

Relevant Plans and Policies

National Planning Policy

National planning policy advice is contained primarily within a series of Planning Policy Guidance (PPG) notes, produced by the Government in order to guide planning authorities in developing their own plans and to assist in decision making. However, in 2001 the Government announced that it intended to review all its planning policy guidance documents in order to see whether they remain necessary, to seek greater clarity and to separate guidance on practical implementation from policy statements. Some PPGs have already been, or are just about to be, replaced by new Planning Policy Statements (PPS).

Policy relevant to the Cuckmere Estuary Project is contained in the following PPG/PPSs:

PPS1: Creating Sustainable Communities (2005)

PPS1 sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

PPS7: Sustainable Development in Rural Areas (2004)

This PPS sets out the Government's objectives for planning in rural areas and describes how planning authorities should promote these objectives through, for example, countryside and landscape protection and management of development in the countryside.

PPS9: Biodiversity and Geological Conservation (2005)

This PPS sets out planning policies on protection of biodiversity and geological conservation through the planning system.

PPG15: Planning and the Historic Environment (1994)

This PPG provides a statement of national policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

PPG16: Archaeology and Planning (1990)

PPG16 provides guidance on national policy on archaeological remains and how they should be preserved or recorded. It emphasises the value of early consultations between developers and planning.

PPG20: Coastal Planning (1992)

PPG20 provides a comprehensive statement of policy in relation to coastal planning. It acknowledges that the coast provides an important national resource which must be protected, conserved and, where appropriate, improved.

PPG25: Development and Flood Risk (2001)

This PPG sets out the Government's policy on the role of land use planning in reducing the risks to people and the developed and natural environment from flooding. It notes that the risk of both coastal and river flooding is expected to increase as a result of climate change (leading to sea level rise and more intense rainfall). Local authorities are expected to bear these considerations in mind when framing planning policies and in determining applications for planning permission.

Regional Planning Policy

Regional Planning Guidance provides a regional framework for the preparation of local authority development plans, particularly structure plans, by translating national planning policy to a more local level. It thereby ensures that regional policy is consistent with national policy and that neighbouring local authority's local plans are consistent with each other. Regional planning guidance also provides a spatial framework for the development of other strategies and programmes which will guide the region's development, such as local transport plans. Regional planning guidance may be material to decisions on individual planning applications and appeals.

Regional Planning Guidance for the South East (RPG9)

This was published in 2001 by the Department of the Environment, Transport and the Regions and contains four policies relating to environmental protection and flooding issues which are of particular relevance to this Strategy

Local Planning Policy

Local Development Plan

The development plan for the study area consists of the East Sussex Structure Plan and the Lewes District Local Plan. Relevant policies and proposals from the Structure and Local Plans are included here. The study area borders Wealden District, and therefore may affect areas within this District. Accordingly, a review of relevant policies from the adopted Wealden Local Plan and emerging Wealden Local Plan is also included in this section.

East Sussex and Brighton & Hove Structure Plan 1991-2011 (adopted 1999)

The aim of the Structure Plan is to seek a more environmentally sustainable future for the county and to meet the needs for development and change in a manner that is more sustainable in the longer term. The Plan does this by protecting and enhancing the areas assets, while addressing its problems in order to achieve an improving quality of life in the county.

The importance of protecting East Sussex's countryside resources is reflected through several policies which seek to sustain, conserve and where possible enhance the character, local diversity and quality of the landscape and natural environment, and where appropriate to create new areas of distinctive character. The Plan contains a list of criteria which seek to meet the needs of development and change in a way which is more environmentally sustainable in the longer term. All planning activities and development decisions should take account of these criteria. These criteria set down the over-arching environmental requirements for developments in East Sussex and are applicable to all proposals in the county. The following criteria are relevant to the proposal:

- not creating or perpetuating unacceptable traffic or transport conditions;
- avoiding the development of land which is unstable, at risk to flooding or which would be likely to increase the risk of flooding elsewhere;
- according with the objectives of and not causing damage to the Sussex Downs and High Weald Areas of Outstanding Natural Beauty.....undeveloped coast (including Heritage Coast)...;
- promoting the principles of sustainable development among residents, businesses and visitors.

Protection for East Sussex's informal recreation facilities is also provided through the Plan. The Plan encourages and supports the provision of new recreational routes, which improve access to the coast and countryside (Policy LT15). The Plan also provides for the maintenance and improvement of the network of rights of way, including public footpaths (Policy TR4).

The Plan seeks to conserve and enhance the landscape quality and character of the Sussex Downs AONB. The Plan also provides that the existing character of the coastal environment should be conserved and enhanced and positive measures taken to restore character where this has been damaged, the plan seeks to restrict development on the undeveloped coast (Policy LT4)

Lewes District Local Plan 2003

The current Lewes District Local Plan was adopted in March 2003 and covers the period to 2011. The Plan takes account of the strategic policies of the Structure Plan.

The Plan provides a commitment to protecting the environmental and natural resources in the district, by conserving and enhancing its special heritage. It identifies two major natural assets of national importance: the Downs and the undeveloped coast. These assets are to be protected from irreversible change. Various policies provide for the safeguarding of the areas of nature conservation, geological or landscape interest.

The Plan identifies that the district contains many trees, hedgerows and woodlands which add beauty, variety and contrast to the landscape and provide important habitats for wildlife. It also provides that the introduction of appropriate species can also increase wildlife habitats and help to compensate for losses elsewhere. Policy ST11 of the Plan provides that, where appropriate, applications for development will be required to include a framework for landscaping and maintenance, clearly showing which features are to be retained and all new landscaping measures. Proposals for the landscaping of new development should indicate future maintenance arrangements.

Policy CT8 relates to the Heritage Coast which lies to the south of the study area, and is intended to ensure that the integrity of the coast is protected. The policy states that planning permission will not be permitted unless proposals:

- (a) respect the natural beauty of the coast, including flora and fauna, and heritage features;
- (b) facilitate and enhance the enjoyment of the Heritage Coast and complement and are consistent with the natural beauty and heritage features;
- (c) maintain and, where necessary, enhance the environmental health of inshore waters.

Policy ST16 of the Plan provides that planning permission will not be granted for development which would be detrimental to the integrity of sea, tidal or fluvial defences or river channels as identified by the Environment Agency, or which would impede access to and along these for future maintenance and improvement works. The Plan also states that planning permission will not be granted for development within the identified 1 in 200 year tidal floodplain unless adequate mitigation and/or flood protection measures are incorporated and constructed (for example by enhancement of existing defences), prior to development commencing. The Plan also includes provision for the safeguarding of tidal defences.

The Plan includes an objective to protect, enhance and manage the traditional landscape and character of habitats of the coast and countryside, in particular, the AONB and Heritage Coast. The proposal is to restore the traditional landscape in a managed way, in order that it be protected and enhanced. Several policies provide for landscape conservation and enhancement. A key policy, CT2, states that in order to ensure the continued protection of the landscape and character of the Sussex Downs AONB planning permission will only be granted where proposals:

- (a) Respect the natural beauty of the Downland area in terms of siting, use, form, layout, design and materials
- (b) complement, and are consistent with, the quiet informal enjoyment of the area by the public and
- (c) respect the distinctive qualities of the AONB.

The policy states that opportunities will be taken, wherever possible, to enhance the landscape character of the AONB and secure long term positive management measures.

The importance of informal recreation and the need to improve access to the countryside is recognised by the Plan which seeks to protect public rights of way and their users.

Wealden Local Plan (adopted 1998)

The current Wealden Local Plan was adopted in December 1998 and covers the period to 2004. The Plan was prepared in general conformity with the County Structure (adopted 1991) and the Draft Deposit Structure Plan (November 1996).

The Plan provides a commitment to conserving and enhancing the natural beauty of the Sussex Downs AONB, which it identifies as an important landscape. The Plan also identifies the Sussex Heritage Coast as an important landscape for its scenic importance.

Policy EN9 prohibits development in the AONB unless it conserves and enhances the natural beauty and character of the landscape. The policy identifies specific areas where particular regard is required these include the heritage coast and Cuckmere Valley, especially Cuckmere Haven.

The Plan states that the Council will support proposals, including management measures, where such proposals are consistent with conservation, protection and enhancement of natural beauty.

The Plan has regard to the implications for nature conservation and wildlife habitats, and encourages opportunities for encouraging habitat enhancement and management.

The Plan also provides that sea defence works should be consistent with the objectives of their design, to conserve, protect and enhance the natural beauty of the coast. The Plan acknowledges general concerns about the long term effects of global warming on coastal defences and the associated risk of flooding. Policy EN4 provides for the restriction of new development within areas at risk of deep tidal flooding, coastal erosion or within river floodplains.

The proposal is in accordance with the policies of the plan by restoring and enhancing the natural beauty, wildlife habitats and landscape of the AONB and Heritage Coast area, and providing for the future management of the area. Although the proposal is in an area

at risk of tidal flooding and within the floodplain, these are the desired conditions for the development in order to restore the land to tidal habitat.

First Deposit Draft Revised Wealden Local Plan (2003)

The Deposit Draft forms a review of the Wealden Local Plan (adopted 1998) which it will eventually replace. Once adopted, the revised plan will guide development in Wealden District until 2011.

The First Deposit of the plan carries forward the general relevant principles of the adopted plan in Policies NE2, NE8 and NE15.

Non- Development Plan Documents

East Sussex Local Transport Plan (LTP) July 2000

It is the responsibility of each local transport authority to produce a local transport plan to develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within their area.

The East Sussex LTP sets out a five-year action plan for transport in the county. The Plan identifies a number of area-specific programmes, which involve a series of measures to be implemented in particular geographic locations to achieve specific transport strategies.

The South Downs Package is one of the programmes. The package has been based on Transport 2000's 'Tourism Without Traffic' project, a national demonstration project, which is being developed within the East Sussex Downs, to establish a basis for national guidance on promoting car-free tourism and recreational trips.

The primary aim of this project is to maintain the economic viability of the eastern South Downs AONB and the surrounding area, while developing new opportunities for sustainable tourism in ways which help to reduce the environmental impact of recreational traffic and protect the area from the adverse consequences of motorised recreational access. The aim is expected to be achieved by the following objectives:

- to reduce car borne visitor traffic volumes and create new opportunities to visit the area by non-car modes
- to add value to the existing tourism product
- to enhance transport choices
- to reduce the environmental impact of traffic
- to develop a model for working in partnership with local agencies.

There is a prioritised Programme of Action, centred on the Cuckmere Valley. The key action points of this programme seek to address the physical, psychological and perceptual barriers that currently deter visitors from considering alternatives to the private car.