

Ashdown Forest 7km Protection Zone – The Facts

It is clear from feedback from a number of sources that there are incorrect statements and assumptions circulating relating to the Ashdown Forest 7km zone. This document and the following frequently asked questions seeks to correct this and supplements the information previously made available.

The Facts

- WDC is required to develop, consult on, agree and adopt a Local Plan setting out land use across the district for the next 15 years
- In completing this WDC has to comply with all relevant legislation including the Habitats Regulations
- The Habitats Regulations apply to the Ashdown Forest which has been designated as a European Conservation Site on two counts.
- The Local Plan has to ensure that any development does not harm the Ashdown Forest
- Evidence from experts indicated that development above a certain level would damage the Ashdown Forest.
- Development to that level has been included in the Local Plan.
- On the advice of experts WDC included a 7km protection zone in the Local Plan.
- Development above the level agreed in the local plan within the 7km protection zone is possible but it has to show that it will not damage the Ashdown Forest.
- The Local Plan, including the 7km protection zone, was subject to widespread consultation receiving some 25,000 responses and representations during its development.
- It was also subject to a very rigorous Examination In Public by an independent Planning Inspector, including some robust challenges from those opposed to the 7km protection zone
- At the end of this process which has taken some 4 years in total, the Local Plan, including the 7km protection zone, was found sound by the independent Planning Inspector and was adopted by Wealden District Council at the Full Council meeting on 28 November 2012. One Councillor abstained, none voted against. There are 55 Councillors.
- The primary cause of damage to the forest is nitrogen deposition. This comes from a range of sources including vehicle movements.
- In order to obtain an accurate picture of nitrogen deposition on the forest WDC is monitoring this, however this will take some time and meaningful results are not expected for at least two years.
- The other concern for the forest is increased recreational use from housing growth. To mitigate this WDC is working with partners to develop alternatives, known as SANGS.
- SANGS is only needed for new housing and is not required for new business proposals.
- WDC is keen to work with developers and other applicants to explore how applications can be progressed within the 7km protection zone, within the legal constraints of the regulations and the adopted local plan.

For more information go to our web site at <http://www.wealden.gov.uk>

Frequently asked questions (FAQs) about the 7km protection zone

Why is the 7km zone needed?

To protect the Ashdown Forest from further damage which would destroy rare heathland which has been designated as protected under European legislation.

Why 7km – why not 4km?

On the advice of experts including Natural England and air quality consultants, WDC proposed a 7km protection zone as part of the Local Plan which was consulted on, subject to challenge and examination in public but was endorsed by the Planning Inspector and agreed by the Councillors in November 2012. This isn't something that WDC has invented or plucked from thin air. It could have proposed a 4km zone or alternatively a 15km zone and both were considered.

So does that mean a blanket ban on development in the zone?

Not at all and this is one of the bits of misinformation which seems to be widely circulating. The Local Plan sets out levels of development for housing, retail and economic activities which will not damage the forest. These are substantial with, for example, some 300 houses in Crowborough and 1,000 in Uckfield; 12,500 sq m allocated for employment growth and 10,000 sq m allocated for retail growth in Uckfield. This is in addition to the 22,000 sq m for employment previously granted planning permission at Ashdown Business Park in Maresfield.

But what about development above this – isn't that banned?

No, development above and beyond this is possible but will need to prove that it will not damage the forest which in practical terms means no more vehicle emissions than currently.

But surely that's impossible?

Not at all – we are keen to work with applicants to develop ways that applications can proceed and are already successfully doing so. There will inevitably be some proposals which cannot proceed because it just isn't possible to meet the 7km protection zone criteria and we are legally required to protect the forest.

It seems like a lot of fuss just for a piece of heathland and a few birds?

It's a bit more than that. As well as the legal requirement to ensure the forest is protected WDC is committed to maintaining Wealden as a jewel of green space in the East Sussex crown. The Local Plan balances the need for development, economic, social and environmental aspects across the district. On the economic front tourism brings in close to £300m of income to the district each year and provides 4,600 much needed jobs. The Ashdown Forest is a key element of that.

So how will you know if the forest is being damaged?

We are monitoring the main cause of damage – nitrogen deposition – to understand what level this is currently at and how it is changing. This will take some time and we won't have any meaningful information for at least 2 years. In the meantime the development allowed under the Local Plan can go ahead.

I've heard that the plan has been legally challenged?

That's correct - the Local Plan is subject to a judicial review on the grounds that we did not follow the correct procedures in developing and agreeing the plan. This will take some time and we do not expect a court date until towards the end of this year. We are confident we will successfully defend this challenge and in the meantime the Local Plan remains adopted and we will work to implement it.

I've also heard that the Planning Minister Nick Boles isn't happy with your plan?

Yes we've heard that too, unfortunately not from Mr Boles directly but from statements he has made to others. We're a bit confused about that as it was the Planning Inspectorate (who are part of his department, DCLG) that found our Local Plan sound and his department is defending the Judicial Review alongside us. So we've written to him asking to meet with him so we can understand what he isn't happy with and why and to explain our position.

Where can I find out more information?

For more information go to our web site at:

<http://www.wealden.gov.uk> and click on the Ashdown Forest link or go directly to:

http://www.wealden.gov.uk/Wealden/Planning_and_Building_Control/Planning_Development_Management/Agents_and_Parish_Council_Information/Planning_Agents_Ashdown_Forest.aspx