

**Agenda Item 7
Report 19/15**

Report to	South Downs National Park Authority
Date	16 July 2015
By	Director of Planning
Title of Report	South Downs Local Plan: Preferred Options
Purpose of Report	To approve the draft South Downs Local Plan: Preferred Options for consultation under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012

Recommendation: The Authority is recommended to:

- 1) **Approve the draft South Downs Local Plan: Preferred Options as set out at appendix 1 of this report for consultation under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012,**
 - 2) **Approve the emerging Sustainability Appraisal (SA) of which the summary of the appraisal and recommendations are set out in appendix 2 (to follow), this report and give the Director of Planning in consultation with the Chair of the National Park Authority delegated powers to approve for consultation under Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004, subject to any comments made by the NPA being addressed,**
 - 3) **Approve the draft Habitat Regulation Assessment (HRA) as set out in appendix 3 of this report for consultation under the Conservation of Habitats and Species Regulations 2010, subject to any comments made by the NPA being addressed,**
 - 4) **Note that additional comments raised by members on either the Local Plan, the SA and/or HRA raised during the NPA discussion will be addressed prior to their publication for consultation. The wording of these changes will be approved under delegated powers by the Director of Planning in consultation with the Chair of the National Park Authority, and**
 - 5) **Note that minor changes relating to minor changes, updates, typographical errors and re-ordering of the Local Plan: Preferred Options prior to publication for public consultation will be made under delegated powers by the Director of Planning in consultation with the Chair of the National Park Authority**
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I. Introduction

- 1.1 This report introduces the draft South Downs Local Plan: Preferred Options, which forms **Appendix 1** of this report. It recommends that the draft document is approved for consultation under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012, subject to any comments made by the NPA being addressed.
- 1.2 An earlier version of the Local Plan was reviewed and endorsed for consideration by the NPA held on 25 June 2015. Furthermore, the majority of chapters, policies and explanatory text have been previously reviewed individually by both Local Plan Members Working Group (LPMWG) and Planning Committee. All recommended changes have been incorporated into this draft composite Local Plan.
- 1.3 A summary of the draft Sustainability Appraisal (SA) of the Local Plan and its recommendations form **Appendix 2** (to follow) of this report.
- 1.4 The draft Habitat Regulation Assessment (HRA) forms **Appendix 3** of this report.

2. Background

- 2.1 The Preferred Options Local Plan follows on from the Local Plan Options Consultation document, which was published in February 2014. All the representations were duly considered in the formulation of the Preferred Options Local Plan.
- 2.2 Following the adoption of the Local Plan, it will be the first time that the National Park has been planned for as a single entity. It will also supersede all inherited Local Plans and Joint Core Strategies which cover the National Park. The Local Plan will be the key to delivering sustainable development in the National Park.
- 2.3 The Local Plan will form part of the 'Development Plan' alongside adopted Neighbourhood Plans, which are being developed by local communities in many settlements across the National Park. The Minerals and Waste Plans do not form part of this Local Plan, but will be part of the Development Plan. The new Local Plan must be in conformity with the National Planning Policy Framework (NPPF) (2012) and the DEFRA Vision and Circular for National Parks (2010).

3. The draft composite Preferred Options Local Plan

- 3.1 The Local Plan sets out a comprehensive set of planning policies for the National Park focusing on living landscapes, people and places and ensuring a sustainable future within environmental limits. Specific topics range from landscape, conservation, tourism and recreation through to land for development whether it be employment or housing land. This Local Plan period is 2014 to 2032; this means that it will shape growth and new development for 15 years after its proposed adoption in 2017.
- 3.2 The Local Plan contains a full spectrum of core, strategic, development management and allocation policies. All these policies will be taken into account in determining planning applications, along with other material considerations. Therefore the policies in this Local Plan do not list or cross-reference to other policies that may be relevant, but these nevertheless continue to apply. It is vital that all these policies are viewed together and not in isolation in the preparation and consideration of planning applications. The Local Plan includes several sets of policies:
 - Core policies deal with the overarching principles of development for the National Park.
 - Strategic policies are considered fundamental to achieving the overall vision for the National Park and are linked to its Special Qualities. There are three chapters of strategic policies, which relate to the three headings of the PMP.
 - Strategic site allocations relate to Syngenta in Fernhurst, Shoreham Cement Works in Upper Beeding and the North Street Quarter of Lewes.
 - Allocation policies allocate housing sites across the National Park.
 - Development management policies provide a detailed policy framework for assessing planning applications and guiding development in the National Park. These policies are set out in the same order as the strategic policies.The Local Plan also includes:
 - A full set of inset maps of proposed allocations and designations. The final adopted version of the plan will be accompanied by a Policies Map, which is a spatial interpretation of all the Local Plan policies.
 - A number of appendices including a list of evidence base studies.
 - A glossary of technical terms used in the Local Plan.
- 3.3 If approved by the NPA the South Downs Local Plan: Preferred Options will be published for public consultation from 2 September to 28 October. This consultation period will be under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations (2012).
- 3.4 Work will continue on the Local Plan after the autumn consultation. All the representations will be considered and changes made to the Local Plan as necessary. Further evidence will also be gathered particularly in regard to housing, local green spaces and Gypsies and Travellers. The next iteration of the plan will be published for further consultation and then

the NPA will make the decision on whether to submit the Local Plan for independent examination. The SDNPA aims to adopt a sound Local Plan in 2017.

4. Sustainability Appraisal (SA)

- 4.1 The Sustainability Appraisal (SA) is a key piece of supporting evidence and is used to assess the Local Plan against a range of sustainability objectives. This ensures that the most appropriate strategy has been incorporated into the plan when considered against a range of reasonable alternatives.
- 4.2 A key element of the Local Plan's development process to date has been the consideration of a number of different approaches to delivering a variety of levels of housing across the National Park. Several options have been considered in detail including concentrating it in a few key settlements, dispersing it across the National Park and focusing development in those communities with the greatest level of public transport. The option being proposed through the emerging Local Plan is one of dispersing a moderate level of housing across the National Park by allocating a small to medium number of homes to many of the towns and villages. This is considered to limit the impact on the landscape character of the National Park whilst delivering homes.
- 4.3 In addition to assessing the overall strategy the SA makes a number of recommendations in relation to some of the emerging policies, both site specific and general. It is for the National Park Authority to consider whether it wishes to make these changes or not as it prepares the Submission version of the Local Plan. Examples of these recommendations include:

Site Policies:

- Strategic Site Policy SD32 (Shoreham Cement Works): Amended policy to facilitate the implementation of a comprehensive green infrastructure strategy for the site; include a requirement for a flood risk assessment and a surface water drainage strategy.
- Strategic Site Policy SD34 (North Street Quarter and adjacent Eastgate area, Lewes): Amend policy to more explicitly seek to minimise effects on nature conservation designations nearby.
- Policy SD-WW11 (Land at Brookland Way, Coldwaltham): The effects on landscape quality will need to be further considered through the next stages of plan development.
- Policy SD-DS01 (Land between Church Lane and the A273, Pyecombe): Recommend the implementation of green infrastructure measures; need to limit effects of noise and air quality.

Other recommendations / issues raised in relation to Local Plan policies include:

- Policy SD31; Sustainable Construction; include a carbon reduction target for residential developments;
- Policy SD25; Rural Exception Sites; Include a requirement for sites to be immediately adjacent to existing settlements or readily accessible to them via sustainable modes of transport;
- Policy SD20 / 21; when does the benefit of tourism outweigh the risks? What is the tipping point?
- Expand policy SD23 to specifically address the provision of housing for older people.

- 4.4 The preparation of the SA is an iterative process. The NPA is working closely with the consultants AECON to finalise the SA in time for public consultation in September. It is proposed that this will be approved under delegation by the Director of Planning in consultation with the Chair of the NPA.

5. Main issues arising from the Habitat Regulation Assessment (HRA)

- 5.1 The Habitat Regulations Assessment (HRA) of the Preferred Options Local Plan is set out in Appendix 3. It is published for consultation alongside the Local Plan. The HRA is the mechanism by which the Local Plan is assessed to ensure it complies with the European

Union Habitats Directive regarding the protection of European Natura 2000 network. The objective of this assessment is to:

- identify any aspects of the Local Plan that would cause an adverse effect on the integrity of Natura 2000 sites, otherwise known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), either in isolation or in combination with other plans and projects; and
- to advise on appropriate policy mechanisms for delivering mitigation where such effects are identified.

5.2 The HRA has informed the development of the Preferred Options draft policies. Overall the findings of the HRA are that emerging policies are not envisaged to trigger likely significant effects on Natura 2000 designations providing its recommendations are implemented. The policy recommendations include:

Policy SD13 (International Sites)

The agreed sphere of influence to recreational pressure from the Solent European sites is 5.6km and should be included within the policy for clarity.

The policy should include reference to Singleton and Cocking Tunnels SAC and remove reference to Duncton to Bignor Escarpment SAC as this site is not designated for its bat features. Recognising that bats may not solely use greenfield sites, the policy should be amended to include: ‘Proposals on greenfield sites and sites that support or are in close proximity to mature vegetative linear features and waterways...’

Policy SD19: (Walking, Cycling and Equestrian Routes)

The policy should make specific reference to Policy SD12 (Biodiversity and Geodiversity) and the requirement for an Appropriate Assessment of any future use of the former Chichester-Midhurst disused railway line (Centurion Way) as a non-motorised transport corridor.

5.3 Further general recommendations are made with respect to:

- air quality effects on European sites and associated traffic and air quality monitoring where significant numbers of new vehicles are expected to travel on roads within 200m of an internationally designated site;
- monitoring development within 400m of Wealden Heaths Phase II SPA and Woolmer Forest SAC to minimise potential urbanisation effects.

6. Resources

6.1 The Local Plan is one of the top corporate priorities for the SDNPA with adoption timetabled for 2017. Officers within the planning policy team are leading the work on the development of the Local Plan and utilising expertise elsewhere within the Authority

7. Risk management

7.1 Risk: That the Local Plan is not found sound at examination in public.

7.2 Mitigation: The policies are consistent with the NPPF and are based on robust evidence.

8. Human Rights, Equalities, Health and Safety

8.1 The draft Local Plan draft has been considered in light of statute and case law and any interference with an individual’s human rights is considered to be proportionate to the aims sought to be realised.

9. Sustainability

9.1 The three tenets of sustainable development are engrained in the formulation of all Local Plan policies.

10. External Consultees

10.1 A number of external bodies have been consulted on the emerging plan including statutory bodies such as Natural England and members of the South Downs Partnership such as the

South Downs Society. Comprehensive engagement will take place as part of the Local Plan consultation in September and October.

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Appendices

1. Draft South Downs Local Plan: Preferred Options
2. Draft summary of the Sustainability Appraisal and main findings (to follow)
3. Draft Habitats Regulations Assessment

SDNPA Consultees

Chief Executive Officer, Director of Strategy and Partnerships, Director of Operations, Director of Corporate Services, Chief Finance Officer Monitoring Officer and Legal Services.

Background Documents

South Downs National Park Local Plan Options Consultation Document; SDNPA Planning Committee, 23 January 2014; PC 9/14

http://www.southdowns.gov.uk/_data/assets/pdf_file/0008/407789/Agenda-Item-4.pdf

South Downs National Park Local Plan Options Consultation Document; SDNPA, 4 February 2014; Report 2/14

http://www.southdowns.gov.uk/_data/assets/pdf_file/0018/410760/Agenda-Item-7.pdf

South Downs National Park Local Plan Responses to Options Consultation Document and Community Infrastructure Levy Preliminary Draft Charging Schedule, 26 June 2014, Report 13/14

http://www.southdowns.gov.uk/_data/assets/pdf_file/0010/458371/Agenda-Item-11.pdf

