also comply with Section 33A, of the Planning and Compulsory Purchase Act 2004 (as amended) which imposes a duty to co-operate with other local planning authorities on issues which are likely to have a significant effect on more than one planning area.

*Legal Implications Checked 05.05.21 10113-LDC-JCS*

## **8 Risk management implications**

- 8.1 The risk of not undertaking an Issues and Options consultation at this time is that the preparation of the Local Plan will be delayed, which means that the Local Development Scheme that sets out the timetable for the preparation of the Local Plan will be not met. This could also mean that meeting the Government's requirement for Lewes District Council to have an up-to-date local plan by the end of 2023 may not be achieved.

## **9 Equality analysis**

- 9.1 It is not considered that an Equality Analysis is needed at this stage as the Issues and Options consultation is a pre-policy consultation stage, and is therefore not proposing any new policy. Therefore work has not progressed enough to identify impacts. However, drafting of the Local Plan itself will require an Equality Analysis at a later stage.

## **10 Environmental sustainability implications**

- 10.1 The NPPF identifies that the purpose of the planning system is to contribute to the achievement of sustainable development, and when the Local Plan undergoes examination by a Planning Inspector, it will be assessed in these terms. It will also undergo Strategic Environmental Assessment (SEA), to assess its environmental impact, throughout its preparation and compliance with the SEA Regulations will be assessed at the examination of the Local Plan.

## 11 Background papers

The background papers used in compiling this report were as follows:

- [Lewes Local Development Scheme \(July 2020\)](#)
- [National Planning Policy Framework \(2019\)](#)
- [Town and Country Planning \(Local Planning\) \(England\) Regulations 2021 \(as amended\)](#)
- [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)
- [Written Ministerial Statement – Planning Update \(January 2021\)](#)

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| <b>Report to:</b>                   | <b>Cabinet</b>   |
| <b>Date:</b>                        | <b>10 June 2021</b>  |
| <b>Title:</b>                       | <b>Planning Local Validation List</b>  |
| <b>Report of:</b>                   | <b>Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning</b>   |
| <b>Cabinet member:</b>              | <b>Councillor Emily O'Brien, Cabinet Member for Planning and Infrastructure</b>  |
| <b>Ward(s):</b>                     | <b>All Wards</b>   |
| <b>Purpose of report:</b>           | <b>To seek Cabinet approval for the adoption and publication of the Council Local Validation List that outlines the supporting and evidential requirements of planning applications.</b>   |
| <b>Decision type:</b>               | <b>Key</b>   |
| <b>Officer recommendation(s):</b>   | <b>1) To agree the publication and use of Planning Local Validation List contained in Appendix 1 &amp; 2</b><br><b>2) To Provide delegated authority to the Director of Regeneration and Planning, in consultation with the Portfolio Holder for Planning and Infrastructure, to make minor or technical amendments to the Planning Local Validation List to its publication or as otherwise required following publication.</b> |
| <b>Reasons for recommendations:</b> | <b>1) To publicise the Council's expectation for the delivery of a robust planning application validation process.</b><br><b>2) To make minor amendments to address technical, drafting issues or to take account of changing legislative requirements.</b>  |
| <b>Contact Officer(s):</b>          | <b>Name: Leigh Palmer</b><br><b>Post Title: Head of Planning</b><br><b>E-Mail <a href="mailto:leigh.palmer@lewes-eastbourne.gov.uk">leigh.palmer@lewes-eastbourne.gov.uk</a></b><br><b>Tel 07939 57 82 35</b>  |

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## **1 Introduction**

1.1 Attached is the proposed Council's Planning Local Validation List.

- 1.2 Following the establishment of Planning First it has given the opportunity to set out the Council's approach to improving the validation process of planning applications.
- 1.3 This document has been produced to assist users of Lewes District Council's Planning service when submitting applications for planning permission or other similar consents.
- 1.4 On 6 April 2008 the Government introduced a mandatory Standard Application Form (1APP) accompanied by changes to the procedures involved in the validation of applications.
- 1.5 There are two elements to the new validation requirements:
- A national list of mandatory information that must be submitted with every planning application; and
  - A local list of additional information that will be required when making an application to Lewes District Council
- 1.6 The 1APP Form and associated National and Local lists form part of the Government's drive to provide a quicker, more predictable and efficient planning service.
- 1.7 The Local List clearly sets out the information requirements for different types of planning applications within Lewes District outside of the National Park.
- 1.8 As a result, the Local List validation criteria include:
- When/why information is needed;
  - What sort of information is required; and
- 1.9 Each of the Local List items have been assessed against the principles and criteria for local list preparation in terms of necessity, precision, proportionality, fitness for purpose and assistance in accordance with the Government advice within paragraph 193 of the NPPF and following the advice on 'Streamlining the planning application process: consultation' June 2013 and 'Development Management Policy Annex: Information Requirements and Validation for Planning Applications' (2010).
- 1.10 The local list formalises the submission of information that is required before applications can be registered. Therefore, everyone involved in the planning application process will enjoy greater certainty and consistency as to what information is required to accompany different applications.
- 1.11 The level of information needs to be proportionate to the size and type of application and the local list intends to require only information that is necessary to the consideration of the application.

- 1.12 This latest review of the Local Validation List reflects recent changes in national and local planning policy and guidance in respect of the inviting scheme promoters to engage with the recent suite of 'Technical Advice Notes' covering such issues as sustainability in construction, biodiversity nett gain on development sites and other evidential requirements that would support National policy direction alongside the Councils corporate plan.
- 1.13 The latest review of the Local Validation List was subject to targeted consultation with the Planning Users Group ( a body of agents, architects and interested parties) who act as a critical friend to the services that Planning First provide. The list reflects the feedback from this group.

## **2 Local List Validation Requirements**

2.1 The list is in two parts and attached to this report (in appendix 1 & 2) and sets out the local validation requirements. For each item, the following guidance is given:

- Where and when the item of information is required,
- What the policy background of the need is;

2.2 It should be acknowledged that this list identifies the documents required to accompany planning applications before they are validated. Whilst guidance is provided for each item, the nature and extent of the information required will depend upon the individual site and proposal.

## **3 Corporate Plan and Councils Policies**

- 3.1 Effective operation and application of this local validation list will ensure that the quality of the applications initially received will be supported by enhanced evidential material.
- 3.2 Several the requirements of the Local Validation will support the Council's priorities in the Corporate Plan and assist in the recommendation of all planning applications, especially those that are determined at planning committee.
- 3.3 The enhanced supplemental material at validation stage should result in the imposition of fewer conditions at the end of the application processes. This would support the prompt implementation of consented schemes and thereby help to support the local economy.

## **4 Financial appraisal**

4.1 The implementation and the application of the local validation list will be used by the existing staffing structure and therefore there are no financial implications of this report.

## **5 Legal implications**

5.1 Section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 requires the council to maintain an up-to-date local list and ensure it is published on the local planning authority's website. It also provides that the information requested with a particular planning application must be:

- reasonable having regard, in particular, to the nature and scale of the proposed development; and
- about a matter which it is reasonable to think will be a material consideration in the determination of the application.

5.2 The recommended process for reviewing and revising local lists involves the following 3-step process:

- **Step 1: Reviewing the existing local list**

Local planning authorities should identify the drivers for each item on their existing local list of information requirements. These drivers should be statutory requirements, policies in the National Planning Policy Framework or development plan, or published guidance that explains how adopted policy should be implemented.

Having identified their information requirements, local planning authorities should decide whether they need to revise their existing local list. Where a local planning authority decides that no changes are necessary, it should publish an announcement to this effect on its website and republish its local list.

- **Step 2: Consulting on proposed changes**

Where a local planning authority considers that changes are necessary, the proposals should be issued to the local community, including applicants and agents, for consultation.

- **Step 3: Finalising and publishing the revised local list**

Consultation responses should be taken into account by the local planning authority when preparing the final revised list. The revised local list should be published on the local planning authority's website.

Information requested with a particular planning application must meet the statutory tests introduced by the Growth and Infrastructure Act.

Paragraph: 044 Reference ID: 14-044-20140306

Revision date: 06 03 2014



## 6 Risk management implications

- 6.1 The following risk will arise if the recommendations are not implemented and the following mitigation is proposed:
- 6.2 **Risk:** if not implemented, the advice, polies and procedures within the local validation list would potentially result in delay and ad-hoc processing of applications requiring the need for the imposition of a number of condition at the end of the process placing additional burdens on the scheme proposer. This would result in an inconsistent service.
- 6.3 **Mitigation:** That the recommendations of this report are approved, allowing the publication of the Local Validation List, which outlines the Council's expectations for how the validation of applications should be addressed.

## 7 Equality analysis

- 7.1 An Equality Screen has been completed in conjunction with this report. Although the proposals are unlikely to impact on protected groups, taking steps to ensure that all supporting and evidential material is requested on a proportionate basis should help to ensure that all sectors of the community, landscape and biodiversity are evaluated by the application process.

## 8 Environmental sustainability implications

- 8.1 By seeking to influence how planning application validation is undertaken and to ensure that planning permissions are monitored and adhered to will ensure that where appropriate actions will help to meet the target of zero carbon by 2030.

## 9 Appendices

- Appendix 1 – Further Detail on Local Information Requirement Planning
- Appendix 2 - Local Validation Requirements

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# APPENDIX 1

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## Further detail on local information requirements

### 1) Planning Statement

**Justification** – To enable the applicant to demonstrate that the development complies with national and local planning policy, and any material planning considerations.

The Planning Statement should set out how the proposed development conforms to national and local planning policy.

Depending on the scope and nature of the proposed development, the type of application and the sensitivity of the proposed development location, the Planning Statement may vary in format from a short summary to a detailed document that includes commentary on all planning issues relevant to the proposal.

### 2) Design and Access Statement

**Justification** - Statement to accompany and justify the proposal in a structured way.

The level of detail required will depend on the scale and complexity of the application. The design and access statement should explain the design principles and justification/reason for particular designs that have been applied to particular aspects of the proposal and cover: It should include the evolution of the design prior to submission, the rationale behind the scheme and how it meets the criteria of the Development Plan. The proposed use and amount of development proposed its scale, layout, landscaping, lighting, and overall appearance; and how issues relating to access to the development have been dealt with including wheelchair accessible development. Include information on how the design of the development contributes to achieving sustainable development, particularly in terms of climate change mitigation and adaptation measures such as green roofs and walls, sustainable drainage systems, multi-functional greenspace, protection and enhancement of biodiversity, waste reduction and recycling, water efficiency, flood risk management, and the use of recycled materials. The statement should also demonstrate how the development has complied with the energy hierarchy in terms of working towards zero carbon development, by focusing on energy efficiency first, followed by the provision of on-site renewable energy generation and other off site large scale solutions as necessary.

### 3) Statement of Community Involvement

**Justification** – To enable developers to show how they have engaged with the community prior to the submission of their planning application.

For larger-scale major applications or potentially controversial development proposals, the Council expects developers to engage with relevant stakeholders, including the local community, Ward Members and Town and Parish Councils where appropriate.

The Statement of Community Involvement should outline how consultation was undertaken, the responses which were received and how these comments have been taken into consideration.

A Design Review Panel meeting is strongly recommended for applications proposing 30 or more residential units, 10,000 square metres of non-residential floorspace or any application which may be considered to be of a controversial nature and or propose a unique or 'special' form of architectural interpretation.

#### 4) Environmental Statement for EIA Development

**Justification** – To ensure that the environmental impacts of certain types of developments (EIA development) have been fully considered.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Schedule 4 of the above regulations sets out the information that should be included in an Environmental Statement (ES). For developments that are listed in Schedule 1 or meet the criteria and/or thresholds of Schedule 2 of the above regulations, developers are encouraged to request an “EIA Screening Opinion” from the Local Planning Authority, prior to the submission of a planning application, to determine whether a development is “EIA development” and requires an ES. In cases, where a full ES is not required, it is expected that any relevant information will be covered by submission of the relevant documents in the Local Validation List.

#### 5) Biodiversity/Ecological Assessments

**Justification** – To ensure that applicants have considered the impacts on habitats and protected species.

Information should be provided on existing biodiversity interests and the possible impacts on them. This will allow full consideration of those impacts to be considered. Information will be needed to support proposals that include mitigation and/or compensation measures.

The Technical Advice note on biodiversity net gain issues should be populated and supplied alongside the application.

Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats for any species protected under the Wildlife and Countryside Act 1981, or the Protection of Badgers Act 1992. Certain proposals which include work involving the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts.

Information on designated sites can be found via <http://www.naturalengland.org.uk/>

Applicants should provide a Preliminary Ecological Appraisal (PEA) (Phase 1 Survey and any necessary Protected Species or Habitat Surveys (Phase 2 Surveys) as identified in the PEA.

The Council operates under a District Licensing Scheme for Great Crested Newts. If you intend to enter this scheme, you should do so prior to submission of the planning application and submit the relevant reports as part of the application submission. See [www.naturespaceuk.com](http://www.naturespaceuk.com) for more information.

#### 6) Biodiversity Impact Assessment Metric

**Justification** – To quantifiably demonstrate the impact on biodiversity and demonstrate whether there will be a net loss or gain in biodiversity because of the proposal.

The applicant should submit the Technical Advice Note Biodiversity Net Gain Checklist alongside the relevant application. The TAN encourages an on-site biodiversity net gain to be designed into the scheme at the earliest opportunity. Only where it can be demonstrated that this is not possible should off-site offsetting be considered.

#### 7) Tree Survey/Arboricultural Impact Assessment (AIA)

**Justification** – To ensure that applicants have considered the impacts trees, hedgerow.

The AIA or Tree Survey should provide information on which trees are to be retained and the means of protecting these trees during construction works. Where works are required to trees, this should be outlined within the survey.

If trees are to be removed due to this development, it should show where replacement landscaping will be provided to mitigate the loss of the trees (this can be provided by way of landscaping plans if these are required also). This information should be prepared by a qualified arboriculturist.

## 8) Flood Risk Assessment (FRA)

**Justification** – To ensure that flood risk will not be increased on or off site.

The FRA should identify and calculate the risks of all forms of flooding to and from the development and demonstrate how the development remains safe throughout its lifetime, taking climate change into account. A Sequential and/or Exception Test should be provided where necessary.

As part of their flood risk assessment, applicants must provide details of indicative breach flood water levels, ground levels, floor levels (ground, first and second) in metres, and show the floor level for bedrooms and safe refuges, providing justification for the options chosen.

Applicants must also provide a flood plan, detailing evacuation, and flood response; this must be prepared by a qualified emergency planner and must be maintained for the lifetime of the development.

## 9) Sustainable Drainage System (SuDS) Strategy

**Justification** – To ensure that the development meets the aims of not contributing to issues of localised flooding.

A Drainage Strategy should set out how the water will be drained from the site, as developed, without increasing the impact on adjacent areas or a Statement setting out why this is not necessary in this case.

The Applicant should access [the SuDS Tool on the East Sussex website](#) and design their scheme on around the output results from the SuDS tool. The output report from the SuDS tool should accompany all applications where there is a net gain in hard surface or building coverage.

## 10) Heritage Statement

**Justification** – To demonstrate that the impact on designated and non-designated heritage assets has been properly assessed. As a minimum the relevant record (HER) should have been consulted and the heritage assets identified.

Heritage assets also have a 'setting' which may contribute to their significance, this setting can be affected by proposals on another site. The Heritage Statement should consider the impact upon both the assets within the site and those outside it.

'Designated' heritage assets within the Council Area include listed buildings, conservation areas, scheduled monuments and historic parks and gardens. Other assets may possess heritage significance meriting consideration in planning decisions, these are commonly known as 'non-designated' heritage assets. These can vary in type, including for example, important elements of the twentieth century new town. Non designated heritage assets must also be identified in the heritage statement.

Heritage statements must provide an impartial and objective assessment. In some cases, it will be necessary to engage suitably qualified specialists to undertake this.

The statement must:

Assess and describe the significance of the heritage assets affected, identifying those elements that contribute to that significance and, where appropriate, those that do not. The level of detail shall be proportionate to the assets' importance and no more than is sufficient to understand the

potential impact of proposals on their significance. Limited and localised alterations to an unlisted building in a conservation area need not be supported by the level of detail required to convey the impact on significance of, for example, alterations to the built fabric of a listed building.

- Be of an analytical and interpretive nature rather than simply provide a description of the assets and the proposed works.
- Provide a sound justification for the works, based on the economic, social, and environmental benefits delivered by the scheme, for example, promoting the long-term care for a heritage asset and/or its setting.
- Explain how the scheme has taken account of the significance of the assets in its scope, design, and detail, to minimise or avoid harm to the heritage assets affected.
- Assess the nature and extent of any harm or public benefit arising from the scheme. Where harm is caused by the proposal, the assessment shall explain why such harm is unavoidable or required to deliver public benefits that outweigh the harm caused.
- Consider the full scope of works required to achieve changes to the listed building, such as those that will be required by Building Regulations, The Fire Authority, Environmental Health etc.

The scope and degree of detail necessary in a Heritage Statement will vary according to the circumstances of each application. The NPPF advises that applicants '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' (paragraph 189, NPPF 2019).

A structural survey may be required in support of an application for listed building consent.

## 11) Archaeological Assessment

**Justification** – To demonstrate that the impact on potential archaeological sites has been considered.

The Archaeological Assessment should be prepared by a suitably qualified and accredited individual or organisation, and should use existing information (including data from the Council's Historic Environment Record) to establish the archaeological significance of the site and the impact of the proposals on surviving remains.

Archaeological fieldwork may be required prior to the determination of certain applications to determine the actual extent and degree of survival on site.

An assessment will be required where there is a reasonable probability of archaeological remains, whether below or above ground, being present on the site.

Domestic extensions and alterations will not require such an assessment unless located on a scheduled monument. Where there will be significant ground disturbance, especially where there are known archaeological remains recorded on the Historic Environment Record (or in areas over 0.5 hectares which have the potential to contain significant remains), then a field

evaluation including trial trenching leading to a mitigation strategy may be necessary as part of the Heritage

## 12) Window and Door Details

**Justification** - To ensure that details are provided to make assessment on the impact on the conservation area or listed building.

Photograph of existing elevation where you wish to install the new windows.

The photograph must:

- Be titled to make it clear which elevation of the building it is (e.g. north elevation, south elevation).
- Be clear and not be obscured by any structures, trees, or vehicles etc. If obstructions are present you will need to provide a scaled existing elevation plan instead of a photograph.
- Have written dimensions of the window openings.
- Be large enough to clearly see the style of existing windows.
- Each window you wish to replace must be clearly referenced (e.g. W1, W2).

A statement must be provided indicating that the size of the window openings will not be altered. If the window opening sizes will be altered, then you will need to provide a scaled existing elevation plan instead of a photograph.

Details of proposed window at a scale of 1:10 or 1:5 (see Example 3 in Appendix 1)

This must:

- Be of sufficient quality and detail to see the window detail.
- Show glazing bars, sash horns etc. where appropriate.
- Be referenced to the photographs to clearly identify which replacement window the drawing relates to.
- Colour and material of the doors/windows.

Note: It may be that you can obtain these drawings from the window manufacturer.

However, if these are not available you may need to employ someone to complete these drawings as they will have to be of a suitable standard and detail.

Scaled Vertical and horizontal cross sections.

These must:

- Be of a sufficient quality and detail.
- Be to a scale of 1:5 or 1:2.
- Show the reveal (how far the window is set back in the wall) of the window in relation to the surrounding wall.
- Be referenced to the photographs to clearly identify which replacement window the drawing relates to.

Note: It may be that you can obtain these drawings from the window manufacturer. However, if these are not available you may need to employ someone to complete these drawings as they will have to be of a suitable standard and detail.

### 13) Transport Assessment/Statement

**Justification** – To ensure that the impact on the highway has been considered and that encouraging sustainable transport has been considered.

A Transport Assessment should be submitted as part of major planning applications or where the proposed development has significant transport implications. The coverage and detail of the assessment should reflect the scale of the development and the extent of the transport implications of the proposal.

For smaller schemes, a Transport Statement should simply outline the transport aspects of the application. For major proposals, the assessment should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site.

It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. The statement should analyse existing traffic flows around the site and the likely change that will occur due to the development.

Should include details as set out in the Transport Assessments, Transport Statements and Transport Reports – Guidance for Development Proposals in East Sussex and will include the existing conditions, development details, predicted person trip generation and mode splits, predicted residual vehicular trip generation based on proposed travel plan measures, distribution of residual vehicular trips, junction capacity assessments and merge / diverge assessments at opening year and ten years after registration of application, and details of the proposed mitigation measures including proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal. It is advisable for an applicant to contact East Sussex County Council Highway Authority and/or the Highways Agency (if affecting a Trunk Road) as early as possible to establish the need for a Transport Assessment or Statement and if needed, agree the scope.

### 14) Travel Plan

**Justification** - To ensure that a plan for increasing sustainable travel is in place.

A Travel Plan should set out how transport implications created by the development will be mitigated. It should aim to encourage more sustainable methods of transportation as part of the development scheme.

The plan should note where existing transport systems can be utilised or whether new connections will need to be proposed. Where non-residential uses are proposed, the Travel Plan should analyse how similar uses, or an existing use, utilise sustainable methods of transport and how further use of these will be implemented and monitored.

### 15) Parking Assessment/Plan

**Justification** - To ensure that applicants have provided sufficient vehicle and cycle parking, to avoid an adverse impact on highway safety.

A Parking Plan should show details of existing and proposed parking provision and could also be shown on a site layout plan. Layouts should be clear to show where parking is allocated to individual properties or where it is unallocated parking.

For non-residential uses, layouts should show where staff parking is provided and where parking is provided for visitors. If multiple units are proposed, or for a change of use of part of a larger site, any parking spaces which are solely in the use of that unit should be highlighted. Likewise, any spaces which are in the use of other units which would not be able to be used by this unit should be shown.



The dimensions of parking spaces and access routes should comply with the Parking Standards as shown by East Sussex Highway Website, dimensions should be shown on the plan.

For major developments a Parking Schedule should be provided to list the parking on a plot-by-plot basis, including any instances of tandem parking, any associated additional requirement and the amount of unallocated parking for the development as a whole.

Most forms of development have the potential to increase the amount of on-street parking. Where insufficient off-street parking to meet the Council's Parking Standards is proposed, an on street parking survey should be carried out to ensure that the increase in on street parking will not have an impact on highway safety, the free-flow of traffic, amenity, access by emergency services, refuse collection and delivery of goods.

### 16) Tracking Diagrams/Visibility Splays

**Justification** - To ensure that applicants have provided safe and appropriate vehicle access.

Tracking diagrams for private, refuse and emergency vehicles should be provided that show safe and easy access and egress to the site. Any developments that would be served by HGVs should also provide diagrams to show that the relevant vehicles can access and exit the site safely, and in forward gear.

If alterations or new access to the adopted highway is proposed, then appropriate visibility splays for the speed of the road should be provided.

### 17) Construction Traffic & Management Plan

**Justification** - To ensure that applicants have considered the traffic implications of a proposal during the construction phase.

A Construction Traffic Management Plan should be provided that includes details of the site compounds, including on-site parking areas, loading, and unloading areas, construction access, level of vehicle movement and routing arrangements. If necessary, details regarding wheel washing and road sweeping facilities should be provided.

Construction Management Plan The construction site management detail that must be submitted with this Management Plan will be wholly dependent on the construction processes that are being undertaken.

Please note that traffic and highway issues are addressed in the Construction Traffic Management Plan.

Please provide the following: ● Site plan ● Details of neighbour consultation ● Working hours ● Details of liaison with other site managers in the vicinity (if applicable) ● Summary and programme of works including demolition and construction ● Demolition and construction details ● e.g. piling methodology ● Plans for site arrangement (including storage areas) and monitoring equipment where applicable ● Noise and vibration mitigation ● Dust mitigation and air quality ● Statement to confirm sign up to the Considerate Constructors Scheme

### 18) Sustainability in Development Statement

The developer should engage with the Sustainability in Development Technical Advice Note and submit the checklist.

**Justification** - To demonstrate that the proposal is energy efficient, low carbon and environmentally sustainable.

The Sustainability in Development TAN provides a checklist of sustainability requirements and objectives that applicants should consider in development proposals. Applicants are requested to complete and submit the checklist to show whether sustainability issues have been given consideration in the proposal, and to provide evidence on how this has been done.

Sustainability in Development Statement should include information about how the design and construction of the development complies with sustainable design and construction policies and guidance and will be built to achieve the highest standards possible.

It should also include information about how the layout achieves the most sustainable development, how landscaping is likely to be utilised to improve sustainability, renewable energy utilisation, use of building materials and achieving carbon neutrality, where appropriate. Where an element of the scheme cannot meet any of the goals of sustainability in policy, it should be highlighted why this cannot be achieved.

The statement should also outline how the development proposes to interact with providing positive environmental, social, and economic implications, such as integration with sustainable transport networks and infrastructure and climate change mitigation.

### 19) Housing Statement and Accommodation Schedule

**Justification** - To ensure that an appropriate mix of housing types, and an appropriate proportion of accessible, adaptable, and innovative and self-build homes have been proposed.

A Housing Statement and Accommodation Schedule will need to provide:

- Details of the mix of housing, provision of affordable housing, and provision of accessible and adaptable and self-build homes.
- Details of the size and tenure of dwelling units and any arrangements with social housing providers.
- Details of the numbers of habitable rooms and / or bedrooms, and the floor space of habitable areas of residential units in accordance with the Nationally Described Space Standards (NDSS).
- If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.
- A site layout plan which shows the location of market and affordable housing (full application or approval of layout only).
- Any other material information which influences the provision of affordable housing or housing mix decisions (i.e. need or viability of affordable housing).
- Any details of innovative design and construction methods
- An Accommodation Schedule which provides a plot-by-plot list of dwellings, including type, tenure, size, and whether it meets the requirements of an accessible or adaptable home.

### 20) Economic Statement (including application of sequential testing where necessary)

**Justification** – To demonstrate how new employment opportunities have been created, or the loss of employment floorspace justified.

Applications may need to be accompanied by a supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be

created or supported; the relative floor space totals for each proposed use (where known); any community benefits; reference to any regeneration strategies that might lie behind or be supported by the proposal; and how the proposal contributes to local economy.

Where there is a loss of employment space, the economic statement will need to demonstrate that the site is environmentally or physically unsuitable for employment generating uses, that the site has been fairly marketed for at least two years and there is no real prospect of any form of employment arising or employment is only viable within a mixed use scheme.

Development of a town centre use which is in an edge or out of town centre location, will need to provide an impact assessment which demonstrates the following:

- The need for development.
- That the development is of an appropriate scale.
- That there are no more central sites for the development.
- That there are no unacceptable impacts on existing centres.
- That locations are accessible; and
- If a unit is subject to change of use, it should be demonstrated that the site has been fairly marketed for at least two years and there is no real prospect of a viable town centre use occupying the unit (if loss of town centre use proposed).

Town centre uses are defined as: retail; leisure facilities; entertainment facilities; intensive sport and recreation uses; arts, culture, and tourism use.

## 21) Landscape Visual Impact Assessment

**Justification** – To assess the landscape impact of a proposed development.

Applications for development which would have an impact on landscape character, whether by virtue of their size, location, or nature, should be accompanied by an LVIA in accordance with standard guidance. It is likely that most major or minor development in the Open Countryside, or proposals which are significantly taller than their surroundings will require an LVIA.

## 22) Landscaping Details

**Justification** - To provide an appropriate landscaping scheme and setting for the proposal.

Applications for development shall include Landscape plans show the proposed design and layout of all outdoor areas within the curtilage of a development.

Submitted landscape plans should set out the proposed landscape layout, including:

- How it responds to policies.
- Ecological benefits.
- Climate change adaptation measures.
- The approach to trees.
- Sustainable drainage.
- Management and maintenance; and
- Landscaping materials.

### 23) Lighting Assessment

**Justification** - To assess the impact of lighting on biodiversity, dark night sky and amenity, and any implications for safety and security.

Applications for development where external lighting (including commercial uses, recreational uses, security lighting and floodlighting) is proposed or required to sustain the development will be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details should include a layout plan with beam orientation, a schedule of the equipment in the design and the light/lux levels for proposed lighting.

### 24) Open Space Assessment

**Justification** - To ensure that applicants have assessed the implications of a loss of open space and provided appropriate facilities in new developments.

Plans to be submitted showing any areas of existing or proposed open space, or play, sports, or recreation facilities, within or adjoining the application site. Where the proposal would result in the loss of open space or play, sports or recreation facilities, an independent assessment should be provided as evidence that the land/buildings are surplus to local requirements. The assessment must also identify provision for future amenity space (including private, public, communal, and formal play space).

Applications for major developments should provide details of proposed play space. This should identify formal and informal play space provision, demonstrating how quantity standards have been met, and should include information on the location and design of the space (including layout, landscaping, and materials). Maintenance arrangements should be included.

### 25) Noise Assessment

**Justification** - To ensure that potential noise from the development or its surrounding have been considered, to assess the impact on amenity.

Applications for developments that may generate noise disturbance to the occupants of nearby existing buildings, or are considered to be noise sensitive and which are close to existing sources of noise, should be supported by a noise assessment prepared by a suitably qualified acoustician.

A noise assessment should also be submitted in areas where noise pollution is already poor and could have an adverse impact on the proposed development. The noise assessment should confirm whether noise is an issue and where it is, demonstrate what mitigation measures would be implemented to ensure the inhabitants of the proposed development are not negatively affected by the existing noise pollution.

### 26) Ventilation/extraction Equipment Details

**Justification** - To ensure that applicants have demonstrated that there will not adversely impact on human health and amenity.

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications where there is a requirement for external ventilation/extraction equipment.

This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

## 27) Daylight/sunlight Assessment

**Justification** - To ensure that applicants have demonstrated that the development does not cause unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight, or because of overshadowing.

The assessment should illustrate that the development does not cause unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight, or privacy. It should:

- Conform to the methodology identified in the Building Research

Establishment guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2011); and

- Identify and examine the impacts upon existing properties and sites with extant planning permissions.

The assessment should include a floor plan demonstrating a 45 degree angle from the side wall of the proposed extension towards the ground floor of the neighbouring property, and an elevation plan demonstrating a 45 degree angle from the centre of the roof slope towards the ground floor of the neighbouring property.

## 28) Land Contamination Assessment

**Justification** – To ensure that the risk from potential site contamination has been assessed.

A preliminary site investigation will normally be required. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 (2001) Code of Practice for the investigation of Potentially Contaminated Sites) as required by the NPPF. Any site investigation information should be prepared by a competent 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.

## 29) Circular Economy Technical Advice Note (Site Waste Management Plan)

**Justification** - To consider the waste hierarchy in respect of waste generated on site.

The applicant should engage, populate, and submit with their application the Circular Economy Checklist

The Circular Economy TAN seeks to embed the circular economy principles, such as the responsible sourcing of materials, enabling buildings to be adaptable for future reuse, and ensuring the materials can be recovered and recycled, into the design of buildings from the outset, on the basis that if the scheme is designed in the right way, waste generated should be minimised as a result

The plan should demonstrate that the required waste storage and waste collection arrangements can be accommodated on the site. Applicants should demonstrate that waste can be managed on-site including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space. This should include refuse vehicle tracking plans where refuse vehicles will be collecting waste from site.

Details on volume and type of waste to be stored and disposed of at site should be included both for the construction phase and once the development is implemented.

It should highlight any potentially hazardous or polluting waste that will be generated, stored, and disposed of at the site.

### 30) Telecommunications Development Statement

**Justification** – To provide evidence to justify the development.

Full and prior notification applications for mast and antenna development by mobile phone network operators in England should be accompanied by a range of supplementary information as set out in the NPPF. This should include the:

- area of search.
- details of any consultation undertaken.
- details of the proposed structure.
- technical justification.
- information about the proposed development; and
- signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

### 31) Planning Obligations/Heads of Terms

**Justification** - To consider the contributions necessary to make an otherwise unacceptable development acceptable, and to ensure that this process is undertaken early in the application process.

Planning obligations/S106 contributions are used to ensure that developments provide or contribute towards infrastructure and facilities that are necessary to support the development. Without these contributions the development would otherwise be unacceptable in planning terms. The circumstances which planning obligations may be required are outlined under the above policies.

Any application which will require contributions under planning policy should be accompanied by draft Heads of Terms. Draft Heads of Terms should be discussed and agreed at the pre-application stage.

### 32) Viability Assessment

**Justification** - To allow the applicant to justify non-compliance with policy on viability grounds.

A full un-redacted viability assessment should be provided at the time of submission. To fully assess whether the case made by an applicant for not meeting the policy requirements is reasonable and justifiable. This should include:

- Existing Use Value supported by an independent valuation.
- Land acquisition price and the basis of its purchase; salient terms of acquisition (e.g. subject to planning, soils, ground conditions survey, etc.).
- Purchase process (e.g. private treaty, open market bid, auction, etc.).
- Purchase costs including legal and agents' fees.
- Estimated sales values with independent supporting evidence including schedule of unit sizes.
- Estimated construction costs supported by Tender costs or QS schedule to include a specified contingency, contract related fees and itemised/defined 'abnormals'.
- Itemised preliminary costs.

- Professional fees presented under each respective heading.
- S106/CIL costs as advised by the LPA.
- Financing rate + evidence of financing terms/details (e.g. debt/equity ratio, etc.).
- Estimated profit together with contextual information appropriate to the developers target returns.
- Value/cost of the affordable housing provision, where relevant, together with tenure assumptions and calculation of any commuted sum; and
- Valuations using standard viability models such as HCA or RICS, will be acceptable subject to providing all the above information and are supported by an appropriate cash flow analysis.

Where viability grounds are used in not meeting policy (for example rural needs) it should be outlined why the proposed use or development is required in this location, and if related to a business operation, may require financial justification.

This information should be provided to the Council in its entirety. Applicants should be aware that the assessment will be made available in the same manner as other documents that form part of the submission.

If the Council considers it necessary to appoint an independent viability consultant to assess the application, the cost will be met by the applicant.

### 33) Road Safety Audit

**Justification** – In order to ensure that standards in highway and pedestrian safety are maintained.

All schemes requiring a Road Safety Audit will require a

Stage 1 (completion of preliminary design)

Stage 2 (completion of detailed design) &

Stage 3 (completion of construction) audit.

A Stage 4 road safety audit may also be required, if advised by East Sussex County Council Highways

### 34) Soil Management Plan

**Justification** – Where there is the movement of top and/or subsoils as part of a development proposal and where significant land rise or fall is proposed.

Land raising evidence needs to be supplied to assess the extent and substance of the imported material.

Land fall (removal) there needs to be an assessment and understanding as to the quality of the soil to be removed. This assessment needs to outline if it is to be re-laid at the site and or removed and disposed elsewhere.

### 35) Agricultural and Forestry Workers Statement

**Justification** – Where there is proposed a new workers accommodation or the loss of existing workers accommodation then a statement needs to be supplied outlining its justification.

Applications should be accompanied by form WPL8 on the Councils website.

[WPL8, Additional Information for proposed agricultural dwellings \(lewes-eastbourne.gov.uk\)](http://www.lewes-eastbourne.gov.uk/WPL8)

### 36) Agricultural and Forestry Diversification Plan

**Justification** – where the proposal is reliant on the farm/forestry diversification as a key theme in the proposal a statement should outline the economic benefits, the employment opportunities and the potential that the diversification measures would have on the rural economy.

The Council encourages the submission of Farm Business Plans to indicate clearly the implications of diversification proposals on the continued operation of the whole farm and to assist in weighing the environmental and economic issues, particularly where these are finely balanced. Such plans are informal and complementary to a planning application and can cover matters such as the implications for other land and buildings, possible demolition of unsightly buildings, landscape management, habitat improvement, public access, etc., as appropriate. It is unlikely that proposals for farm diversification could be supported for smaller parcels of land which are not part of a working farm. Proposals should be a secondary activity to the main farm enterprise and ideally will complement the daily farm activity.

### 37) Community Infrastructure Levy (CIL)

**Justification** – To comply with the requirement of the CIL regulations and ensure that the relevant notices and supplied at the correct times.

To assess whether a development may be CIL liable, all applications for full planning permission, including householder applications and reserved matters applications following outline permission and applications for lawful development certificates, must include a completed CIL Additional Information Requirement form (Form 1). The form is available at: [http://www.planningportal.gov.uk/uploads/1app/forms/cil\\_questions.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/cil_questions.pdf)

and guidance notes at:

[http://www.planningportal.gov.uk/uploads/1app/cil\\_guidance.pdf](http://www.planningportal.gov.uk/uploads/1app/cil_guidance.pdf)

The CIL charge will apply to all new homes and holiday lets, all residential extensions (including prior notification larger home extensions) and all new retail developments and extensions, that exceed 100 sqm. The Council will determine liability from the submitted CIL Additional Information Form.

The CIL Regulations allow for several types of Relief or Exemptions to be applied for. These are Charitable or Social Housing Relief, Self-Build Extension Exemption, Self-Build Annex Exemption and Self Build Exemption for a whole new home.

More information on the different types of Relief or Exemptions and how to apply for these can be found at:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/4](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/4)

It is important to note that although no further CIL Forms are required for Validation the correct CIL process must be followed to be able to apply for and claim relief, benefit from the payment instalment policy and avoid surcharge. Further information on the CIL Regulations can be found at:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)



For further information please see the CIL pages on our website.

### 38) Drawing Revision List

**Justification** - This applies where amendments and or changes are proposed to a previously approved scheme and should take the form of a table which should list all proposed drawing numbers and reference the drawing number which the proposed drawing is intended to replace. A brief description should be included against each plan number of the changes proposed within the plan.

### 39) Foul Water Utility Statement

**Justification** – On Major applications a statement needs to be submitted that outlines that prior to the submission of the scheme/proposal the applicant has engaged with the relevant statutory undertaker/provider in order to confirm that there is capacity within the existing network.

If capacity does not exist, the statement should outline the nature of the alternative and or mitigation proposed.

### 40) Playing Field and Sports Pitch Assessment

**Justification** – where the scheme proposes new and more importantly the removal/reduction in the extent of Playing Fields.

The statement would need to outline the benefits of the additional resource and if necessary, what would be the impacts upon the local community with any reduction.

### 41) Aerodrome Safeguarding Statement

**Justification** - The process is managed by the airport's aerodrome safeguarding team who are responsible for making sure that no developments within the 15km safeguarding zone (30km for wind turbines) have an adverse effect on the airport's operation.

Must comply with the town and country planning (safeguarded aerodromes, technical sites, and military explosives storage areas) direction 2002.

### 42) Site Topographical Survey

**Justification** – Required on all new dwellings and major applications and will ensure full interpretation of the likely impacts of a proposal in relation to residential amenity, streetscape, and landscape amenity.

### 43) Air Quality Statement

**Justification** – any proposal within or adjacent to any Air Quality Management Area adopted by the Council that is likely to result in an increase in traffic and or odour. The statement should outline the steps required to mitigate road related traffic pollution.

### 44) Energy Statement

**Justification** – The Energy Statement should outline which actions the developer may take to meet local planning carbon reduction targets. The statement should build upon the Adopted Sustainability checklist and should include:

Baseline annual CO2 emissions and energy costs

Fabric first approach

Heating, ventilation, and lighting details

Low and zero carbon feasibility report – renewable energy technologies

Advice in specification of energy efficient measures

Demonstration that there is Improvement in CO2 over a baseline based on Part Building Regulations

#### 45) Retail and Leisure Impact Assessment (RLIA)

A RLIA is a means of establishing the potential commercial impact of a proposed new retail development on existing and committed (i.e. not yet built but have planning permission) retail and leisure developments. The main reason for the preparation of a RLIA is to provide relevant information to assist in the determination of an application for planning permission for major retail and leisure development. It is also used for assessing the significance of the impact on the current and future vitality and viability of the surrounding centres.

Retail and Leisure Impact Assessments should include quantitative and qualitative merits of the proposal when tested against national and local planning policies. In particular, it should consider the scale of the proposal, assess the effect of the scheme on existing centres within the locality and its wider catchment area and examine the qualitative improvements that would result from the scheme, if approved.

#### 46) Ashdown 7KM Zone

If the development proposed is for/or includes the creation of residential dwellings or change of use to residential (this includes holiday lets and all new residential dwellings) then please read the Habitat Regulations page on our website.

# Draft Validation List (Lewes)

## 28/04/2021

Accompanied by Appendix 1

### National/Local Requirements

| Information Required  | Policy Driver   | Types of application/development for which the information is required   | Further Guidance   |
|---|---|--|--|
| Fully Completed Application Form<br>Ownership Certificate and Land<br>Declaration | The Town and<br>Country Planning<br>(Development<br>Management<br>Procedure)(England)<br>Order 2015 (As<br>Amended) | All types of application   | <a href="#">Application Guidance</a><br><br><a href="#">DMPO 2015</a>  |
| Site Location Plan  | The Town and<br>Country Planning<br>(Development<br>Management<br>Procedure)(England)<br>Order 2015 (As<br>Amended) | All types of application   | <a href="#">Application Guidance</a><br><br><a href="#">DMPO 2015</a>  |
| Additional Plans  | DM25: Design<br>DM28: Residential<br>Extensions<br>CP2: Housing Type,<br>Mix and Density<br><br>National Planning   | The national requirements note the need for a location plan and “others as necessary”, with reliance on the local requirements to detail what those are. For the avoidance of doubt, the local requirements are: <ul style="list-style-type: none"> <li>Proposed Block Plan – including: site access details, any proposed increase</li> </ul> | <a href="#">Application Guidance</a><br><br><a href="#">DMPO 2015</a><br><br><a href="#">NPPF</a><br><br><a href="#">Planning Policy</a> |

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|---|--|---|--|
|   | <p>Policy Framework (NPPF)</p> <p>Article 7 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p>   | <p>in floor area shown, locations of any trees/landscaping that may be affected by the proposal, and a north point.</p> <ul style="list-style-type: none"> <li>Existing and proposed elevations, floor and roof plans in full</li> <li>Existing and proposed site sections and finished floor levels where there is a change in ground level proposed or the development is on a sloping site.</li> <li>Other plans deemed as necessary by Local Planning Authority</li> <li>All plans must be drawn to a recognised scale, contain a scale bar and note the original paper size</li> </ul> |  |
| Drawings Revision List                      | <p>National Planning Policy Framework (NPPF), paras 43 and 44 National Planning Practice Guidance (NPPG), Paras 039 and 40 (Reference ID: 14-039-2014030 and ID: 14-040- 20140306)</p> | <p>Section 73 applications including Variation of conditions – approved plans, Minor-Material Amendments and Non-Material Amendments.</p> <p>Any Full application which makes variations to a previously approved application.</p>  | <p><a href="#">NPPF</a></p> <p>See paragraph 38 of Appendix 1</p>                  |
| Economic Statement                          | <p>National Planning Policy Framework (NPPF), paras 80-81 National Planning Practice Guidance (NPPG), para 029 (Reference ID: 2a02920190220)</p>                                       | <p>Any application that:</p> <ul style="list-style-type: none"> <li>creates new employment uses.</li> <li>results in the loss of existing employment uses</li> </ul>  | <p><a href="#">NPPF</a></p> <p>See paragraph 20 of Appendix 1</p>                  |
| Agricultural and Forestry Workers Statement | <p>DM3: Accommodation for Agricultural and Other Rural Workers</p>   | <p>All development or loss of an agricultural or forestry workers' housing</p>  | <p><a href="#">Agricultural Workers</a></p> <p><a href="#">Planning Policy</a></p> |

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|--|--|---|---|
|  |  |   | See paragraph 35 of Appendix 1<br><a href="#">Planning Policy</a><br><br><a href="#">Woodland Trust Guidance</a>  |
| Agriculture and Forestry Diversification Plan  | DM9: Farm Diversification<br>DM19: Protection of Agricultural Land   | All developments for agriculture or forestry diversification  | See paragraph 36 of Appendix 1<br><a href="#">Habitat Regulations</a><br><br><a href="#">Conservation of Habitats &amp; Species Regulations 2017 (as amended)</a><br><br><a href="#">7km Ashdown Map</a><br><br><a href="#">Supporting Documents Information</a><br><br><a href="#">Planning Policy</a> |
| Ashdown Forest 7km Zone  | DM24: Protection of Biodiversity and Geodiversity<br><br>CP10: Natural Environment and Landscape   | Development in the 7km Ashdown Forest buffer (including single dwellings) require us to make an appropriate assessment of the potential impact upon the Ashdown Forest so the applicant will need to provide us with a suitable amount of information to enable us to do this as per section 63 of the Conservation of Habitats & Species Regulations 2017 (as amended).<br><br>Any new development within the 7km Ashdown Forest Buffer. |   |
| Affordable Housing Statement (& S106 Heads of Terms if Affordable Housing Required As Part of The Application) | CP1: Affordable Housing<br>CP2: Housing Type, Mix and Density<br>DM2: Affordable Homes Exception Sites<br><br>National Planning Policy Framework (NPPF), paras 59-71 | All applications for housing development which require onsite affordable housing provision or a contribution to it.   | <a href="#">LDC Affordable Housing Supplementary Planning Document</a><br><br><a href="#">Planning Policy</a><br><br><a href="#">NPPF</a><br><br>See paragraph 19 of Appendix 1   |
| Mix of Homes Statement   | CP1: Affordable Housing<br>CP2: Housing Type, Mix and Density  | All applications for housing development  | <a href="#">Planning Policy</a><br><br>See paragraph 19 of Appendix 1   |
| Air Quality Assessment   | CP9: Air Quality   | All applications for major development where  | <a href="#">NPPF</a>  |

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|  | DM20: Pollution Management<br><br>National Planning Policy Framework (NPPF), para 181  | traffic generation, bio-aerosols, or odour is increased and/or the development is likely to affect or cause the declaration of an Air Quality Management Area, including through cumulative impact  | <a href="#">DEFRA Air Quality Management Area Maps</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 43 of Appendix 1   |
| Biodiversity Survey and Report, or Environmental Impact Assessment, or Ecological Impact Assessment<br><br>Biodiversity Net Gain | CP10: Natural Environment and Landscape<br><br>DM24: Protection of Biodiversity and Geodiversity<br><br>National Planning Policy Framework (NPPF), paras 170-183 National Planning Practice Guidance (NPPG), para 018 (Reference ID: 8-018-20190721) | All applications for development that would have an impact on priority species, or are within, adjacent to or likely to have an impact on: Local Wildlife Sites, Local Nature Reserves, National Nature Reserves, SSSIs, or where there is a reasonable likelihood of protected specials and/or their habitats<br><br>All Major Applications<br><br>Developers should engage with the Biodiversity Net Gain Technical Advice Note | <a href="#">Government Guidance on Biodiversity</a><br><br><a href="#">Sussex Biodiversity Record Centre</a><br><br><a href="#">Natural Environment and Rural Communities Act 2006 - Section 41</a><br><br><a href="#">Biodiversity Technical Advice Note Appropriate Assessments</a><br><br><a href="#">Government Circular: Biodiversity and Geological Conservation</a><br><br><a href="#">Planning Policy</a><br><br><a href="#">NPPF</a><br><br>See paragraphs 5 and 6 of Appendix 1 |
| Community Infrastructure Levy  | CP7: Infrastructure  | All householder, minor and major applications, prior approvals for change of use and existing lawful development applications   | <a href="#">CIL Form</a><br><br><a href="#">Guidance Notes</a><br><br><a href="#">Types of Relief</a><br><br><a href="#">Further Information on CIL Regulations</a><br><br><a href="#">CIL on Public Website</a>  |

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|   |   |  | <a href="#">Planning Policy</a><br>See paragraph 37 of Appendix 1  |
| Construction Management Plan & Construction Traffic Management Plan | CP13: Sustainable Travel<br><br>National Planning Policy Framework (NPPF)   | All major Applications<br><br>All applications in tight locations and within 400m of a school  | <a href="#">Planning Policy</a><br><br><a href="#">NPPF</a><br><br>See paragraph 17 of Appendix 1  |
| Design and Access Statement & Planning Statement                    | National Planning Policy Framework (NPPF)<br><br>Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) | At officer discretion:<br>Full Planning Applications<br>Minor Developments<br>Major Developments   | <a href="#">National Validation requirements</a><br><br><a href="#">NPPF</a><br><br><a href="#">DMPO 2015</a><br><br>See paragraphs 1 and 2 of Appendix 1  |
| Heritage Statement (Including Archaeological Assessment)            | DM33: Heritage Assets<br><br>CP11: Built and Historic Environment and Design<br><br>National Planning Policy Framework (NPPF), para 189         | All applications for development affecting a designated heritage asset or its setting. Heritage assets include, but are not restricted to, listed buildings, scheduled monuments, archaeological areas, conservations area, historic parks and gardens and historic battlefields | <a href="#">LDC Heritage and Design Guidance (including link to Heritage Statement Template)</a><br><br><a href="#">ESCC Archaeology Guidance</a><br><br><a href="#">NPPF</a><br><br><a href="#">Government Guidance on Heritage Statements</a><br><br><a href="#">Historic England Charter</a><br><br><a href="#">Planning Policy</a> |

|  |                                       |   |   |
|--|---------------------------------------|---|---|
|  |                                       |   | See paragraphs 10 and 11 of Appendix 1  |
| Renewable/Low Carbon Energy and Sustainable Use of Resources Statement   | CP14: Renewable and Low carbon Energy | All applications  | <a href="#">Sustainable Building Design - Supplementary Guidance</a><br><br><a href="#">Renewable Energy Guidance</a><br><br><a href="#">LDC Electric Vehicle Charging Points Technical Guidance</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 18 of Appendix 1   |
| Sustainability Statement<br><br>Sustainability in Development Technical Advice Note (TAN)<br><br>Sustainability in Development Checklist | CP14: Renewable and Low carbon Energy | All applications for new residential, commercial, agricultural or community buildings, including conversion of existing buildings<br><br>TANS Sustainability in Development: Appendix 1 is for Major Applications which is to be used on applications which meet the following criteria: <ul style="list-style-type: none"> <li>• Residential: 10 or more dwellings / over half a hectare / building(s) exceeds 1000m<sup>2</sup> floor space</li> <li>• Commercial: 1,000m<sup>2</sup> or more floor space / 1 or more hectares 4.7</li> </ul> Appendix 2 is for Minor Applications and should be used on applications which meet the following criteria: <ul style="list-style-type: none"> <li>• Residential: up to 10 dwellings</li> <li>• Commercial: under 1,000m<sup>2</sup> floor space / less than 1 hectares</li> </ul> | <a href="#">Building Research Establishment Environmental Assessment Method</a><br><br><a href="#">Sustainable Building Design - Supplementary Guidance</a><br><br><a href="#">Renewable Energy Guidance</a><br><br><a href="#">LDC Electric Vehicle Charging Points Technical Guidance</a><br><br><a href="#">TAN Sustainability in Development</a><br><br><a href="#">TAN Circular Economy</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 18 of Appendix 1 |



|                         |   |  |  |
|-------------------------|---|--|--|
| Energy Strategy         | CP14: Renewable and Low carbon Energy   | <p>New solar farms/ wind turbines</p> <p>All applications on site allocations in the local plan</p> <p>All applications where there will be an increase in the demand/use of energy</p>                    | <p><a href="#">Planning Practice Guidance for Climate Change</a></p> <p><a href="#">TAN Sustainability in Development</a></p> <p><a href="#">Planning Policy</a></p> <p>See paragraph 44 of Appendix 1</p> |
| Environmental Statement | <p>National Planning Policy Framework (NPPF), para 043</p> <p>National Planning Practice Guidance (NPPG), paras 010 (Reference ID: 4-010-20170728), 034 (Reference ID: 4- 034-20170728) and 035 (Reference ID: 4- 035-20170728) Town and Country Planning (Environmental Impact Assessment) Regulations 2017</p> <p>The Town and Country Planning (Development Management Procedure)(England) Order 2015 (As Amended)</p> | <p>Required in connection with all development identified within Schedule 1 or 2 of the regulations and which in accordance with Schedule 3 would constitute EIA development.</p> <p>EIA Applications.</p> | <p><a href="#">NPPF</a></p> <p><a href="#">DMPO 2015</a></p> <p>See paragraph 4 of Appendix 1</p>  |
| Flood Risk Assessment   | CP12: Flood Risk, Coastal Erosion and Drainage  | All applications where site area >1ha in Flood Zone 1; all proposals where application site is in Flood Zones 2 and 3  | <p><a href="#">NPPF - Chapter 14</a></p> <p><a href="#">Planning Policy</a></p>  |

|  |   |   |   |
|--|---|---|---|
|  | National Planning Policy Framework (NPPF), paras 43, 159-160, 163- 164  |   | <a href="#">Planning Practice Guidance</a><br><a href="#">Environment Agency Flood Risk Assessment Guidance</a><br><a href="#">Flood Maps For Planning</a><br>See paragraph 8 of Appendix 1 |
| Flooding Sequential Test               | NPPG - Flood risk assessment: the sequential test for applicants<br><br>Core Policy 12 (Flood Risk, Coastal Erosion & Drainage)<br><br>National Planning Policy Framework (NPPF), paras 43, 159-160, 163- 164 | Major development is in flood zone 2 or 3.<br><br>Not required when: <ul style="list-style-type: none"> <li>• A sequential test has already been carried out for a development of the type your planning (e.g. a residential development) for your site.</li> <li>• Development involves a change of use (e.g. from commercial to residential) unless your development is a caravan, camping chalet, mobile home or park home site</li> </ul> | <a href="#">Flood Risk Assessment: The Sequential Test</a><br><br><a href="#">Planning Policy</a><br><br><a href="#">NPPF</a><br>See paragraph 8 of Appendix 1                              |
| Foul Sewerage and Utilities Assessment | CP12: Flood Risk, Coastal Erosion and Drainage<br>DM22: Water Resources and Water Quality   | All applications for major development  | <a href="#">Building Regulations Part H</a><br><br><a href="#">Sewers For Adoption</a><br><br><a href="#">Planning Policy</a><br>See paragraph 39 of Appendix 1                             |
| Land Contamination Assessment          | DM21: Land Contamination<br><br>National Planning   | All applications on sites where contamination is known or suspected to exist  | <a href="#">NPPF - Chapter 15</a><br><br><a href="#">Government Guidance on Land Affected By Contamination</a>  |

|  |   |  |  |
|--|---|--|--|
|  | Policy Framework (NPPF), paras 179-180  |  | <a href="#">Planning Policy</a><br>See paragraph 28 of Appendix 1  |
| Landscape Appraisal/Study<br>Landscape Visual Impact Assessment<br>Landscaping Details | CP10: Natural Environment and Landscape<br>CP11: Built and Historic Environment & Design  | All applications for development, except householder applications, outside of the designated settlement boundary   | <a href="#">NPPF - Chapters 8, 12, 13, 14 and 15</a><br><br><a href="#">Planning Practice Guidance</a><br><br><a href="#">Planning Policy</a><br><br>See paragraphs 21 and 22 of Appendix 1  |
| Lighting Assessment  | CP11: Built and Historic Environment & Design<br>DM20: Pollution Management<br>DM25: Design   | All Major Applications<br><br>All applications proposing external lighting in the Districts Dark Villages  | <a href="#">Planning Policy</a><br><br>See paragraph 23 of Appendix 1  |
| Marketing/Viability/Need Assessment  | CP1: Affordable Housing<br>CP3: Gypsy and Traveller Accommodation<br>CP4: Economic Development and Regeneration<br>CP5: The Visitor Economy<br>CP6: Retail and Town Centres<br>CP7: Infrastructure<br>DM10: Employment Development in the Countryside<br>DM11: Existing | Development proposals that result in the loss of visitor accommodation, attractions and recreation facilities<br><br>Development proposals for new residential development where the required provision of Affordable Housing will not be met<br><br>Applications for the removal of agricultural/forestry occupancy conditions<br><br>Development proposals to meet the needs of the Gypsy and Travelling community<br><br>Change of use resulting in the loss of employment land | <a href="#">Planning Policy for Traveller Sites</a><br><br><a href="#">Caravan Sites and the Control of Development Act 1960</a><br><br><a href="#">Lewes District Employment Land Review</a><br><br><a href="#">LDC Affordable Housing Supplementary Planning Document</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 32 in Appendix 1 |

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|  | Employment Sites in the Countryside<br>DM13: Existing Visitor Accommodation  | Development resulting in the loss of retail (Class A/E) units<br><br>Development that would result in the loss of community facilities   |   |
| Noise Assessment   | CP11: Built and Historic Environment & Design<br>DM20: Pollution Management<br>DM23: Noise<br>DM25: Design<br>National Planning Policy Framework (NPPF), para 180  | All applications, other than householder, likely to generate noise that may raise issues of disturbance by noise and/or reduce tranquillity, including where residential or other noise sensitive uses are proposed adjacent to existing noise sources | <a href="#">NPPF - Chapters 15 and 17</a><br><br><a href="#">Planning Practice Guidance - Noise</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 25 of Appendix 1  |
| Open Space Assessment  | CP8: Green Infrastructure<br>CP11: Built and Historic Environment & Design<br>DM14: Multi-function Green Infrastructure<br>DM15: Provision for Outdoor Playing Space<br>DM16: Children's Play Space in New Housing Development | All applications for development where public open space is to be lost or new open space required as part of the development   | <a href="#">NPPF - Chapter 8</a><br><br><a href="#">Government Guidance on - Open Spaces, Sports and Recreation Facilities, Public Rights Of Way and Local Green Space</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 24 of Appendix 1 |
| Information to support Outline Applications.<br><br>Where the matters are reserved for subsequent approval the Council may call in additional material | The Town and Country Planning (Development Management Procedure) (England) Order 2015 (As Amended)   | Outline Applications   | <a href="#">Application Guidance</a><br><br><a href="#">DMPO 2015</a>   |

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| Playing Field/Sports Provision Assessment  | CP6: Retail and Town Centres<br>CP8: Green Infrastructure<br>DM15: Provision for Outdoor Playing Space | All development which would result in the loss of playing fields or impact on existing sports facilities  | <a href="#">NPPF - Chapter 8</a><br><br><a href="#">Government Guidance on - Open Spaces, Sports and Recreation Facilities, Public Rights Of Way and Local Green Space</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 40 of Appendix 1 |
| Planning Obligation Provisions (Unilateral Undertakings or a Draft Heads of Terms) | National Planning Policy Framework (NPPF), para 56   | All major applications (10+ dwellings, over 1000 square metres of non-residential floor space etc) will be required to be accompanied by draft Heads of Terms for S106  | <a href="#">NPPF</a><br><br>See paragraph 31 of Appendix 1  |
| Retail/Leisure Impact Assessment Main Town Centre and Retail Sequential Test       | CP6: Retail and Town Centres<br><br>National Planning Policy Framework (NPPF), para 89                 | Required where retail floor space exceeds the below standards:<br>Main Town Centre - 750sqm or more<br>District Centre - 500sqm or more<br>Local Service Centre - 250sqm or more<br>Outside of Town Centre Leisure Uses above 2500sqm<br><br>Applications for any of the following: <ul style="list-style-type: none"> <li>• Major Retail and leisure developments</li> <li>• Smaller retail and leisure likely to have a significant impact on smaller centres.</li> <li>• Applications for other main town centre uses when they are an edge of centre or out of centre location; and not in accordance with a development plan.</li> </ul> | <a href="#">Town Centre Vitality</a><br><br><a href="#">NPPF</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 45 of Appendix 1   |
| Road Safety Audit (Stage 1 required at Validation)                                 | National Planning Policy Framework (NPPF), para 108  | For all major developments that include any of the following: <ul style="list-style-type: none"> <li>• Alteration to an existing highway.</li> <li>• Intensification of use of existing access.</li> </ul>  | <a href="#">NPPF</a><br><br>See paragraph 33 of Appendix 1  |

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|                                    |  | <ul style="list-style-type: none"> <li>• Formation of a new access.</li> <li>• Off-site highway improvements.</li> <li>• New residential estate roads.</li> </ul>         |  |
| Site Survey (Topographical Survey) | CP2: Housing Type, Mix and Density<br>DM25: Design<br>National Planning Policy Framework (NPPF)  | <p>Required on all developments involving new residential dwellings.</p> <p>All Major developments</p>  | <p><a href="#">NPPF</a></p> <p><a href="#">Planning Policy</a></p> <p>See paragraph 42 of Appendix 1</p>   |
| Soil Management Plan               | National Planning Policy Framework (NPPF)  | All applications for development where the movement of top and/or subsoils is proposed  | <p><a href="#">NPPF - Chapter 15</a></p> <p>See paragraph 34 of Appendix 1</p>   |
| Sunlight/Daylight Assessment       | CP11: Built and Historic Environment & Design<br><br>DM25: Design<br><br>DM28: Residential Extensions                                      | All applications for development where there is the potential to impact on the sunlight/daylight of an adjoining property   | <p><a href="#">BRE Sunlight/Daylight Assessment Guidance</a></p> <p><a href="#">Planning Policy</a></p> <p>See paragraph 27 of Appendix 1</p>  |
| Surface Water Drainage Strategy    | CP11: Built and Historic Environment & Design<br>CP12: Flood Risk, Coastal Erosion and Drainage<br>DM22: Water Resources and Water Quality | <p>All applications for major development</p> <p>Allocations within Local Plan</p> <p>All applications where there is a net gain in hard surface or building coverage</p> | <p><a href="#">SuDS Calculation Tool</a></p> <p><a href="#">NPPF - Chapter 14</a></p> <p><a href="#">Planning Practice Guidance - Water</a></p> <p><a href="#">Sustainable Drainage Systems: Non-statutory Technical Standards</a></p> <p><a href="#">Guide to Sustainable Drainage Systems in East Sussex</a></p> |

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|  |   |  | <a href="#">Rainfall Runoff Management for Developments</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 9 of Appendix 1  |
| Statement of Community Involvement (SCI)   | National Planning Policy Framework (NPPF), para 128   | SCI will be provided where the proposal: <ul style="list-style-type: none"> <li>• Is contrary to (a departure from) the Development Plan policies.</li> <li>• Major Development</li> <li>• Other potentially controversial applications where the nature of the development is likely to attract significant local interest.</li> </ul>  | <a href="#">NPPF</a><br><br>See paragraph 3 of Appendix 1  |
| Telecommunications Statement   | DM32: Telecommunications Infrastructure<br><br>National Planning Policy Framework (NPPF), paras 112-116   | All telecommunications equipment applications  | <a href="#">Code of Best Practice on Mobile Network Development in England</a><br><br><a href="#">NPPF</a><br><br><a href="#">Planning Policy</a><br><br>See paragraph 30 of Appendix 1  |
| Transport Assessment/Parking Provision Assessment including the location and number of electric charging points and vehicle tracking and visibility splays | CP11: Built and Historic Environment & Design<br>CP13: Sustainable Travel<br>DM35: Footpath, Cycle and Bridleway Network<br><br>National Planning Policy Framework (NPPF), paras 102, 108 111-112 | All applications for major development<br><br>All applications likely to generate 30 two-way peak hour vehicle trips or more will require a Transport Assessment. <ul style="list-style-type: none"> <li>• Applications likely to result in a material increase in the character of traffic entering or leaving a trunk road will require a Transport Assessment.</li> <li>• Applications that result in lower but still significant transport considerations will require a Transport Statement</li> </ul> All applications likely to result in either: | <a href="#">NPPF - Chapters 6, 9, 13 and 17</a><br><br><a href="#">Planning Practice Guidance - Transport</a><br><br><a href="#">ESCC Parking Standards</a><br><br><a href="#">Transport Assessments Advice</a><br><br><a href="#">Planning Policy</a><br><br>See Paragraphs 13, 15 and 16 of Appendix 1 |

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|  |  | <ul style="list-style-type: none"> <li>• a loss or gain in parking provision on site.</li> <li>• an increase in parking demand.</li> <li>• a change to vehicular / pedestrian access</li> </ul> <p>As part of the transport assessment vehicle tracking and visibility details shall be provided</p>  |   |
| Travel Plan  | <p>CP11: Built and Historic Environment &amp; Design<br/> CP13: Sustainable Travel<br/> DM35: Footpath, Cycle and Bridleway Network</p> <p>National Planning Policy Framework (NPPF), paras 111-112</p>              | <p>All applications for major development<br/> All non-residential proposals involving 50 employees or more. • Development that is likely to increase accidents or conflicts between motorised and non-road users particularly the vulnerable • Development generating 30 or more two-way vehicle movements in any hour • Development generating 100 or more parking spaces • Development generating significant freight or HGV vehicles per day, or significant abnormal loads</p> | <p><a href="#">NPPF - Chapters 6, 9, 13 and 17</a><br/> <a href="#">Planning Practice Guidance - Travel</a><br/> <a href="#">ESCC Travel Plan Guidance</a><br/> <a href="#">Planning Policy</a></p> <p>See paragraph 14 of Appendix 1</p> |
| Tree Survey, or Arboricultural Assessment, or Arboricultural Method Statement and Tree Protection Plan | <p>CP10: Natural Environment and Landscape<br/> DM24: Protection of Biodiversity and Geodiversity<br/> DM25: Design<br/> DM27: Landscape Design</p> <p>National Planning Policy Framework (NPPF), paras 170, 175</p> | <p>All applications for development with the potential to affect trees</p>  | <p><a href="#">Wild Birds: Protection and Licences</a><br/> <a href="#">Bats: Building, Planning and Development</a><br/> <a href="#">NPPF</a><br/> <a href="#">Planning Policy</a></p> <p>See Paragraph 7 of Appendix 1</p>              |
| Aerodrome Safeguarding Statement   | The town and country planning (safeguarded)  | All applications for wind turbines  | <a href="#">Circular 01/2003: Safeguarding Aerodromes, Technical Sites and</a>  |



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|  | aerodromes, technical sites and military explosives storage areas) direction 2002 | All tall buildings  | <a href="#">Military Explosives Storage Areas</a><br><a href="#">Storage Areas : The Town &amp; Country Planning (Safeguarded Aerodromes, Technical Sites &amp; Military Explosives Storage Areas) Direction 2002'</a><br><a href="#">Airport Operators Association (AOA) Advice Note 7 'Wind Turbines &amp; Aviation'</a><br>See paragraph 41 of Appendix 1 |
| Ventilation/Extraction Details   | CP9: Air Quality<br><br>National Planning Policy Framework (NPPF), para 170       | All applications for development that includes installation of ventilation/extraction equipment | <a href="#">Planning Practice Guidance (Noise)</a><br><a href="#">Guidance on the Control of Odour and Noise From Commercial Kitchen Exhaust</a><br><a href="#">HSE: Ventilation in Catering Kitchens</a><br><a href="#">NPPF</a><br><a href="#">Planning Policy</a><br>See paragraph 26 of Appendix 1   |
| Waste Provision Statement, or Waste Management Plan/Strategy<br><br>Site Waste Management Plan<br><br>Circular Economy | CP11: Built and Historic Environment & Design<br>DM20: Pollution Management       | To be submitted for all Major and Minor application types of development at officer discretion  | <a href="#">Recycle Kerbside SPG</a><br><a href="#">Circular Economy TAN</a><br><a href="#">Planning Policy</a><br>See Paragraph 29 of Appendix 1  |
| Window and Door Details  | CP2: Housing Type, Mix and Density  | On all applications that are proposing changes and adaptations to existing windows and doors    | <a href="#">Planning Policy</a>  |

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|  | CP11: Built and Historic Environment & Design<br><br>DM25: Design<br>DM28: Residential Extensions<br>DM33: Heritage Assets | and this will primarily be in Conservation Areas and Listed Buildings | See paragraph 12 of Appendix 1 |
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