

Policy SDW1 Protection of the Water Environment (previously Policy SD17)

Number of comments on policy: 60

Number of additional responses to technical questions: 63

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
10	11	7	5	1	26

Summary of issues and key themes raised

Many respondents were positive about proposed changes to the policy for a catchment-based approach. There were calls for more information on how this would be applied, including proportional to development. Whilst many respondents were positive about a nature-based solutions approach, there were also comments that sought policy criteria that allowed a careful balance as man-made structures may sometimes be required. There was support for protections for chalk streams but it was considered that the policy lacks sufficient detail and could go further, particularly regarding aquifers and their catchments, calling for clearly defined source protection zones, natural buffers and improved mapping. They stress the need for detailed guidance on pollution control, including design, implementation and monitoring measures to prevent contamination of water supply, and recommend robust catchment management with cumulative impact of development assessed. Concerns over rising development pressure have led to calls for checks on water supply and sewage capacity and, where needed, restrictions on further development. Comments from stakeholders included guidance on source protection zones and buffers, improved sustainable urban drainage and criteria for infrastructure requirements for new development. Additionally, respondents advocate for references to standards and best practice examples, and clearer integration of climate change and other environmental factors.

Key themes raised:

- Chalk Streams and Aquifer Protection
- Pollution Control and Water Quality Standards
- Catchment Management and Cumulative Impact Assessment
- Development Pressure and Water Resource Capacity

Overview of SDNPA response and way forward for the Local Plan

The Development Plan must be read as a whole. A number of comments raised (such as water neutrality and sustainable drainage) are addressed in other policies in the Plan and do not need to be repeated in Policy SDW1.

In response to comments, the policy has been amended – and new supporting text added – to improve wording and clarity around buffers, groundwater protection, and wastewater infrastructure. More specifically:

- SDW1.2 and SDW1.2b now include aquifers, and a previous reference to aquifers in SDW1.8 has been amended.
- SDW1.2 amended to change “where possible” to “where applicable”.

- SDW1.2b retains approach to culverting – i.e., culverts should be removed unless there are risks which would make it inappropriate to do so.
- SDW1.2c(ii) amended to: “naturalness and flows which should follow natural flow patterns and be sufficient in quantity to maintain the health of the ecosystem and river system”.
- SDW1.5 retains need for buffers and supporting text provides clarity on sizes.
- SDW1.3 has new wording on phasing of development and provision of water infrastructure, and new wording that says surface water should not be discharged to the foul sewer.
- New supporting text references the River Rother as it is entirely in the National Park, and provides clarity that the catchment-based approach should be applied proportionately to the nature and scale of proposals and their impact on the water environment.
- The evidence and guidance sections across the four water policies includes reference to technical standards and best practice.
- Wording added to the supporting text regarding a regenerative development and landscape-led approach.

In terms of comments relating to development pressures, general development pressures are noted but are considered to be outside the scope of Policy SDW1, while site-specific comments cannot be addressed in a strategic and National Park wide policy.

Additional Technical Questions

Are there any catchment specific matters not covered by the policy? Of the 47 comments, 14 said “yes”, 9 said “no”, and 24 did not provide a reaction. Many matters raised were outside the scope of a local plan. In response to the comments that are within the scope, the policy does not reference each individual catchment area in the National Park, but does require development proposals to take a catchment-based approach and to have special regard to chalk streams – this includes the River Meon.

Are there matters relating to chalk streams not covered by the policy? Of the 16 comments, 12 said “yes”, 1 said “no”, and 3 did not provide a reaction. Many matters raised were outside the scope of a local plan. It is understood that chalk streams are a special, unique and important habitat in the National Park, and that the function of the chalk as an aquifer is important and the policy seeks to reflect this. SDW1 seeks to protect chalk streams and, more specifically, Criterion 3 addresses small-scale wastewater treatment works which includes septic tanks.

Policy SDW2 Flood Risk Management (previously Policy SD49)

Number of comments on policy: 37

Number of additional responses to technical questions: n/a

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
5	6	2	2	2	20

Summary of issues and key themes raised

Respondents noted that natural flood management measures should explicitly include areas to store water, including restoration of floodplains, and the policy be supported by best practice examples, and many supported the emphasis on surface-based strategies rather than underground solutions. They recommended design requirements for sustainable drainage that clearly favour above-ground measures, limit hard surfacing and direct excess water to the ground or watercourses, suggesting multifunctional systems such as rainwater harvesting be used. Feedback also highlights the need to incorporate long-term climate change projections, using robust data to guide flood defence and drainage design over a development's lifetime. Respondents expressed concern that the policy's prescriptive approach limits the flexibility required for site-specific geotechnical and hydrological assessments. In addition, they stressed the importance of restricting new residential development in high flood risk areas, clarifying cross-boundary responsibilities among authorities, maintaining flood defence infrastructure, and addressing broader issues such as linking rainfall with groundwater risks and mitigating environmental impacts.

Key themes raised:

- Promotion of Natural Flood Management and Nature-Based Solutions
- Sustainable Drainage and Surface Water Management
- Incorporation of Climate Change Projections
- Balancing Prescriptive Measures with Design Flexibility
- Restriction of Development in High Flood Risk Areas
- Coordination and Cross-Boundary Governance

Overview of SDNPA response and way forward for the Local Plan

The Development Plan must be read as a whole. The policies in the Plan support a catchment-based approach, and such catchments extend beyond the National Park boundary. A number of issues raised are addressed in other policies in the Plan (i.e., parking, regenerative design, sustainable drainage and the protection of the water environment) and do not need to be repeated in SDW2. The purpose of SDW2 is to reduce flood risk vulnerability, steer development away from flood risk areas, and ensure development does not increase flood risk elsewhere, including outside the National Park.

A number of comments are already addressed in the policy, or will be addressed through the consultation process on planning applications. In response to applicable comments:

- The wording on characteristic and effective flood management measures is further explained in the policy which prioritises nature-based solutions and measures that positively contribute to landscape character.
- SDW2.1 requires proposals to take climate change into account.
- SDW2.1c amended as per Natural England advice.
- Wording changes requested by water companies for surface water drainage to not discharge to foul sewers is added to SDW1 which is a better fit for this matter.

In response to comments where no changes have been actioned:

- Requests for Article 4 directions are outside the scope of this policy.
- Requests for extensions to existing buildings to upgrade drainage on a whole property cannot be required, but additional measures encouraged in SDN9.
- The proposed wording change to say development proposals are 'more likely' rather than 'will' be permitted is not agreed because the local plan needs to be clear about policy requirements.

The local plan review is supported by a Strategic Flood Risk Assessment (SFRA) that includes mapping of flood risk areas, taking into account of climate change, while the South Downs Water Cycle Study has been prepared with engagement by water companies. Further engagement by water companies on capacity will be undertaken through the preparation of the new Local Plan.

Policy SDW3 Sustainable Drainage (previously Policy SD50)

Number of comments on policy: 44

Number of additional responses to technical questions: n/a

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
6	14	2	6	1	15

Summary of issues and key themes raised

Respondents advise that further refinement of this policy is required. Whilst there is support for nature-based solutions and surface level SuDS, there are call for the policy to be more flexible to different circumstances. Detailed technical criteria, including the prescribed sequence of components, may limit applications on smaller developments and sites where on-site infiltration is preferable. Flood risk and run-off management feedback calls for policy wording that more clearly follows the drainage hierarchy, maintaining natural flow paths, avoiding discharges to combined sewers and the need for early ground investigations such as site-specific infiltration testing and level 2 flood risk studies. Developer burden and economic feasibility comments suggest that proportionate criteria and flexible application are important to avoid undue financial impacts. Feedback included a request for additional wording that specifically supports development that contributes to addressing wider surface water management problems Further points address the, integration with broader environmental strategies and multifunctional drainage systems that enhance ecosystem services, along with clarifications on terminology, and the importance of monitoring.

Key themes raised:

- Mandatory SUDS Implementation
- Flood Risk and Run-Off Management
- Technical Suitability and Site-Specific Considerations
- Developer Burden and Economic Feasibility
- Monitoring, Oversight and Maintenance
- Flexibility and Proportionality in Criteria
- Integration with Broader Planning and Environmental Strategies
- Multifunctionality and Ecosystem Service Enhancements

Overview of SDNPA response and way forward for the Local Plan

The Development Plan must be read as a whole. A number of comments raised (i.e., green and blue infrastructure, sustainable construction, flood risk management, chalk streams, and protection of the water environment) are addressed in other policies in the Plan and do not need to be repeated in Policy SDW3. In particular, SDW3 should be read in conjunction with Policies SDW1 (Protection of the Water Environment) and SDW2 (Flood Risk Management). Further information is also contained in the South Downs Design Guide SPD and in other documents set out in the guidance and evidence sections of the policy.

The policy has been clarified to consider sustainable drainage more generally. The revised wording requires all development to have sustainable drainage measures, proportionately to a development proposal. This provides a suitable level of flexibility. In response to specific comments:

- Criterion 1 requires run off rates to take account of climate change.
- Criterion 2b has been amended to state that water quality, at the point of discharge to the environment, should demonstrably not negatively alter the baseline chemical, physical (e.g. temperature) or ecological parameters of the receiving water body. As part of the above, “not negatively alter” allows for positive changes, while “water body” can include aquifers.
- The Hampshire County Council Catchment Management Plans have been added to the guidance section of the supporting text.
- Sustainable drainage measures can be secured via planning condition, and monitored and enforced through the usual planning processes.
- The supporting text explains that proposals for sustainable drainage should be in accordance with the ‘National standards for sustainable drainage systems (SuDS)’ which includes the drainage hierarchy. Reference to drainage hierarchy included in the policy.
- Wording ‘Underground solutions will not normally be acceptable’ removed.
- Wording is added to the supporting text that explains above ground nature based solutions further.
- Water companies advise they will not accept connection to the foul sewer and this wording is incorporated into SDW1.

Policy SDW4 The Open Coast (previously Policy SD18)

Number of comments on policy: 17

Number of additional responses to technical questions: n/a

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
1	5	3	2	3	3

Summary of issues and key themes raised

Respondents generally support the principle of a policy that seeks to protect the open coast, however comments called for the policy to go further with more specific requirements, especially in regard to coastal erosion, flooding and the heritage coast. They urged coastal management to prioritise natural processes and the support of nature recovery. Comments stated that a Coastal Change Management Area should be designated. Comments also called for more specific policy guidance that differentiates between publicly and privately funded projects, removes ambiguous language, and sets clear standards for coastal safety and heritage areas. Concerns over managing visitor pressure were raised, including traffic congestion. There were calls for more integrated planning that aligns local plans, partnership management, and heritage coast strategies with measures such as the mapping of coastal change areas and a flexible application of the shoreline management plan.

Key themes raised:

- Conservation of Designated Protected Zones
- Coastal Erosion and Natural Process Management

Overview of SDNPA response and way forward for the Local Plan

The importance of, and challenges faced by, the heritage coast are understood. It is important that the approach to the coast is holistic and consistent to ensure the area is appropriately protected and vulnerability of people and development is managed properly. The policy wording and new supporting text are considered appropriate due to the landscape, biodiversity and heritage significance of the open coast in regards the first purpose of the National Park. In response to specific comments:

- An additional criterion to support nature recovery has been added.
- Coastal Change Management Areas (CCMAs) and Coastal Change Vulnerability Areas (CCVAs) have been identified for designation and policy criteria for these added. have been added.
- Policy criteria on “safety” is addressed in other policies, including SDL2 Design.
- Wording of 1.d. amended to reflect sustainable access.
- Increasing the designation of the Marine Conservation Zone (MCZ) is outside the scope of a local plan but, as per national policy, local plans are required to set out planning policies for coastal areas that fall within the plan area.
- SDW4.1.e 'where feasible' is proposed instead of 'where possible' to reflect that in some instances the nature of the proposal is such that enhancement would not be a feasible obligation.

Policy SDW5 Pollution and Air Quality (previously Policy SD54)

Number of comments on policy: 20

Number of additional responses to technical questions: n/a

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
1	6	5	4	1	3

Summary of issues and key themes raised

Respondents noted that the policy's scope is ambiguous, with a predominant emphasis on air quality that leaves other pollutants, such as water and noise, insufficiently addressed, and they called for clearer integration with related guidance and supporting documents. They stressed the need for robust monitoring systems - including pre-development baselines, post-development assessments, and regular checks on renewable energy installations - to capture cumulative effects and ensure compliance. Feedback also urged improved measures for controlling emissions by addressing issues like high vehicle speeds, supporting electric vehicle infrastructure, public transport and active travel, and by setting explicit particulate matter targets and demolition protocols. Spatial planning concerns highlighted the prioritisation of air quality management in park areas and sensitive zones, with a call for mapping near heritage coastlines and enforcing strict criteria in declared air quality management areas. Additionally, respondents advocated for regenerative development that delivers long-term net positive outcomes, stronger enforcement and regulatory measures, enhanced policy integration with noise and contamination risk advice, and sustainable urban design that reduces reliance on cars, while also raising concerns about the policy's sufficiency and reliance on outdated data.

Key themes raised:

- Policy Scope and Comprehensiveness
- Monitoring, Evaluation and Impact Assessment
- Emission Sources Control and Mitigation
- Air Quality Management areas and sensitive area considerations
- Regenerative Development and Net Positive Outcomes
- Enforcement and Regulatory Compliance

Overview of SDNPA response and way forward for the Local Plan

The policy would support refusal where negative impacts are not adequately mitigated. The policy applies to all development that requires planning permission and so is not site specific. In response to representations:

- Criterion 1 amended to include "the health and wellbeing of people" and support for improvements to local conditions such as air and water quality.
- New supporting text added to clarify evidence requirements, including development impacts and effectiveness of any proposed mitigation.
- New supporting text added to clarify locations of AQMAs.
- Policy SDW1 (Protection of Water Environment) addresses water pollution.

Policy SDW6 Contaminated Land (previously Policy SD55)

Number of comments on policy: 11

Number of additional responses to technical questions: n/a

Reaction to Regulation 18 Consultation

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree	Not stated
2	1	3	4	0	1

Summary of issues and key themes raised

Respondents consider the policy too narrow and its wording unclear, recommending revisions that include supportive guidance and expanded risk assessments. They suggest broadening the policy's scope to cover additional environmental factors such as surface water, groundwater, and coastal waters, and extending its geographical reach to include adjacent areas beyond immediate boundaries. Respondents also stress the need for a dedicated register of contaminated land with improved data accessibility and call for robust pre-development investigations supported by thorough evidence and appropriate remediation measures. Further comments highlight the importance of clearly allocating financial liability for remediation costs, extending enforcement and monitoring measures beyond current limits, and maintaining integration with wider environmental and biodiversity safeguards.

Key themes raised:

- Policy Appraisal and Adequacy
- Scope, Definitions and Risk Parameters
- Contaminated Land Register and Data Accessibility
- Robust Pre-development Investigations and Remediation Requirements
- Financial Liability and Remediation Cost Allocation
- Enforcement, Monitoring and Intervention

Overview of SDNPA response and way forward for the Local Plan

The planning policies in a local plan cannot apply to land outside of the plan area and a number of representations are outside the remit of a planning policy. In terms of the representations that were in scope of the local plan and Policy SDW6:

- **Criterion 1(i)** amended to change “suspected” with “potential legacy”.
- **Criterion 1(iii)** added to consider adjacent sites that may have potential to contaminate the development site.
- **Criterion 1** amended to ensure that any unacceptable risk to surface water, groundwater and coastal water is removed and/or reduced.
- **Criteria 1 and 2** amended further as per suggested wording from Chichester District Council and Portsmouth Water.