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A THRIVING LIVING LANDSCAPE

5.1 The theme for this chapter, Thriving Living Landscape, is primarily based on the first purpose of the National Park. The policies in this chapter are divided into four sub-sections: Landscape, Biodiversity, Historic Environment and Water.

5.2 Conserving and enhancing the natural beauty of the area and the region's biodiversity, including GI, are both key cross-boundary strategic issues identified by the National Park Authority for the purpose of fulfilling the *Duty to Cooperate*.

Local Plan Objectives

The following Local Plan objectives are considered most relevant for this section:

Objective 1: To conserve and enhance the landscapes of the National Park

Objective 2: To conserve and enhance the cultural heritage of the National Park

Objective 3: To conserve and enhance large areas of high-quality and well-managed habitat to form a network supporting wildlife throughout the landscape

Objective 4: To achieve a sustainable use of ecosystem services thus enhancing natural capital across the landscapes of the National Park and contributing to wealth and human health and wellbeing

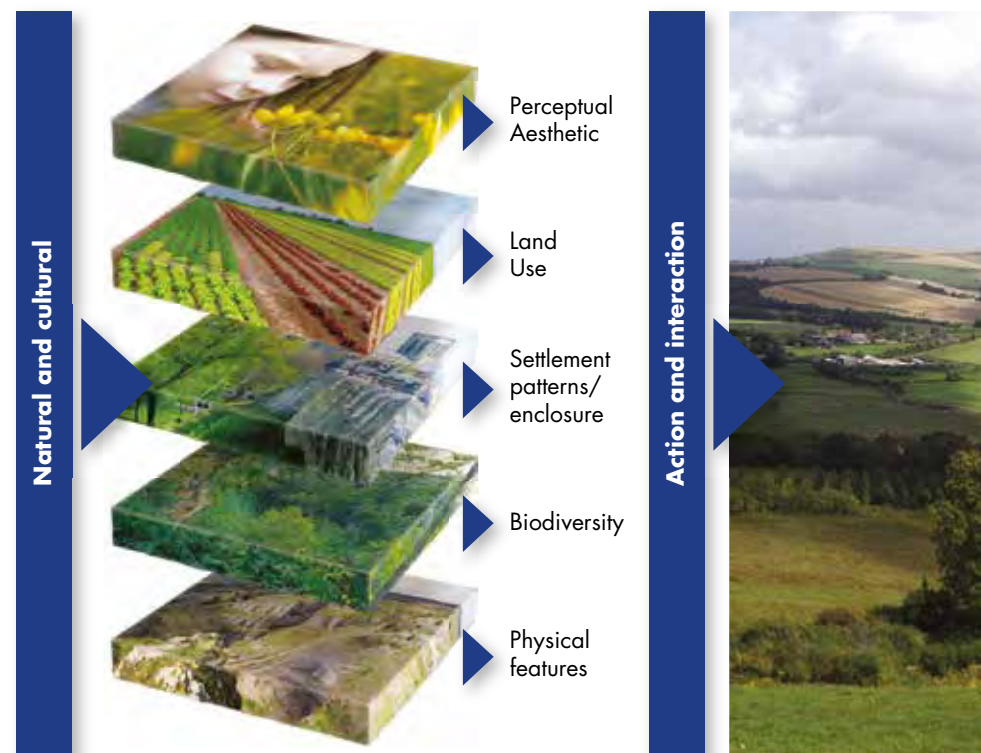
5A. LANDSCAPE

INTRODUCTION

5.3 This section of the Local Plan includes five strategic policies which relate to the landscape and associated special qualities of the National Park. These set a positive strategy for conserving and enhancing landscape character (SD4), safeguarding views (SD6), relative tranquillity (SD7) and dark night skies (SD8), and sets out a landscaped-led approach to design (SD5).

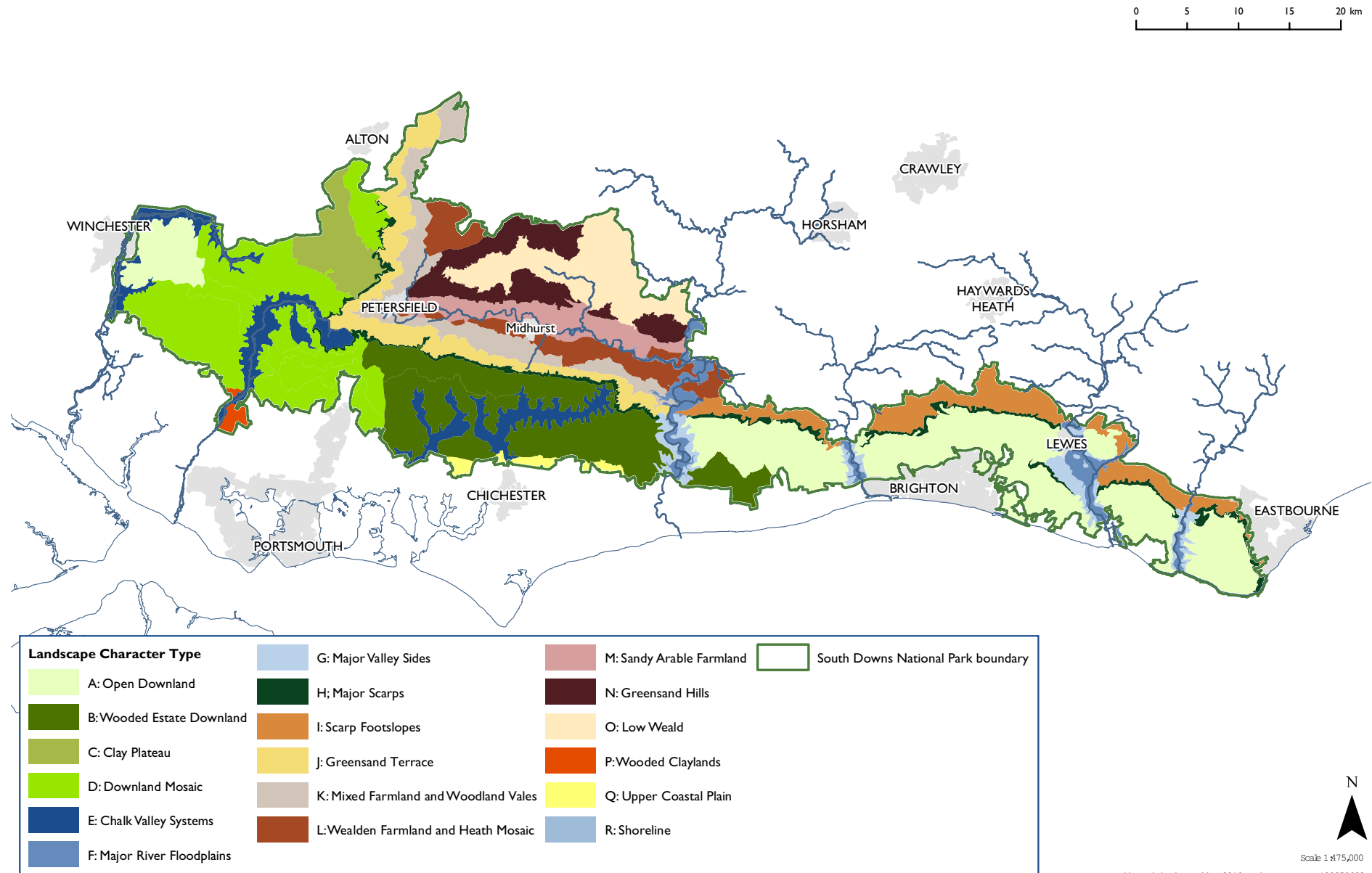
5.4 The diverse and inspirational landscapes of the National Park are defined as one of its special qualities. The landscape is also the foundation for the other special qualities of the National Park, including its views, tranquil and unspoilt places and its distinctive towns and villages. As set out in Chapter 3, Spatial Strategy and Portrait, the varied landscapes of the National Park collectively contribute to the range of ecosystem services which the National Park provides. The condition of landscape features, and their management, is therefore essential to the continued function of ecosystem services and the benefits they provide. Any development in the National Park has the potential to cause harm to the landscape both individually and cumulatively. These policies seek to ensure that development avoids having a detrimental impact on the landscape and its special qualities, and, wherever possible, enhances the landscape. Figure 5.1 explains how the landscape is formed.

FIGURE 5.1: LANDSCAPE



5.5 The *SDILCA*²⁷ divides the rich and complex landscape character of the National Park into 18 general landscape types (as shown in Figure 5.2) and 49 more place-specific 'character areas'. It identifies the features that create local distinctiveness, a 'sense of place' and is an aid to decision making.

²⁷ South Downs Integrated Landscape Character Assessment (SDILCA) (LUC, 2005, updated 2011)

FIGURE 5.2: LANDSCAPE CHARACTER TYPES²⁸

★ Strategic Policy SD4: Landscape Character

1. Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:
 - a) They are informed by landscape character, reflecting the context and type of landscape in which the development is located;
 - b) The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape;
 - c) They will safeguard the experiential and amenity qualities of the landscape; and
 - d) Where planting is considered appropriate, it is consistent with local character, enhances biodiversity, contributes to the delivery of GI and uses native species, unless there are appropriate and justified reasons to select non-native species.
2. Where development proposals are within designed landscapes, or the setting of designed landscapes, (including historic parkscapes and those on the *Historic England Register of Historic Parks and Gardens*) they should be based on a demonstrable understanding of the design principles of the landscape and should be complementary to it.
3. The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined.
4. Green and blue corridors will be safeguarded. Development proposals should identify and take opportunities to create and connect green and blue corridors.
5. The restoration of landscapes where features have been lost or degraded will be supported where it contributes positively to landscape character.

5.6 The purpose of Policy SD4 is to set out how development proposals will be expected to conserve and enhance landscape character in the National Park.

5.7 Landscape character is what make an area unique, resulting from the action and interaction of natural and/or human factors. Landscape character is the combination of distinct, recognisable and consistent pattern of elements and features as set out in Figure 5.1 including, for example, the landform, historic landscape or 'time depth', and a variety of perceptual and aesthetic qualities.

UNDERSTANDING OF LANDSCAPE CONTEXT AND CHARACTER

5.8 The ability of proposals to meet the requirements to enhance landscape character in Policy SD4 will be considered in proportion to the size, scale and likely impacts of the proposals.

5.9 It is important that proposals are based on a meaningful understanding of the context and character of an area and those positive characteristics which define local distinctiveness. The use of standard design solutions and features can erode local distinctiveness in urban and rural areas. Therefore, this policy is closely linked to Policy SD5: Design, and they need to be read together.

5.10 Proposals should be informed by the *SDILCA*, community-led/local landscape character assessments and appropriate site-based investigations. Local landscape character assessments may include Community, Parish or Village Design Statements and other community planning documents. However, references to these will not be a substitute for appropriate professional site based assessment and research.

5.11 Proposals should be accompanied by a Landscape Appraisal, which should be proportionate to the size and likely impacts of the scheme. Landscape Appraisals should be carried out in accordance with the *Guidelines for Landscape and Visual Impact Assessment*²⁹ and successor documents. If the proposals require a full Environmental Impact Assessment (EIA) then a Landscape and Visual Impact Assessment (LVIA) undertaken by a Chartered Landscape Architect will be required. Most applications will be likely to require a bespoke Landscape Appraisal. Applicants are advised to consult the

²⁹ Guidelines for Landscape and Visual Impact Assessment 3rd Edition (Landscape Institute & IEMA, 2013)

Authority on the proposed scope for such a study at the earliest opportunity. Householder applications should be informed by the *Landscape and Biodiversity Baseline Checklist* which is available on the Authority's website in the first instance. Further study may be required following on from completion of the checklist which the Authority would advise on.

5.12 The cumulative impact of development or land-use change can detrimentally affect landscape character. There are many heritage features in the landscape and these contribute to local distinctiveness reflecting the time depth which is present in the landscape.

DESIGN AND LAYOUT

5.13 The design and layout of proposals should be consistent with local landscape character. Good design should avoid the need for screening which could appear incongruous in the landscape. Proposals should be designed to be complementary to their context and setting. Policy SD5: Design, includes further requirements and guidance on design and landscape matters. The introduction of undesirable exotic plant species into the wider countryside and at the settlement edge as part of scheme planting proposals will be strongly resisted. The use of non-native plant species may be justifiable in some cases where there are clear reasons for this, for example, based on biodiversity or other ecosystem services functions.

DESIGNED LANDSCAPES

5.14 There are many locations where designed landscapes, gardens and parkscapes exist within the towns, settlements and wider countryside, often associated with land holdings. There are 30 parks and gardens on the *Historic England Register of Historic Parks and Gardens*³⁰, for example, Petworth Park, designed by Capability Brown. In addition, there are many other sites which are identified as being designed landscapes, but not included on the

Historic England list. These are identified in the *Historic Landscape Character Assessments*³¹ for the National Park and are important cultural heritage assets.

5.15 Policy SD12: Historic Environment, sets relevant requirements for heritage assets. Detailed records of historic parks, gardens and designed landscapes are available from the County Garden Trusts, which are independent charities engaged in caring for gardens and designed landscapes.

5.16 Proposals which may affect designed landscapes, gardens and parkscapes should be informed by a design process which understands and identifies the key features within the designed landscape. This process should ensure that development will enhance the designed character of the landscape.

THE INDIVIDUAL IDENTITY OF SETTLEMENTS

5.17 The gaps between settlements protect the individual character and identity of towns and villages. They retain the open nature and the physical and, either real or perceived, visual separation between settlements. The land at the edge of settlements often forms part of the historic setting of the settlement and can include areas which have cultural importance. Public RoW can often provide access to these areas and connections to the open landscape of the National Park beyond.

GREEN AND BLUE CORRIDORS

5.18 Green and blue corridors are areas or linear features which connect habitat and wildlife populations and can provide opportunities for walking and cycling, and also facilitate the movement of wildlife. Green and blue corridors are an essential component of the National Park's GI, and can provide benefits for people and wildlife at both the landscape scale and more local scale. More information is provided under Policy SD45: Green Infrastructure.

³⁰ Link to the Historic England website to view/search the Historic Parks and Gardens Register: <https://historicengland.org.uk/listing/the-list/>

³¹ Link to the Sussex Historic Landscape Characterisation study: www.westsussex.gov.uk/land-waste-and-housing/landscape-and-environment/sussex-historic-landscape-characterisation/; the Historic Landscape Assessment of Hampshire is underway

LANDSCAPE FEATURES

5.19 Natural and historic features such as trees, woodlands, hedgerows, field boundaries, historical water systems, chalk pits and sandpits, should be conserved and enhanced through design. The restoration of degraded characteristic landscape features is supported.

Strategic Policy SD5: Design

1. Development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:
 - a) Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context;
 - b) Achieve effective and high quality routes for people and wildlife, taking opportunities to connect GI;
 - c) Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features, including historic settlement pattern;
 - d) Create high-quality, clearly defined public and private spaces within the public realm;
 - e) Incorporate hard and soft landscape treatment which takes opportunities to connect to the wider landscape, enhances GI, and is consistent with local character;
 - f) Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing;
 - g) Provide high quality, secure, accessible, and where possible, integrated storage for general and recycling waste, heating fuel, and transport related equipment;

- h) Provide high quality outdoor amenity space appropriate to the needs of its occupiers or users;
- i) Ensure development proposals are durable, sustainable and adaptable over time, and provide sufficient internal space to meet the needs of a range of users;
- j) Give regard to improving safety and perceptions of safety, and be inclusive and accessible for all; and
- k) Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.

5.20 Landscape features have a time depth and contribute to ecological richness and shared cultural heritage. Reference should be made to the *Pan Sussex Historic Landscape Characterisation*, the *Hampshire Historic Landscape Characterisation* and other appropriate research material to identify the relevant natural and historic key features that should be used to inform development proposals.

5.21 The purpose of Policy SD5 is to ensure that all development is of the highest possible design quality which reflects and respects the exceptional quality of the natural, agricultural and built environment of the National Park. Proposals should adopt a landscape-led design approach and seek to enhance local character and distinctiveness of the area as a place where people want to live and work now and in the future. The definition of landscape encompasses all types and forms, including the historic landscape character and also townscape. Townscape refers to areas of buildings and related infrastructure, and the relationships between buildings and different types of urban greenspace.

A LANDSCAPE-LED APPROACH

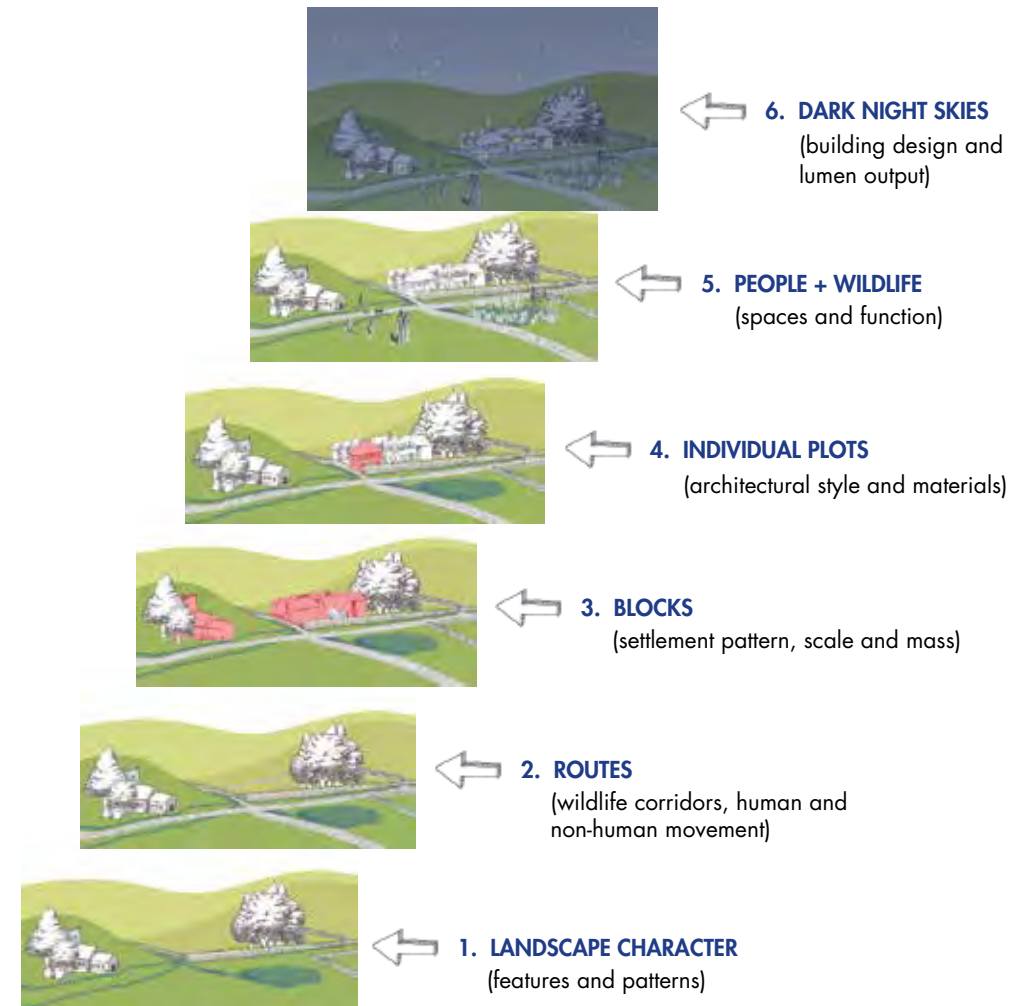
5.22 Development should enhance, respect and reinforce the landscape through a landscape-led design approach, informed by contextual analysis of the local landscape character and built character, as set out in Figure 5.3. This contextual analysis should include considerations, as relevant, of topography,

landscape features, historic landscape features, the water environment, biodiversity and other ecosystem services, key routes and street patterns, landmarks, views and vistas, the scale, proportions, pattern, and vernacular architecture and materials. The surrounding mix of uses should also inform proposals. Appropriate study areas and methodology would be determined in discussion with the Authority and will be dependent on the size, height and location of proposals.

5.23 Individual design elements, such as use of materials and detailing of elements such as windows, are critical to the success of the overall design and should be considered once the character of the area has been assessed.

5.24 Supporting information accompanying planning applications should be proportionate to sensitivity of the location and the scale of what is being proposed. The Authority will engage with applicants and agents to offer advice on what is required. It will need to demonstrate how the design has been informed through an analysis of the opportunities and constraints of the site, its context, and how it responds positively to these. Some schemes may be asked to go through the *National Park Authority's Design Review Panel Process*. Depending on the scale of development, a comprehensive masterplan outlining the principles for a site should address all of these elements and any other site-specific issues, to achieve an exemplary design.

FIGURE 5.3: A LANDSCAPE-LED APPROACH TO DESIGN



STARTING WITH THE LANDSCAPE

CONNECTIONS FOR PEOPLE AND WILDLIFE

5.25 Good design provides effective and high quality connections for people and wildlife, ensuring sustainable ease of movement. Opportunities should be identified and taken to connect GI assets and make a positive contribution to local character. The purpose of an open space, for example a playground or orchard, should be clear, otherwise it will most likely become a forgotten space which serves no purpose or benefit. Open spaces should be connected to the existing environment, for example by footpaths or cycleways. Where public open spaces are provided, there should be no restrictions, such as locked/keypad entry gates, to accessing these areas, and they should be accessible to all. Policies SD45 and SD46 set out criteria related to the provision of GI and open space, respectively.

HIGH QUALITY LANDSCAPE AND ARCHITECTURAL DESIGN

5.26 The Authority will seek the highest quality design for development proposals in line with the first purpose of the National Park. This includes truly outstanding or innovative design and contemporary design which reinforce local distinctiveness, taking reference and visual cues from the landscape and local settlement identity and character. The Authority will encourage the use of locally sourced materials to support local character and distinctiveness, and to reduce the cost both financially and environmentally of transporting materials long distances. Reference should be made to the respective strategic stone studies for each of the three counties.

5.27 The design of streets has a significant influence on the layout and setting of development, and should respect local character, and respond to the historic form and layout of existing streets. Further criteria relating to the public realm and street design is set out in Policy SD21: Public Realm, Highway Design and Public Art.

5.28 The spaces around new buildings are integral to the success of new development and should be well designed to create a high quality built environment. This includes the gaps between houses, gardens, driveways, parking areas, waste and recycling storage, street composition and open

space/amenity space. Careful consideration should be given to the siting, use/function and materials used. Spaces should be defined through use of suitable landscaping, such as boundary treatments, planting and varied use of materials, which differentiate between private and public areas. The use of hard and soft landscaping should be consistent with local character and enhance GI. Existing landscape features such as trees, hedges and walls which are characteristic of the streetscape and local area should be retained. The long term maintenance of landscape features should be addressed, for example through a legal agreement.

5.29 Development should comply with design policies set out in NDPs, and take into account village and town design statements.

ADAPTABLE, DURABLE, AND SUSTAINABLE DESIGN

5.30 New housing needs to be appropriate for the widest range of households and should therefore be adaptable, accessible and durable over time to accommodate people of all ages and abilities, without diminishing overall appearance and function.

5.31 Development should maximise sustainable technologies. The sourcing and performance of materials, and construction methods, should maximise energy and resource efficiency. The wood fuel economy is one example of this. Dwellings which utilise local sustainable wood fuel schemes support the local economy, repurpose what would otherwise be a waste product and can support reductions in fuel poverty. This should be undertaken in accordance with Policy SD48: Climate Change and Sustainable Use of Resources.

5.32 Development should be durable and adaptable to change. The ongoing management and long term maintenance of the scheme, including all design elements, should be addressed.

AMENITY AND FUNCTIONAL NEEDS

5.33 It is important that all types of development meet the day-to-day functional needs of its users, and of those responsible for its servicing. Internal space should have internal proportions that allow quality of experience for its occupiers and users. High quality, accessible, secure and where

possible integrated on site storage should be available for the storage of transport equipment which includes bicycles, mobility scooters, push chairs and wheelchairs. Refuse and recycling storage should take account of the operational requirements of refuse collection services.

5.34 High quality garden, terrace or balcony space should be provided for residential occupiers, of a size and nature that befits future occupiers' needs, for example families with children. Other uses may need to provide outdoor space for staff and/or visitors depending on the use and context.

5.35 In addition, the privacy and amenity of existing neighbours and future occupiers should be respected. Proposals should ensure good natural light for new and, where relevant, existing buildings and their occupiers. Proposals affecting residential properties in particular should not be unduly overbearing, or compromise others' reasonable privacy, unless outweighed by innovative design solutions that mitigate these impacts.

5.36 Reference should also be made to Policies SD30 and SD31 on Replacement Dwellings and Extensions to Existing Dwellings and Provision of Annexes and Outbuildings.

Strategic Policy SD6: Safeguarding Views

1. Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the National Park, in particular by conserving and enhancing key views and views of key landmarks within the National Park.
2. Development proposals will be permitted that conserve and enhance the following view types and patterns identified in the *Viewshed Characterisation & Analysis Study*:
 - a) Landmark views to and from viewpoints and tourism and recreational destinations;
 - b) Views from publically accessible areas which are within, to and from settlements which contribute to the viewers' enjoyment of the National Park;
 - c) Views from public rights of way, open access land and other publically accessible areas; and
 - d) Views which include or otherwise relate to specific features relevant to the National Park and its special qualities, such as key landmarks including those identified in Appendix 2 of the *Viewshed Characterisation & Analysis Study*, heritage assets (either in view or the view from) and biodiversity features.
3. Development proposals will be permitted provided they conserve and enhance sequential views, and do not result in adverse cumulative impacts within views.

5.37 The purpose of Policy SD6 is to ensure that development does not harm views or landmarks, to encourage conservation and enhancement of key view types and patterns, and to ensure development does not detract from the visual integrity, identity and scenic quality that are characteristic of the National Park.

LANDSCAPE AND VISUAL IMPACT ASSESSMENT

5.38 The *View Characterisation & Analysis Study*³² provides baseline information about the major view types, and about possible and likely ranges of visibility within, to and from the National Park. Proposals should take into account the *View Characterisation and Analysis Study* and the *Seascape Assessment for the South Marine Plan*³³. However, representative views and landmarks set out in the *View Characterisation & Analysis Study* do not provide an exhaustive list and reference to these studies will not be a substitute for appropriate site based assessment in accordance with the *Landscape Institute & IEMA's Guidelines* for LVIA. A LVIA should be carried out in accordance with these guidelines, and should be proportionate to the size and likely impacts of the scheme. If the applicant can demonstrate to the satisfaction of the Authority that an LVIA is not required, a simple landscape assessment may be appropriate. More information on landscape assessments is available in the supporting text of Policy SD4: Landscape Character. Applicants are advised to consult the Authority on proposed viewpoint locations to inform such studies at the earliest opportunity.

5.39 The *SDILCA*, Village Design Statements, Conservation Area Character Appraisals, Conservation Area Management Plans, Local Landscape Character Assessments, Parish Plans and NDPs may provide evidence on views and should inform development proposals. This information, together with essential field and desktop studies which are undertaken at an appropriate level to the application, should be provided at the earliest possible stage in the planning application process and would form part of LVIA.

5.40 For large scale applications, it is recommended that digital Zone of Theoretical Visibility (ZTV) data is used to determine potential visibility in the surrounding landscape and to demonstrate areas of zero visibility, based on topography.

5.41 Sequential views are the series of views which we see unfold when moving through the landscape, for example, when walking along a footpath

or travelling along a road. Impacts on these views can arise frequently or occasionally, and may be generated by periodic views of the same development or by more than one development.

Strategic Policy SD7: Relative Tranquillity

1. Development proposals will only be permitted where they conserve and enhance relative tranquillity and should consider the following impacts:
 - a) Direct impacts that the proposals are likely to cause by changes in the visual and aural environment in the immediate vicinity of the proposals;
 - b) Indirect impacts that may be caused within the National Park that are remote from the location of the proposals themselves such as vehicular movements; and
 - c) Experience of users of the PRoW network and other publicly accessible locations.
2. Development proposals in highly tranquil and intermediate tranquillity areas should conserve and enhance, and not cause harm to, relative tranquillity.
3. Development proposals in poor tranquillity areas should take opportunities to enhance relative tranquillity where these exist.

5.42 The purpose of Policy SD7 is to ensure that development does not harm the relative tranquillity of the National Park and to encourage the conservation and enhancement of positive tranquillity factors.

5.43 Tranquillity is considered to be a state of calm, quietude and is associated with a feeling of peace. It relates to quality of life, and there is good scientific evidence that it also helps to promote health and well-being. It is a perceptual quality of the landscape, and is influenced by things that people can both see and hear in the landscape around them. The tranquillity scores apply specifically to the South Downs National Park; they are therefore to be considered relative to the National Park area only. They are not intended to be comparative or considered in relation to tranquillity scores for other national parks or other areas of the country.

³² South Downs National Park: View Characterisation and Analysis (LUC, 2015)

³³ South Marine Plan (Marine Management Organisation, 2016)

THE SOUTH DOWNS NATIONAL PARK TRANQUILLITY STUDY

5.44 In preparing proposals, applicants are advised to take into account the evidence of relative tranquillity in the *South Downs National Park Tranquillity Study*³⁴. For the *Tranquillity Study*, positive and negative tranquillity factors at locations across the National Park were scored on a sliding scale. The tranquillity scores from the study are shown on the map in Figure 5.4. In order to assess impacts on relative tranquillity the *South Downs Tranquillity Study* should be used as a baseline from which to assess changes in the aural and visual environment which are likely to result from the proposals, including considerations of temporary/permanent or varying nature of the impact.

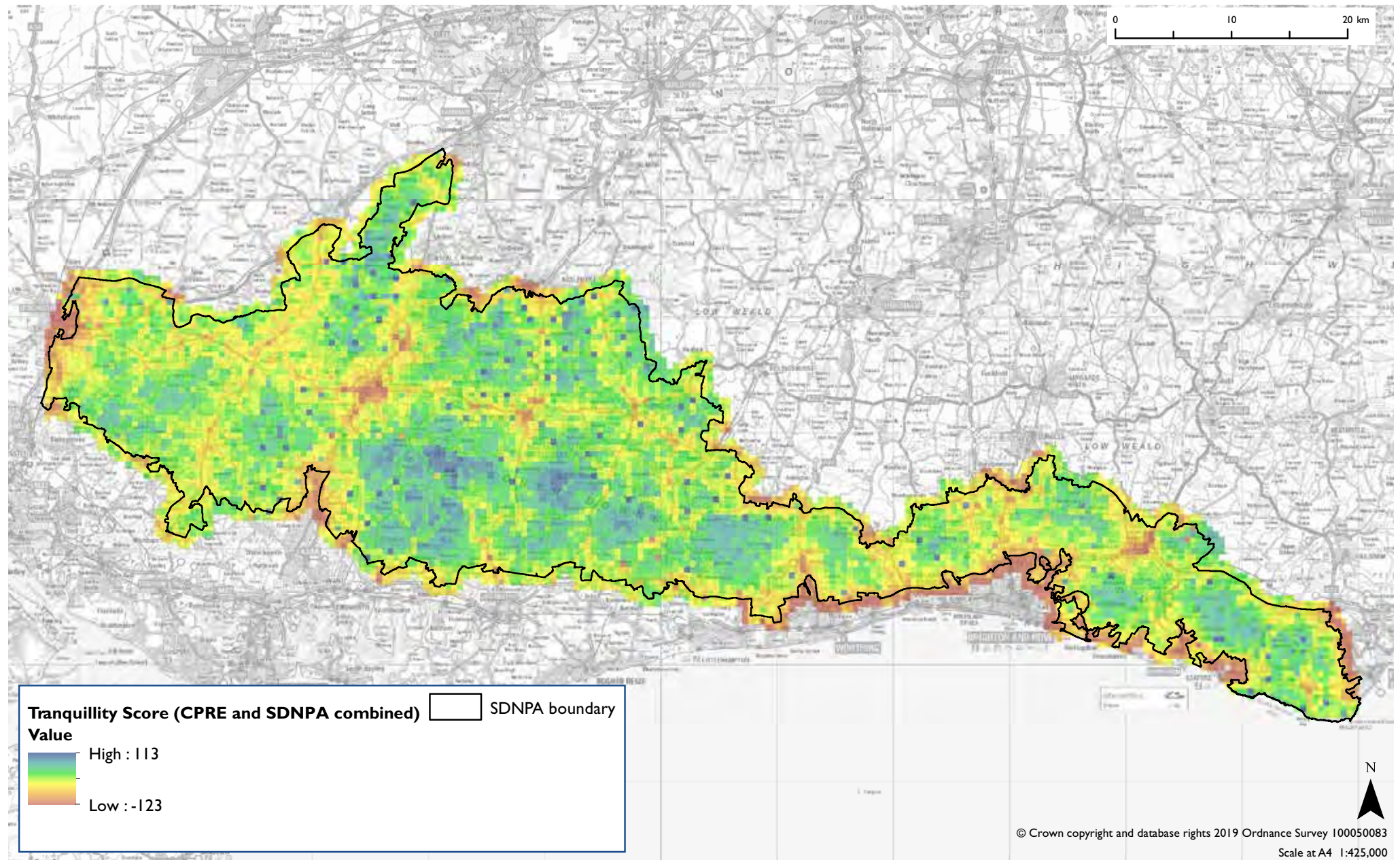
5.45 The assessment of impacts on relative tranquillity is not the same as a noise assessment, and the assessment of zero noise impact for an application will not be taken necessarily as meaning that there would be a similar impact on relative tranquillity.

5.46 The *Tranquillity Study* identified areas which are highly tranquil, of intermediate tranquillity, and those of low tranquillity. Applications for development proposals in highly tranquil areas should demonstrate that they conserve and enhance, and do not harm, relative tranquillity. Development proposals in areas of intermediate relative tranquillity are the areas which are most vulnerable to change, and should avoid further harm to relative tranquillity and take every opportunity to enhance it. Development proposals in areas of poor tranquillity are often located within or on the edge of urban areas and thus there may be limited scope for enhancing relative tranquillity in these areas; opportunities to enhance relative tranquillity should be taken wherever possible.

5.47 The extent that proposals conserve and enhance relative tranquillity will be determined by an assessment of the impact on relative tranquillity, which is proportionate to the scale and expected impact of the development in relation to the surrounding context.

³⁴ South Downs National Park Tranquillity Study (South Downs National Park Authority, 2017)

FIGURE 5.4: TRANQUILLITY SCORES IN THE NATIONAL PARK



Strategic Policy SD8: Dark Night Skies

1. Development proposals will be permitted where they conserve and enhance the intrinsic quality of dark night skies and the integrity of the Dark Sky Core as shown on the Policies Map.
2. Development proposals must demonstrate that all opportunities to reduce light pollution have been taken, and must ensure that the measured and observed sky quality in the surrounding area is not negatively affected, having due regard to the following hierarchy:
 - a) The installation of lighting is avoided; and
 - b) If lighting cannot be avoided, it is demonstrated to be necessary and appropriate, for its intended purpose or use:
 - i. Any adverse impacts are avoided; or
 - ii. If that is not achievable, then adverse impacts are mitigated to the greatest reasonable extent.³⁵
3. Lighting which is proposed to be installed must meet or exceed the level of protection appropriate to the environmental zone, as shown on the Policies Map, as set out in the table below.

Location	Requirements for level of protection				
Dark Sky Zone description	ILP guidance ³⁵	Landscape impact	Maximum Lux level (suggested 10 Lux)	Preferred lights-off curfew	Astronomical darkness curfew
E0 Dark Sky Core and areas outside this zone with a SQM ³⁶ of 20.5+	✓	✓	✓		✓
E1(a) 2km Buffer Zone and areas outside this and the above zone which are of intrinsic rural darkness with a SQM range of 20 to 20.5	✓	✓	✓	✓	
E1(b) Transition Zone and areas outside this and the above zones with a SQM range of ~15 to 20	✓	✓	✓		
E3/4 Urban zone with an SQM of <15	✓	✓			

4. Outdoor lighting proposals are required to provide a statement to justify why the proposed lighting is required.

³⁵ Institute of Lighting Professionals (ILP) guidance GN01:2011 Guidance Notes for the Reduction of Obtrusive Light

³⁶ Sky Quality Measurement (SQM). The latest version of the Sky Quality Measurement map should be used as the reserve is subject to ongoing measurement

5.48 The purpose of Policy SD8 is to ensure that development does not harm the quality of dark night skies. It also encourages enhancement of the dark night skies of the National Park, for the benefit of people and wildlife. The policy seeks to do this by ensuring that proposed lighting is necessary, and by reducing the unnecessary light spill that is often a result of poor design, in order to minimise the overall impact of light.

5.49 Policy SD8 applies across the International Dark Sky Reserve which covers the entirety of the National Park. It applies to any proposals which involve the installation of external lighting and where the design of developments may result in light spill from internal lighting. It will also apply to specific lighting schemes which require planning permission or listed building consent, including installing:

- A lighting scheme of such nature and scale that it would represent an engineering operation³⁷;
- Lighting such as the floodlighting of sports pitches, car parking or manèges; and
- A lighting scheme on a listed building that would significantly affect its character.

DARK SKY ZONES

5.50 Mapping has been undertaken of the quality of dark skies across the entire National Park, as set out in the *South Downs Dark Night Skies Lighting Technical Advice Note*³⁸. These measurements have been used to categorise the National Park into a number of dark sky zones which reflect the quality of the dark night skies overhead and the level of street lighting. These zones are:

- E0 Dark Sky Core – these are large areas which have skies that can be classified as intrinsically dark. These areas form a continuous dark sky core (and 2km Buffer Zone) to the International Dark Sky Reserve, as

shown on the Policies Map, which contain some of the darkest areas of the National Park

- E1 (a) 2km Buffer Zone and (b) Transition Zone – areas that lie between the larger urban settlements and the surrounding darker skies notably vulnerable to light pollution. These areas are generally in the buffer zones and rural transition areas. Generally this will be where the sky quality changes from poor to the edge of an intrinsic dark sky zone typically with SQM³⁹ values of 10 Lux
- E3/4 Urban – larger settlements of the National Park have substantially lower quality of dark night sky, primarily due to street lighting and light spill from buildings

5.51 Although some areas of the National Park are outside of the core and buffer zones; this policy is looking to conserve and enhance all areas of intrinsic dark sky within the National Park.

HIERARCHY OF LIGHTING

5.52 In order to ensure that dark night skies are protected and enhanced, the hierarchy as set out in Criterion (2) is applied across the National Park. Installation of lighting should be avoided and, where lighting is demonstrated to be necessary, the design and installation should be such that adverse impacts are avoided or, if not achievable, mitigated to the greatest possible extent. The hierarchy should be applied in conjunction with the requirements for protection for the relevant dark sky zone as set out in Criterion (3) of this policy.

5.53 In the darkest areas, where control is more important, the overall impact of the lighting should not harm the continuity of the dark landscape and ideally not be visible in any direction or in any form such as glare, skyglow, spill and reflection. It also should not reduce the measured and observed quality of easily visible astronomical features such as the Milky Way and Andromeda Galaxy.

5.54 In some circumstances it may be possible to reduce the impact of existing lighting by removal in return for new lights.

³⁷ such as requiring a separate structure and typically be undertaken by specialist lighting engineers

³⁸ South Downs Dark Night Skies Lighting Technical Advice Note (South Downs National Park Authority, 2017)

³⁹ A Sky Quality Meter measures the brightness of the night sky in magnitudes per square arcsecond

REQUIREMENTS AND GUIDANCE FOR PROPOSED LIGHTING IN DARK SKY ZONES

5.55 Much of the rural landscape is part of the Dark Sky Core, but this should be checked prior to an application. In the preparation and determination of development proposals, the latest version of the Sky Quality Measurement Map should be used as the reserve is subject to ongoing measurement. To provide some indication of sky quality and zoning:

- An intrinsic dark zones is where the Milky Way can be seen with the naked eye and in an area with no street lighting
- If there is a provision of highways authority street lighting, the zoning will usually be E3

5.56 In addition to the application of the lighting hierarchy and avoidance and mitigation measures which may be required with regard to impacts on landscape and habitat, development proposals will be subject to particular requirements at a level of protection appropriate to the dark sky zone, as set out in Policy SD8, which is based on the measured sky quality.

5.57 Proposals within the Dark Sky Core and 2km Buffer Zone will be subject to maximum protection using the full weight of mitigation options, with a relaxation as light quality decreases further into urban areas.

5.58 Any Dark Sky that measures 20.5 Lux and above, should be considered as core quality, irrespective of whether it is within or outside the Dark Sky Core. In general, lighting under the best quality skies should cease on the onset of astronomical darkness, in addition to basic principles of good lighting (ILP) and appropriate rural illuminance levels. The time of astronomical darkness varies throughout the year, but marks the point at which dark skies are defined. In intrinsic skies, 20 to 20.5 Lux, an evening curfew should be set, for example, 9pm.

5.59 The Authority will encourage further reductions, for example towards the limits of an E0 Dark Sky Zone, or by removing below or near horizontal light paths from fixtures. Often this can be achieved with little further disruption. Examples of how this can be done include:

- Lighting should be subject to control measures to reduce unnecessary light pollution. Examples include:
 - ‘Curfews’ or automatic timers;
 - Proximity ‘PIR’ sensors, timers or any additional shielding or coving, including angling the front surface of lights to the horizontal;
 - Different surface types to reduce the amount of reflectivity;
 - Appropriate use of glazing to reduce light transmittance; and
 - Screening or shielding to reduce the impact of reflectivity.

LIGHTING ASSESSMENTS

5.60 Proposals should take due consideration of the overall visual impact that the lighting will have on the landscape. This may include ground surface reflectivity, the number of lights, the daytime intrusion and the general overall footprint of the lighting. It is also necessary to consider the visibility of the lights from the surrounding landscape particularly from viewpoints in accordance with Policy SD6: Safeguarding Views.

5.61 The spill of lights from large open glass windows and sky lights often present a greater source of light pollution than externally mounted lights. Consequently, it is important to control the lighting coming from these types of developments. The design of buildings should reduce the impact of light spill from internal lighting or suitable mitigation measures should be put in place.

5.62 Habitats, particularly woodlands, should not be considered as a ‘natural shield’ to lighting, because of the impact on an unlit habitat. Lighting that would spill into sensitive habitats should be shielded or removed particularly if nocturnal species are present. Direct illumination of bat roosts must be avoided.

5.63 Where a proposal involves outdoor lighting, a statement will be required to justify why the proposed lighting is required for its intended use and that shows every reasonable effort has been made to mitigate skyglow and light intrusions. This should be accompanied by a computer calculation indicating task luminance, uniformity, horizontal values of overspill beyond the property line and vertical luminance values of light intrusion on adjacent property windows. Any statement should be proportionate to the size and likely impacts of the scheme.

5B. BIODIVERSITY

INTRODUCTION

5.64 This section of the Local Plan includes three policies relating to the wildlife of the National Park. Strategic Policy SD9: Biodiversity and Geodiversity relates to the conservation and enhancement of biodiversity and geodiversity across the National Park and sets out a hierarchy for designated sites. Strategic Policy SD10: International Sites provides further specific requirements for particular International Nature Conservation Designations. Development Management Policy SD11: Trees, Woodland and Hedgerows provides further detail regarding these assets. These policies all relate to the first purpose of the National Park.

5.65 The term biodiversity includes all species, communities, habitats and ecosystems, whereas the term geodiversity includes all features of geological and geomorphological interest including rocks, fossils, landforms and natural processes which create them.

5.66 The biodiversity and underlying geodiversity of the National Park directly provide or underpin many ecosystem services that people depend on. Together, these include the filtering and storage of water for clean water supplies, water management and flood alleviation, and also the provision of soils in which we grow our food and other produce, such as timber. In addition, biodiversity also underpins air quality regulation, pollination and pest control. The geology of the National Park provides aggregates and stone for building and other material uses. These local materials contribute to the economy of the National Park and have had a strong influence on the built vernacular.

5.67 The combination of geology and micro-climates has created a diverse mosaic of habitats that supports many rare and important wildlife species. Many of these are recognised through various international, national and local nature conservation designations. They form essential components of 'ecological networks', helping species to adapt to the impacts of climate

change and other pressures; evidence for this is provided in the *Habitat Connectivity Report*⁴⁰. Designated sites within the National Park are shown on the Policies Map and more information on the types of designations is set out in the Glossary.

5.68 Wildlife habitats are subject to a range of pressures, including those from development, and are often degraded and fragmented. A landscape-scale approach is needed to conserve, restore and reconnect habitats across the National Park. As well as causing direct loss of wildlife habitats and geodiversity, development can have a wide range of other negative impacts, for example, housing developments can result in disturbance to wildlife on sensitive sites by dogs and cats as well as increased recreational pressure from the local population; evidence for this is set out in the *Access Network and Accessible Natural Greenspace Study*⁴¹.

5.69 Important geological features can be lost through burial, damage and scrub encroachment. The impact on and conservation of geological features, landforms and processes is a crucial consideration when planning for minerals extraction, coastal defences and re-engineering of river catchments.

5.70 Development can have a positive impact on biodiversity and geological features. For example, by supporting positive management of geomorphological features, and also by restoring an interconnected network of wildlife sites and achieving net gains in biodiversity, species will be more resilient to adapt to pressures such as climate change. Urban habitats such as gardens, parks and buildings can act as 'stepping stones' and 'wildlife corridors' to enable wildlife to move from one place to another. If development

⁴⁰ Habitat Connectivity and Habitat Opportunity Mapping Report (Thomson Ecology, 2015)

⁴¹ *Access Network and Accessible Natural Greenspace Study (South Downs National Park Authority, 2014)*

is planned and delivered with these in mind, it can conserve and even enhance biodiversity and geodiversity.

5.71 International sites support populations of species that are particularly threatened and/or vulnerable to disturbance. Under the *Habitats Regulations*, the Authority is required to demonstrate that proposals for new development avoid or adequately mitigate against impacts on these sites. A *Habitat Regulations Assessment (HRA)*⁴² of the *Preferred Options Local Plan* was prepared in 2015, and its recommendations have been taken into account in this version of the Local Plan. A *HRA* of the Local Plan was published in 2017.

5.72 Trees, woodland and hedgerows are distinctive features of the National Park. Non-woodland trees, including those in hedgerows and street trees, make an important contribution to landscape character, the historic environment and ecosystem services. Hedgerows, in particular, have an important role, by providing connections between habitats, and these need to be managed and maintained. Trees and woodland are important for adaption to the impacts of climate change. For example, trees in urban areas moderate summer temperatures and new tree planting in well-chosen locations can stabilise slopes and reduce the impacts of flooding.

★ Strategic Policy SD9: Biodiversity and Geodiversity

1. Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation. Prior to determination, up-to-date ecological information should be provided which demonstrates that development proposals:
 - a) Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;
 - b) Identify and incorporate opportunities for net gains in biodiversity;
 - c) Contribute to the restoration and enhancement of existing habitats, the creation of wildlife habitats and the creation of linkages between sites to create and enhance local and regional ecological networks;
 - d) Protect and support recovery of rare, notable and priority species;
 - e) Seek to eradicate or control any invasive non-native species present on site;
 - f) Contribute to the protection, management and enhancement of biodiversity and geodiversity, for example by supporting the delivery of GI and Biodiversity Action Plan targets and enhance Biodiversity Opportunity Areas (BOA); and
 - g) Comply with the mitigation hierarchy as set out in national policy.

⁴² South Downs National Park Authority Local Plan Habitats Regulations Assessment (AECOM, 2015, 2017 and 2018)

2. The following hierarchy of site designation will apply in the consideration of development proposals:

a) **Internationally Protected Sites**, as shown on the Policies Map (SPAs, SACs and Ramsar Sites, or candidate and formally proposed versions of these designations):

- i. Development proposals with the potential to impact on one or more international sites(s) will be subject to a HRA to determine the potential for likely significant effects. Where likely significant effects may occur, development proposals will be subject to Appropriate Assessment
- ii. Development proposals that will result in any adverse effect on the integrity of any international site will be refused unless it can be demonstrated that: there are no alternatives to the proposal; there are imperative reasons of overriding public interest why the proposal should nonetheless proceed; and adequate compensatory provision is secured

b) **Nationally Protected Sites SSSI**, NNRs, MCZ as shown on the Policies Map:

- i. Development proposals considered likely to have a significant effect on nationally protected sites will be required to assess the impact by means of an EIA
- ii. Development proposals should avoid impacts on these nationally protected sites. Development proposals where any adverse effect on the site's notified special interest features is likely and which cannot be either avoided or adequately mitigated will be refused, unless the benefits of the development, at this site clearly outweigh the likely impact to the notified features of the site and any broader impacts on the network of nationally protected sites

c) **Irreplaceable Habitats** (including ancient woodland as shown on the Policies Map, and veteran trees): Development proposals which result in the loss or deterioration of irreplaceable habitats, including ancient woodland and veteran trees will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists

d) **Locally Protected Sites** (Sites of Nature Conservation Importance (SNCI)/Local Wildlife Sites (LWS)/Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR and Local Geodiversity Sites (LGS)) as shown on the Policies Map:

- i. Development proposals considered likely to have a significant effect on local sites will be required to assess the impact by means of an Ecological Impact Assessment (EclA)
- ii. Development proposals that will result in any adverse effect on the integrity of any local site which cannot be either avoided or adequately mitigated will be refused, unless exceptional circumstances outweighing the adverse effects are clearly demonstrated

e) **Outside of designated sites**

- i. Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies where possible.

5.73 The purpose of Policy SD9 is to set out a positive strategy to ensure the conservation and enhancement of biodiversity and geodiversity across the National Park. It also sets out the hierarchy of designated sites.

5.74 The aim is to achieve a 'net gain' in biodiversity by encouraging all opportunities to enable conservation and enhancement as part of development proposals, planning at landscape-scale and taking opportunities to improve connections between habitats and designated sites.

5.75 All applications for development must ensure that sufficient and up to date information is provided regarding the wildlife sites or species or

geodiversity sites that may be affected by a proposal prior to determination of the development proposals. A landscape and ecology management plan must be provided which includes mechanisms for management in the long term.

THE MITIGATION HIERARCHY

5.76 The mitigation hierarchy is set out in the *NPPF*. It requires that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Avoidance of adverse impacts to biodiversity as a direct or indirect result of development must be the first consideration. Avoidance measures may include either locating development on an alternative site with less harmful impact, or locating development within the site to avoid damaging a particular habitat feature. Compensation is only considered after all other options have been explored and strictly as a last resort.

PROTECTED AND PRIORITY SPECIES

5.77 Some species have special protection under international and national legislation (such as the *Wildlife and Countryside Act 1981 (as amended)* and the *Conservation of Habitats and Species Regulations 2017*). Legally protected species which are prominent in the National Park and which could be affected by new developments include but are not restricted to all wild birds, all native species of bat, great crested newt and badger and, in rivers, water vole, brown trout, river lamprey and European eel. Where there is a reasonable likelihood that a protected species may be present and affected by a proposal, comprehensive surveys will need to be undertaken to provide the evidence needed to allow a determination to be made and licenses to be sought where necessary.

5.78 Action is required for the protection of *UK Biodiversity Action Plan* priority species in the *Biodiversity 2020 Strategy*. These priority species are identified under *Section 41 of the Natural Environment & Rural Communities (NERC) Act* as of principle importance for the purpose of conserving biodiversity in England. The Sussex Biodiversity Records Centre and Hampshire Biodiversity Information Centre also hold information for rare, scarce and notable species in the National Park.

DESIGNATED SITES

5.79 The National Park has a very high density of sites designated for their wildlife and geodiversity value. This includes the following types of designation:

INTERNATIONAL DESIGNATIONS

5.80 Under the *Conservation of Habitats and Species Regulations 2017 (Habitats Regulations)* the Authority has a duty to give these areas⁴³ the strongest protection against damaging development. If a development proposal is assessed to be likely to have a significant effect on one of these sites, either alone or in combination with other plans or projects, an Appropriate Assessment is required to establish the implications of the scheme for the identified nature conservation interests of the site.

5.81 Normally, the Authority cannot consent to plans or projects without first having ascertained that they will not have an 'adverse effect on the integrity' of the site. *Article 6(4) of the Habitats Directive* provides an exemption which would allow a plan or project to be approved in very limited circumstances even though it would or may have an 'adverse effect on the integrity of a European site'. A plan or project can only proceed provided three sequential tests are met (see *Article 6(4)*)⁴⁴. These tests must be interpreted strictly and can only be formally considered once an appropriate assessment has been undertaken.

5.82 Applicants should work with the Authority in the screening and assessment process and provide the necessary information for the Authority to make a determination. To avoid any damage to the integrity of these areas and the species they support, mitigation measures or contributions to such measures from new development may be required.

⁴³ International nature conservation designations covered by the Habitats Directive include: SACs, SPAs, Sites of Community Importance (SCI), and candidate SACs. As a matter of Government policy, possible SACs, potential SPAs and listed and proposed Ramsar sites and sites identified or required for compensatory measures for adverse effects on such sites are also treated as internationally designated sites

⁴⁴ European Commission (1992) 92/43/EEC Habitats Directive

5.83 The *HRA* has assessed the impacts arising from traffic movements on air quality and nitrogen deposition at a number of international nature conservation designation sites and identifies a need for monitoring. The National Park Authority will work with partners to consider the best way to monitor changes in air quality and nitrogen deposition on all these European sites. This would include long term monitoring of the main roads that fall within 200 metres of these European sites. Further information is set out in the Implementation and Monitoring chapter of this plan.

5.84 Policy SD10: International Sites, sets out specific requirements for development in relation to the following international nature conservation designations: The Mens SAC, Ebernoe Common SAC, Singleton & Cocking Tunnels SAC, Arun Valley SPA, Wealden Heath Phase II SPA, and the Solent Coast SPAs.

NATIONAL DESIGNATIONS

5.85 These sites are designated under UK legislation as being of national importance for biodiversity or geodiversity and are afforded statutory protection due to the nationally significant wildlife features that they contain. These sites are protected from any operations likely to cause damage to the designated features. For any development to be permitted that is likely to damage these sites, the developer must demonstrate to the satisfaction of the Authority and Natural England that:

- There are no alternative solutions; and
- The reasons for the development at that site clearly outweigh the nature conservation value of the site and the national policy to safeguard the national network of such sites.

IRREPLACEABLE HABITATS

5.86 Development proposals that could impact upon irreplaceable habitats including ancient woodland and veteran trees, should note that the significance of irreplaceable habitats may be derived from habitat age, uniqueness, species diversity and/or the impossibilities of re-creation. The term ancient woodland also includes Ancient Semi-Natural Woodland and Plantations on Ancient Woodland Sites and these should be treated equally in terms of the level of

protection afforded to ancient woodland and veteran trees. Further criteria relating to ancient woodland and veteran trees is found in Policy SD11: Trees, Woodland and Hedgerows.

LOCAL DESIGNATIONS

5.87 Locally designated geological and wildlife sites are valuable as a node or link in the local habitat network. These sites can provide valuable stepping stones as part of a wider GI network. On-going surveys can reveal new areas that warrant such protection. Policy SD9 will be applied to any new sites or extensions to existing sites.

5.88 EclA is the ecological component of EIA and is also applied outside the EIA process to identify, quantify and evaluate the potential impacts of a project on any ecosystem.

GEOLOGICAL CONSERVATION INTERESTS

5.89 The geological conservation interests of the National Park form an important part of the landscape identity and underpins the biodiversity of the National Park. For example, the river corridors and chalk which underpins the species rich chalk grassland. It is therefore important that the integrity of the natural function of these features is conserved and enhanced. Designated geological sites must be conserved and enhanced in accordance with this policy. Wider landscape geological features and their associated habitats must be conserved and enhanced in accordance with this policy and with SD4: Landscape Character.

OUTSIDE OF DESIGNATED SITES

5.90 In addition to the range of nature conservation designations outlined above, there are other areas in the National Park which are also not subject to statutory nature conservation designation or legal protection, but which form an important element of the collective nature conservation resource. These include priority habitats and non-statutory designations such as Biodiversity Opportunity Areas, the Brighton and Lewes Downs Biosphere Reserve and the South Downs Way Ahead Nature Improvement Area. The *Habitats Directive* highlights the need for effective management of linear or continuous features essential for

species migration, dispersal and genetic exchange. Such features, like rivers, mature trees and hedgerows, extend across designated and non-designated areas. These features, in particular, will provide the building blocks for achieving the Government's objective to restore and connect wildlife habitats and contribute towards a net gain for biodiversity. They are also important in providing corridors or stepping stones for species and to allow species to adapt to climate change. The maintenance and enhancement of these networks will be encouraged. Brownfield land can also be of important ecological value. These undesignated biodiversity assets are important components of GI.

5.91 Protection of UK Biodiversity Action Plan priority habitats is set out in the *Biodiversity 2020 Strategy* and under *Section 41 of the Natural Environment & Rural Communities (NERC) Act*. Priority habitats in the National Park include lowland calcareous grassland, woodland and lowland heathland, among many others.

5.92 The National Park Authority has worked closely with partners to map and identify priority habitats, habitat connectivity, and local ecological networks in and beyond its boundaries. Areas with high connectivity and/or high potential for priority habitat restoration or creation will be given due weight in the planning process. These areas are outlined in the *Habitat Connectivity Report*. The BOA maps for Hampshire and Sussex will also be considered by the National Park Authority.

★ Strategic Policy SD10: International Sites

The Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC

1. Development proposals on greenfield sites and sites that support or are in close proximity to suitable commuting and foraging habitat (including mature vegetative linear features such as woodlands, hedgerows riverine and wetland habitats) within the following ranges as shown on the Policies Map, should have due regard to the possibility that Barbastelle and Bechstein's Bats will be utilising the site. Such proposals will be required to incorporate necessary surveys and ensure that key features (foraging habitat and commuting routes) are retained, in addition to a suitable buffer to safeguard against disturbance⁴⁵.
 - a) 6.5km: Key conservation area – all impacts to bats must be considered given that habitats within this zone are considered critical for sustaining the populations of bats within the SACs; and
 - b) 12km: Wider conservation area – significant impacts or severance to flightlines to be considered.
2. Proposed use or development of the tunnels comprising the Singleton & Cocking Tunnels SAC will be required to demonstrate that there is no adverse effect on the interest features, including hibernation habitat for Barbastelle and Bechstein's Bats, or on the integrity of the site.

Arun Valley SPA

3. Development proposals on greenfield sites within 5km of the Arun Valley SPA, as shown on the Policies Map, will undertake an appraisal as to whether the land is suitable for wintering Bewick Swan. If it is suitable then surveys will be undertaken to determine whether the fields are of importance to the swan population. If so, appropriate alternative habitat would be required before development could proceed.

⁴⁵ The scale of the buffer will need to be determined on a case-by-case basis, informed by bat activity survey work and would take account of the species involved and their sensitivity to disturbance/artificial lighting and the natural screening provided by existing surrounding vegetation. It would need to be devised in consultation with the SDNPA (in addition to Natural England, as required)

Wealden Heaths Phase II SPA

4. Development proposals resulting in a net increase in residential units within 400m of the boundary of the Wealden Heaths Phase II SPA, as shown on the Policies Map, will be required to demonstrate that the need for development cannot be solely met outside of the 400m zone, and undertake a project-specific HRA.
5. Development proposals resulting in a net increase in residential units within 5km of the boundary of the Wealden Heaths Phase II SPA will be required to submit a screening opinion to the Authority for a project-specific HRA which, in consultation with Natural England, will determine whether a likely significant effect on the integrity of the site will result. Likely significant effects will be assessed through the HRA and any requirement for mitigation identified.
6. To help protect the Wealden Heaths Phase II SPA, the National Park Authority will work with relevant authorities and Natural England as part of a working group with regard to monitoring, assessment and measures which may be required. Planning permission will only be granted for development that responds to the emerging evidence from the working group, the published recommendations, and future related research.

Solent Coast SPAs

7. Development proposals resulting in a net increase in residential units, within the Solent Coast SPAs (Chichester & Langstone Harbours SPA, Portsmouth Harbour SPA and Solent & Southampton Water SPA) zone of influence shown on the Policies Map, defined as 5.6km from the boundary of these sites, may be permitted where 'in combination' effects of recreation on the Solent Coastal SPAs are satisfactorily mitigated through the provision of an appropriate financial contribution to the delivery of strategic mitigation. In the absence of a financial contribution toward mitigation, an appropriate assessment may be required to demonstrate that any 'in combination' impacts which are likely to have a significant adverse effect can be avoided or can be satisfactorily mitigated through a developer-provided package of measures.

5.93 The purpose of Policy SD10 is to set specific requirements relating to the Mens, Ebernoe Common, and Singleton & Cocking Tunnels SAC, and the Arun Valley, Wealden Heaths Phase II, and Solent Coast SPAs, as recommended by the HRA. There are many other international nature conservation designation sites in and near the National Park, and requirements for these are set out in Policy SD9: Biodiversity and Geodiversity.

HABITATS REGULATIONS ASSESSMENT

5.94 Policy SD9: Biodiversity and Geodiversity, sets out the general requirements with regard to International Nature Conservation Designations and their protection under the *Habitats Directive (2017)*. Development proposals which are likely to have significant effects on international sites are required to undergo an appropriate assessment in order to ascertain that there will not be adverse impacts on the integrity of the site.

5.95 The requirements set out in Criteria 1 – 7 of this policy seek to ensure that development will not have an adverse impact on the integrity of the relevant sites, in line with the requirements of the *Habitats Directive (2017)*.

5.96 As identified in Policy SD9 and its supporting text, the *Habitats Directive* contains an exemption to this, under very limited circumstances. The following sequential test applies:

- There must be no feasible alternative solutions to the plan or project which are less damaging to the affected European site(s)
- There must be “*imperative reasons of overriding public interest*” (IROPI) for the plan or project to proceed
- All necessary compensatory measures must be secured to ensure that the overall coherence of the network of European sites is protected

5.97 In practice it is likely that only a small minority of plans and projects will be of a nature to reach this stage of consideration.

SPECIAL AREAS OF CONSERVATION

5.98 Policy SD10 protects bat populations for which the Mens, Ebernoe Common and Singleton & Cocking Tunnels SACs are designated. In the absence of research detailing both flight lines and distances travelled by bats commuting to and from the hibernation sites at Singleton & Cocking Tunnels SAC, and buffer distances in relation to disturbance of bats for the three SACs, these parameters will need to be determined on a case-by-case basis, informed by bat activity survey work and would need to take account of the species involved and their sensitivity to disturbance/artificial lighting and the natural screening provided by existing surrounding vegetation. Surveys would need to be devised in consultation with the National Park Authority and Natural England, as required. To facilitate sustainable development within proximity of these three SACs, Natural England and the National Park Authority are producing technical advice⁴⁶ based on published data which identifies key impact assessment zones, and avoidance, mitigation, compensation and enhancement measures which should be considered and incorporated.

SPECIAL PROTECTION AREAS

5.99 A very small area of the National Park is located within the zone of influence of the Solent SPAs as identified in the Solent Recreation Mitigation Partnership (SRMP). Through work on the SRMP, it has been concluded that any net increase in residential development will give rise to likely significant effects on the Solent SPAs, either 'alone' or 'in combination' with other development proposals. All new residential development within this zone of influence will be required to mitigate the negative impact. This mitigation can be provided through financial contribution to the measures set out in the Solent Recreation Mitigation Strategy.

5.100 Consistent with the HRA undertaken for the *East Hampshire Joint Core Strategy*, the potential cumulative impact of development within 400m of the Wealden Heaths Phase II SPA is recognised. To avoid likely significant effect upon the SPA, the National Park Authority will monitor all development within

the 400m zone in liaison with East Hampshire District Council, Waverley District Council and Natural England. The SPD⁴⁷ provides guidance to applicants where development proposals in East Hampshire District, including the area that falls within the South Downs National Park, will result in a net increase in residential development within 400m of the Wealden Heaths Phase II SPA. Any development proposed within the 400 metre Buffer Zone will need to be tested through a HRA. A cross boundary working group has been established to discuss and address cross boundary HRA matters, principally relating to the Wealden Heaths Phase II SPA. The group consists of officer representatives from the National Park Authority, East Hampshire District Council, Waverley Borough Council and Natural England. The working group will continue to work together on matters relating to the Wealden Heaths Phase II SPA and the development of strategic measures as necessary.

⁴⁶ Draft Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol (Natural England, 2018)

⁴⁷ East Hampshire District Council (adopted 31st July 2018) and South Downs National Park Authority (adopted 12th July 2018) Wealden Heaths Phase II SPA SPD

★ Development Management Policy SD11: Trees, Woodland and Hedgerows

1. Development proposals will be permitted where they conserve and enhance trees, hedgerows and woodlands.
2. Development proposals that affect trees, hedgerows and woodland must demonstrate that they have been informed by a full site survey, including an Ecological Survey, Arboricultural Method Statement and associated Tree Protection Plan, and include a management plan.
3. The removal of protected trees, groups of trees woodland or hedgerows will only be permitted in exceptional circumstances and in accordance with the relevant legislation, policy and good practice recommendations. Where protected trees are subject to felling, a replacement of an appropriate number, species and size in an appropriate location will be required.
4. Development proposals must provide adequate protection zones and buffers around hedgerows and other woodland and trees to prevent damage to root systems and taking account of future growth. A minimum buffer of 15 metres will be required between the development and ancient woodland or veteran trees.
5. A proposed loss or damage of non-protected trees, woodland or hedgerows should be avoided, and if demonstrated as being unavoidable, appropriate replacement or compensation will be required.
6. Development proposals must demonstrate that appropriate protection measures are in place prior to any work on site throughout the development process as part of a comprehensive landscaping plan, and that suitable opportunities for the restoration, enhancement or planting of trees, woodland, and hedgerows are identified and incorporated.
7. Opportunities should be identified and incorporated for planting of new trees, woodlands and hedgerows. New planting should be suitable for the site conditions, use native species and be informed by and contribute to local character, and enhance or create new habitat linkages.

5.101 The purpose of Policy SD11 is to ensure the management, including conservation and enhancement, of existing trees, woodland and hedgerows, and to ensure that opportunities for restoration and new planting is realised.

This policy should also be considered alongside policies SD4: Landscape Character, SD9: Biodiversity and Geodiversity and SD10: International Sites. A technical advice note will be produced by the National Park Authority to provide further guidance to applicants on technical matters related to the protection of existing trees and planting of new trees.

5.102 The South Downs is the most wooded national park in England and Wales. The trees and woodland are significant features of the landscape, with a high proportion of ancient and veteran trees. Trees and woodland are a significant asset with regard to ecosystem services, contributing to many supporting, provisioning, regulating, and cultural ecosystem services, including for example carbon storage, biodiversity, air quality, and tranquillity. Hedgerows are a priority habitat and provide an important function as wildlife corridors. They have an important role for ecosystem services such as genetic dispersal and should be protected from severance.

5.103 All development must be undertaken in line with the *British Standard 5837* and all tree works must be carried out in accordance with *British Standard 3998*⁴⁸. Ancient woodland is recognised as an irreplaceable habitat – please see sub-heading ‘ancient woodland and veteran trees’ below and Policy SD9.

5.104 Forestry is one of the key sectors of the National Park’s economy, supplying the provisioning ecosystem services of sustainable timber and wood fuel. *The South Downs National Park Renewable and Low Carbon Energy Study* highlights the potential and importance of supporting the biomass/wood fuel market, and recommends that development of this market should be supported in principle. Policy requirements and guidance on these matters are primarily addressed through policies SD4 (Landscape Character), SD5 (Design), SD39 (Agriculture and Forestry) and SD51 (Renewable Energy).

⁴⁸ British Standards Institute (2010 and 2012) BS5837:2012 Trees in relation to design, demolition and construction–recommendations; and BS3998:2010 Tree Work Recommendations

BUFFER ZONES

5.105 It should be clearly demonstrated how development proposals will avoid any potential adverse impact on trees, woodland and hedgerows. Where development is permitted, mitigation measures may be sought and secured through condition and/or planning obligation. Mitigation of impacts may include the use of a buffer zone of semi-natural habitat between any significant development and an area of woodland with amenity or biodiversity value. What is an appropriate buffer will depend on the local circumstances, the species and size of trees, the form and nature of the trees or woodland and the type of development. This buffer zone should not normally include residential gardens and will require appropriate management after the completion of the development. The height of development should allow adequate sunlight to reach the buffer zone.

ANCIENT WOODLAND AND VETERAN TREES

5.106 Ancient woodland and veteran trees are irreplaceable habitats – please see Policy SD9. Development is expected to, in the first instance, avoid any negative effects on ancient woodland or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists. To mitigate negative impacts, a buffer zone of a minimum of 15 metres, consisting of semi-natural habitat should be employed between the development and the ancient woodland or veteran tree. Compensation measures will only be considered as a last resort. Further detailed guidance for applicants on ancient woodland and veteran trees is found in the *Forest Commission and Natural England Joint Standing Advice*.

PLANTING NEW TREES

5.107 The Authority will support all suitable opportunities for new planting of trees, woodland and hedgerows as part of development schemes, and protection of new trees via Tree Preservation Orders, where appropriate⁴⁹. Species selection should be appropriate for the site conditions such as soil type and micro climate, and there is a presumption in favour of native species. Responsibly sourced provenances and other species that are shown to offer enhanced ecosystem services, without being detrimental to the local environment, may also be acceptable in planting schemes. When selecting species and sources of trees, due regard must be had to the expected impacts of climate change, genetic variability and disease. New planting should be appropriate to and contribute to the character of the location and should also support and enhance green links and ecological networks, maximising opportunities for net gains for biodiversity. Policies SD4: Landscape Character, SD5: Design, SD9: Biodiversity and Geodiversity and SD45: Green Infrastructure should also be considered with regard to new planting as part of development schemes.

⁴⁹ Sections 197 and 198 of the 1990 Planning Act

5C. HISTORIC ENVIRONMENT

INTRODUCTION

5.108 This section of the Local Plan includes five policies relating to the historic environment of the National Park. Strategic Policy SD12 sets out a positive strategy for conservation and enhancement of the historic environment. This is followed by four development management policies. Two relate to specific designated heritage assets namely listed buildings (Policy SD13) and conservation areas (Policy SD15). There are two further development management policies relating to climate change mitigation and adaptation of historic buildings (Policy SD14) and archaeology (Policy SD16).

5.109 The National Park has a rich and varied cultural heritage ranging from historic settlements and buildings to archaeological sites of all periods. It is critical that the historic environment is regarded as a positive and irreplaceable asset, valuable not only in cultural and economic terms, but as a frame and reference point for the creation of attractive places for current and future generations to enjoy.

5.110 The term cultural heritage, which is part of Purpose 1 of the National Park, includes physical features such as archaeological sites and finds, historic buildings, fields and settlements, and more hidden evidence of how people

used to live such as folk traditions, customs and work by creative people. The term 'historic environment' is used in the *NPPF* and is a more specific and relevant term when setting policies relating to heritage-related planning consents. The term 'heritage assets' refers to any buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions because of their heritage interest. Heritage assets include listed buildings, buildings on an approved local list, scheduled monuments, archaeological remains, conservation areas, historic parks and gardens and battlefields. A distinction is made between 'designated' and 'undesigned' heritage assets.

5.111 The Authority will proactively seek to conserve and enhance heritage assets by:

- Identifying heritage assets which are considered to be at risk of irreversible harm or loss;
- Encouraging owners to maintain their heritage assets; and
- The use of *Article 4* directions where the exercise of permitted development rights would undermine the aim to conserve and enhance the historic environment.

Strategic Policy SD12: Historic Environment

1. Development proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting.
2. Applicants will be required to provide a Heritage Statement sufficient to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).
3. Development proposals which affect heritage assets (whether designated or non-designated) or their setting will be determined with regard to the significance of the asset, including the long-term conservation and enhancement of that asset.
4. Development proposals will be permitted where they enhance or better reveal the significance of heritage assets, particularly where they are considered to be at risk of irreversible harm or loss.
5. Development proposals which appropriately re-use redundant or under-used heritage assets with the optimal viable use, which secures their long-term conservation and enhancement, including of their setting, will be supported.
6. Development proposals for enabling development that would otherwise conflict with other planning policies but which would secure the future conservation of a heritage asset will be permitted provided:
 - a) The proposals will not materially harm the heritage values of the asset or its setting;
 - b) It can be demonstrated that alternative solutions have failed;
 - c) The proposed development is the minimum necessary to protect the significance of the heritage asset;
 - d) It meets the tests and criteria set out in Historic England guidance *Enabling Development and the Conservation of Significant Places*⁵⁰;
 - e) It is subject to a legal agreement to secure the restoration of the asset; and
 - f) It enables public appreciation of the saved heritage asset.

5.112 The purpose of Policy SD12 is to set out a positive strategy for the conservation and enhancement of the historic environment, including the safeguarding of heritage assets.

5.113 It is important that proposals are based on a meaningful understanding of the historic context and character of an area. Proposals should be informed by Historic Landscape Character Assessments (HLCA), *SDILCA*, Historic Environment Records (HER), conservation area character appraisals and the *Extensive Urban Survey*.

OPTIMUM VIABLE USE

5.114 Sustaining heritage assets in the long term often requires investment and putting heritage assets to a viable use is likely to enable the maintenance necessary for their long-term conservation. Certain heritage assets may have limited or no scope for new uses and indeed may be so sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

5.115 It is important that any use is viable, not just for the owner, but also the future conservation of the asset. The optimum viable use may not necessarily be the most profitable one. If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. Where relevant, reference should also be made to Policy SD41: Conversion of Redundant Agricultural or Forestry Buildings. The National Park Authority will publish guidance on viability matters in due course.

SIGNIFICANCE OF HERITAGE ASSETS

5.116 Development proposals can affect the significance of heritage assets in a range of different ways. Physical impacts can range from minor alterations to the complete loss of the asset. Other impacts may not physically alter the asset but may affect its setting, which in turn may impact the significance of the heritage asset. Carefully considered changes to setting may well prove

⁵⁰ Enabling Development and the Conservation of Significant Places (English Heritage/ Historic England, 2008)

to be sympathetic and positive, but adverse impacts can create negative perceptions, a long-term decline or loss of significance, or of understanding and appreciation of that significance. In determining applications likely to have a bearing on the setting of heritage assets, guidance published by Historic England will be used to assess impact.

5.117 In order to assess significance it is essential to have a sound understanding of the original purpose, development, use and history of the historic asset. All planning applications that affect or have the potential to affect heritage assets and their setting, including sites with archaeological potential, must be supported by a Heritage Statement. The Heritage Statement should identify the significance of the asset and set out the impact of the development. The applicant should consult the relevant HERs. The level of detail required to support the application should be proportionate to the significance of the heritage asset and the impact of the development. In all but the most trivial cases, assessment of potential impact on the significance of the asset will require input from conservation professionals with appropriate qualifications and experience.

5.118 It is important to distinguish between potential harm that is 'substantial' and that which is 'less than substantial.' Substantial harm will relate to those impacts which wholly or partially destroy the significance of the heritage asset, or impinge upon the role of its setting to an extent which undermines its essential appreciation. However, it should be noted that less than substantial impacts may still prove significant, with some heritage assets being highly sensitive to change.

5.119 In cases where harm on significance is assessed to be substantial, but justified by considerations of continued use, re-use or wider public benefits, mitigation by recording will be required as a condition of consent. This can include deposition of the record including artefacts and ecofacts in a publicly accessible museum or record office, as well as the relevant HER. However, the ability to record evidence should not be a factor in deciding whether such a loss should be permitted. In instances where some degree of harm to heritage assets or the role of their setting is considered justified when balanced against public benefits, these benefits must be compelling, measurable, realistic and capable of assured delivery.

5.120 On occasion, the significance of a site or building may only become apparent when a development proposal is conceived. These discoveries at a pre-application or application stage of the development process will constitute 'non-designated heritage assets'. The lack of a previous designation will not necessarily imply lesser importance and the asset may sometimes possess great or even national historical significance. The significance of non-designated heritage assets must be carefully assessed and the desirability of their conservation will be weighed against wider public benefits as planning applications are considered and determined.

ENABLING DEVELOPMENT

5.121 The long-term conservation of a small minority of heritage assets can sometimes present particular problems. This is a result of the disparity between the costs of renovating the asset in a suitable manner and the final end value. This disparity is known as the 'conservation deficit'. In extreme cases, a recognised way of addressing this is to allow development in a location, or of a nature or form, that would normally be considered unacceptable in planning policy terms, which would generate sufficient funds to cover the shortfall in the renovation costs, and where it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. This approach is known as 'enabling development.'

5.122 Enabling development should only ever be regarded as a last resort in restoring heritage assets once all other options have been exhausted. Development should constitute the minimum required to cover the conservation deficit. It should also not materially harm the heritage significance of the place (including its setting where relevant), and should produce public benefits which outweigh the dis-benefits of conflicting with other policies. Enabling development should contribute to the special qualities of the National Park and allow public appreciation of the saved heritage asset.

5.123 The Authority will use the detailed and rigorous tests set out by Historic England in order to determine planning applications that propose enabling development.

Development Management Policy SD13: Listed Buildings

1. Development proposals which affect a listed building or its setting will only be permitted and listed building consent granted where:
 - a) They preserve and enhance the significance of the listed building and its setting by demonstrating that loss of historic fabric and detail of significance, including internal features, floor plans and the integrity of the rooms, is avoided; or
 - b) Harm to the significance of the listed building or its setting is considered to be outweighed by public benefits by the Authority, when appropriate mitigation measures will be expected, including archaeological investigation (including a written report) or recording.
2. Development proposals will be refused planning permission and/or listed building consent where they cause substantial harm to a listed building or its setting.

5.124 The purpose of Policy SD13 is to set out more detailed criteria for development proposals affecting listed buildings. This policy should also be read alongside Policy SD5: Design.

5.125 There are more than 5,000 listed buildings and structures within the National Park and these form an important part of the historic character, sense of place, and wider cultural heritage of the National Park. It is necessary to consider the character and significance of listed structures in a holistic manner; the character of their interiors can be as important as their external appearance. The protection and enhancement of all aspects of significance should be considered and great weight will be given to their preservation and, where appropriate, their restoration to optimal condition.

5.126 In instances where harm or significance is unavoidable and outweighed by public benefits, the record of lost or altered fabric or features should be deposited at the relevant County Record Office to facilitate access by the general public.

5.127 The Authority will seek solutions for assets at risk of loss or harm through decay, neglect or other threats. This will be pursued through proactive

discussion with owners and a readiness to engage with development proposals with the potential to secure repair and continued maintenance. Where appropriate the Authority may resort to the use of its statutory powers, Urgent Works or Repair Notices, to arrest decay of the asset.

Development Management Policy SD14: Climate Change Mitigation and Adaptation of Historic Buildings

1. Development proposals will be permitted, and where relevant listed building consent granted, for works to heritage assets to adapt to, or mitigate the effects of, climate change where it can be clearly demonstrated that this is consistent with all of the following:
 - a) The preservation and enhancement of the heritage asset's significance, character and appearance;
 - b) The preservation and enhancement of the heritage asset's special architectural or historic interest;
 - c) The long-term preservation of the historic built fabric; and
 - d) The setting of the heritage asset.

5.128 The purpose of Policy SD14 is to set out more detailed criteria for development proposals that seek to improve the energy efficiency or adaptation of heritage assets to adapt to or mitigate the effects of climate change. It should be read alongside Policy SD12: Historic Environment, Policy SD5: Design and SD48: Climate Change and Sustainable Use of Resources.

ASSESSMENT OF ENERGY EFFICIENCY OF HISTORIC BUILDINGS

5.129 Opportunities to reduce carbon dioxide emissions through improvements to energy efficiency of existing buildings are in principal to be welcomed. However, it is incorrect to assume that the older a building is, the less energy efficient it is. Many historic buildings perform well in terms of energy efficiency. Interventions to improve energy efficiency can have potential to adversely impact the breathability of built fabric or harm features of interest.

It should also be recognised that historic building materials are often more durable than modern replacements and more cost-effective in energy terms.

ALTERATIONS AND ADAPTATIONS OF HISTORIC BUILDINGS

5.130 Alterations to historic buildings should always be considered carefully to ensure that they do not cause buildings that were previously functioning well to fail. There are various adaptations which can improve energy efficiency of buildings or improve low carbon performance, such as insulation to walls and roofs, solar panels and alterations to windows.

5.131 These alterations and adaptations can significantly impact the features and subsequently the overall character, historic interest and integrity of built fabric historic building. Changes to specific features must be considered in assessing the significance of the historic asset. For example, traditional windows and their glazing make a hugely important contribution to the value and significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right. Minor changes to windows can have a dramatic impact.

Development Management Policy SD15: Conservation Areas

1. Development proposals within a conservation area, or within its setting, will only be permitted where they preserve or enhance the special architectural or historic interest, character or appearance of the conservation area. Sufficient information to support an informed assessment should be provided on the following matters:
 - a) The relevant conservation area appraisal and management plan;
 - b) Overall settlement layout and relationship to established landscape setting;
 - c) Historic pattern of thoroughfares, roads, paths and open spaces, where these provide evidence of the historic evolution of the settlement, and the historic street scene;
 - d) Distinctive character zones within the settlement;
 - e) Mix of building types and uses, if significant to the historic evolution of the settlement;
 - f) Use of locally distinctive building materials, styles or techniques;
 - g) Historic elevation features including fenestration, or shop fronts, where applicable;
 - h) Significant trees, landscape features, boundary treatments, open space, and focal points; and
 - i) Existing views and vistas through the settlement, views of the skyline and views into and out of the conservation area.
2. Within a conservation area, development proposals which involve the total or substantial demolition of buildings or structures will only be permitted where it is sufficiently demonstrated that:
 - a) The current buildings or structures make no positive contribution to the special architectural or historic interest, character or appearance of the conservation area; and
 - b) The replacement would make an equal or greater contribution to the character and appearance of the conservation area.

5.132 The purpose of Policy SD15 is to set out more detailed criteria for development proposals within or affecting conservation areas. Reference to character zones relates to the discrete character areas described within some individual conservation area appraisals.

5.133 Some historic settlements within the National Park are small or diffuse in nature. The conservation area boundaries of these diffuse settlements may not reflect the broader heritage interest of their surrounds. Policy SD15 reflects the importance of setting and extends consideration to such locations.

5.134 More information on trees within conservation areas is provided in the introductory text for Policy SD11: Trees, Woodland and Hedgerows.

Development Management Policy SD16: Archaeology

1. Development proposals will be permitted where they do not cause harm to archaeological heritage assets and/or their setting. Sufficient information in a Heritage Statement is required to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance.
2. There will be a presumption in favour of preservation in-situ for Scheduled Monuments and other archaeological heritage assets of equivalent significance.
3. Development proposals that will result in unavoidable harm to, or loss of, an archaeological heritage asset's significance, will only be permitted where there is a clear justification in terms of public benefits arising from the development which outweigh that harm and, in the case of substantial harm/loss, also meet the following requirements:
 - a) There is no less harmful viable option; and
 - b) The amount of harm has been reduced to the minimum possible.

In these cases, preservation by record secured through an agreed Written Scheme of Archaeological Investigation will be required.

5.135 The purpose of Policy SD16 is to set out more detailed criteria for development proposals affecting heritage assets with archaeological interest. Archaeological sites are finite, irreplaceable and fragile resources which are

vulnerable to damage, either from specific works or from gradual degradation over time. Archaeology is not just the ancient remains of early people but also includes the recent evidence of industry and housing.

5.136 When considering archaeological resources, the Authority will consider advice from the relevant curatorial/development management archaeologist for that purpose.

SIGNIFICANCE OF ARCHAEOLOGICAL HERITAGE ASSETS

5.137 The most significant known archaeological heritage assets are usually designated as scheduled monuments, and are of national or international importance. It is widely recognised that there are sites which have an equal significance, but which are non-designated heritage assets. If the significance of such sites have been demonstrated, they will be treated in the same way as scheduled monuments. In addition, there are many other archaeological sites which do not have such a great significance but which form a valuable part of the National Park's historic environment. These may also be referred to as non-designated heritage assets. The relevant HER is the definitive record of all known archaeology, including such sites. The nature of the archaeological record also means that there are many sites of which nothing is presently known, which may be revealed during development works.

5.138 Planning decisions will take account of the significance of remains, including the wider benefits that conservation of the historic environment can bring. Development proposals potentially affecting known or suspected archaeological resources will be required to include a Heritage Statement.

5.139 The level of detail required in a Heritage Statement should be proportionate to the heritage asset's importance. It may comprise a desk-based assessment, using the known archaeology recorded in the HER, but it can also extend to various forms of field evaluation.

IN-SITU ARCHAEOLOGICAL HERITAGE ASSETS

5.140 Preservation of archaeological assets in situ is the preferred position. In respect of scheduled monuments or non-designated heritage assets of

equivalent significance, the preservation of the archaeological remains in situ and undisturbed will usually be required. In some cases this can be achieved by avoiding sensitive areas. It should be noted that development which affects a scheduled monument and its setting will require permission from the Secretary of State.

5.141 If a development cannot preserve archaeological assets in situ, the significance of those assets should be established through a desk-based assessment, and where necessary field evaluation including geophysical survey and/or trial trenching. From this a series of mitigating measures can be identified. The scope of these mitigation works will be set out in a Written Scheme of Investigation in accordance with the professional standards of the Chartered Institute for Archaeologists (CIfA). Information from this investigation and recovered archaeological assets should be made available as appropriate, for public understanding and appreciation.

WRITTEN SCHEME OF ARCHAEOLOGICAL INVESTIGATION

5.142 Any projects where significant archaeological interest has been established, such as projects involving major infrastructure, and/or within

historic urban centres (particularly those which are the subject of an extensive urban survey), may require a programme of archaeological work. The details must be set out in the *Written Scheme of Investigation*. This will include a programme which promotes a wider understanding and appreciation of the site's archaeological heritage in a local and regional context.

5.143 The *Written Scheme of Investigation* must provide for the deposition of the record created by any investigation or recording in a publicly accessible institution such as a Record Office or accredited museum. It must also provide for the publication and dissemination of the information gathered through the *Written Scheme of Investigation*.

5.144 In addition to direct physical impacts on archaeology, development can potentially impact on the setting of archaeological sites and this will be assessed. Where there is evidence of deliberate neglect or damage to archaeology, its deteriorated state will not be taken into account in any decision.

5.145 The Authority will require all archaeological works to be undertaken to proper professional standards, as defined by the CIfA.

5D. WATER

INTRODUCTION

5.146 This section of the Local Plan includes two strategic policies relating to the protection of water assets. Policy SD17 seeks to protect the quality of groundwater and surface water features. Policy SD18 seeks to protect the open and undeveloped nature of the National Park coastline. These policies are interrelated through the water cycle, ecosystem services and marine planning, which applies up to the tidal extent of seawater in the estuaries of the rivers within the National Park.

5.147 The National Park contains a diverse range of groundwater and surface water features. Groundwater is the water which is held underground in the soil or in pores and crevices in rock. Groundwater features include aquifers and sources such as headwaters and springs. Surface water features include rivers, lakes, winterbournes, estuaries and open coastline. Water plays an important role in the special qualities of the National Park and also offers essential supporting, provisioning and cultural ecosystem services.

5.148 Groundwater is a key part of the water cycle: it provides an important source for rivers, sustaining flows in dry periods, and thus supporting wildlife habitats. Two aquifers, one chalk and one greensand, supply people inside and outside of the National Park with high-quality drinking water. Both aquifers

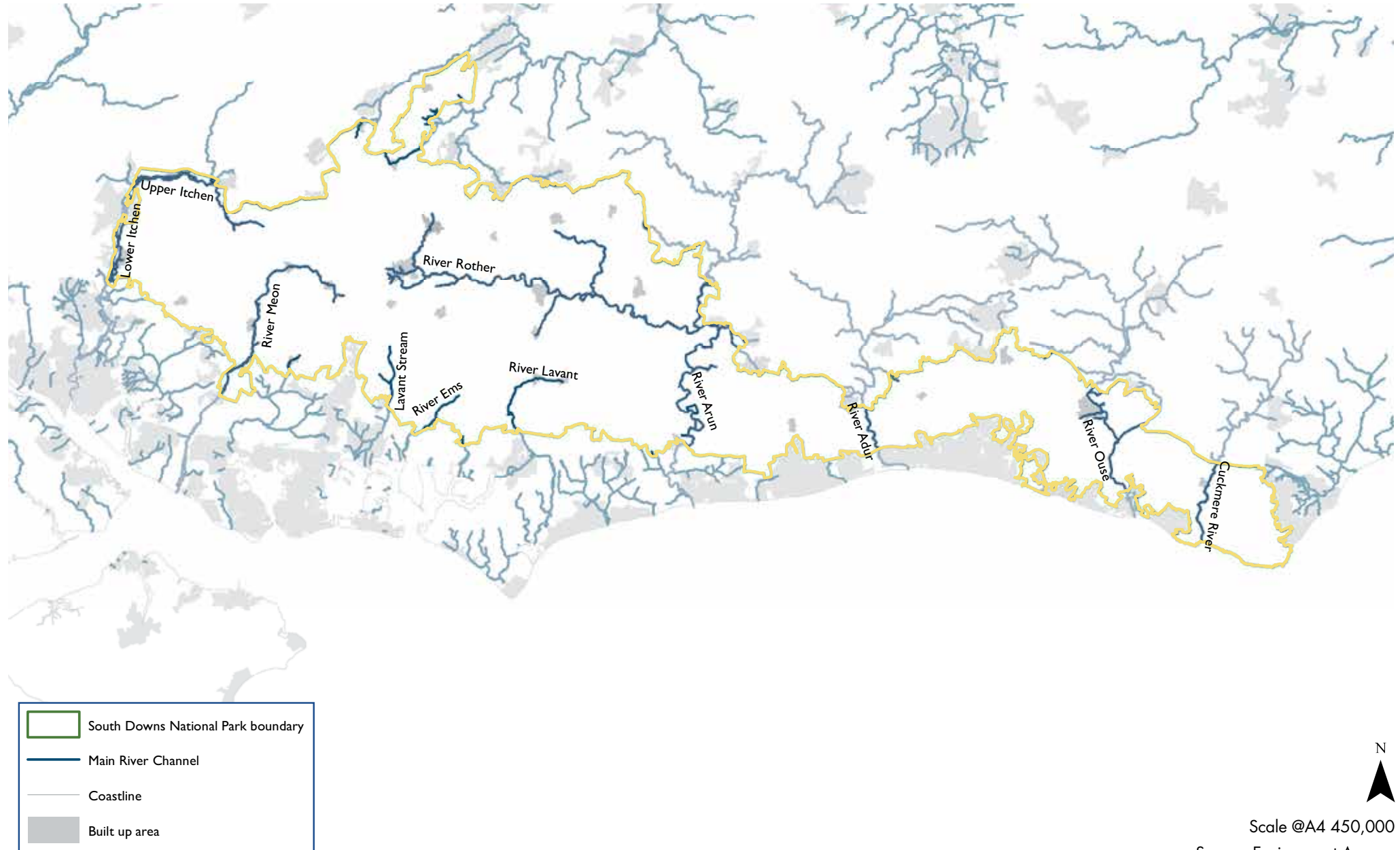
are under stress. The future demands of development from inside and outside of the National Park from water abstraction poses a risk. The quality of ground water is easily polluted directly and indirectly. It is therefore better to prevent or reduce the amount of contamination at source rather than treat it afterwards.

5.149 There are eleven main rivers⁵¹ flowing through the National Park shown in Figure 5.5 and numerous other important watercourses and other surface water features. These do not function in isolation and have complex and dynamic interactions with the landscape.

5.150 The National Park has 17.5km of largely undeveloped open coastline incorporating the whole of the Sussex Heritage Coast, the iconic coastline between Eastbourne and Seaford where the South Downs meets the sea. Heritage coasts have four purposes, three of which align with National Park purposes and duty. The additional purpose is to maintain and improve the health of inshore waters affecting heritage coasts and their beaches through appropriate environmental management measures. Figure 5.6 is a map of the National Park's coastline showing its designations and attractions.

⁵¹ Main rivers are larger streams and rivers but also include smaller watercourses of strategic drainage importance. They are shown on a main river map and the EA has powers to carry out flood defence works

FIGURE 5.5: MAP OF THE MAIN RIVERS ACROSS THE NATIONAL PARK



★ Strategic Policy SD17: Protection of the Water Environment

1. Development proposals that affect groundwater, surface water features, and watercourse corridors will not be permitted unless they conserve and enhance the following:
 - a) Water quality and quantity, and help achieve requirements of the *European Water Framework Directive*, or its replacement;
 - b) Ability of groundwater, surface water features and watercourse corridors to function by natural processes throughout seasonal variations, within the immediate vicinity, and both upstream and downstream of the site of the proposal; and
 - c) Specifically for surface water features and watercourse corridors:
 - i. Biodiversity;
 - ii. Historic significance;
 - iii. Character, appearance, and setting;
 - iv. Public access to and along the waterway for recreational opportunities; and
 - v. Ability for maintenance of the watercourse, including for flood risk management purposes.
2. Development within Groundwater Source Protection Zones (SPZs) will only be permitted provided that there is no adverse impact on the quality of the groundwater source, and provided there is no risk to its ability to maintain a water supply.
3. Development proposals must incorporate measures to eliminate risk of pollution to groundwater, surface water and watercourse corridor features which would harm their ecological and/or chemical status.
4. Development proposals for the provision of agricultural reservoirs that aid demand management, water efficiency and water storage will be permitted where they are compatible with the National Park purposes.

5.151 The purpose of Policy SD17 is to protect groundwater and surface water assets; ensuring that proposed development, either individually or cumulatively, does not cause the quality of groundwater and surface water assets to deteriorate. Development should also seek to deliver enhancements to groundwater and surface water features and should incorporate an ecosystems services approach as set out in Policy SD2: Ecosystem Services. This policy therefore applies to any development proposals which may impact on groundwater or surface water features.

5.152 Coastal waters are included in this policy because the *Water Framework Directive (WFD)* extends to cover coastal waters.

WATERSOURCES AND WATERCOURSE CORRIDORS

5.153 The corridor of a watercourse can be defined as the width of the channel in which water flows, plus its extensive influence on its surrounding landscape that is necessary for its natural functioning. This is characterised by many natural interactions between topography, hydrology, flooding hazards, geology, soils, climate, flora and fauna.

5.154 The location and design of development alongside watercourses must ensure that the watercourse corridor is protected and must positively respond to their character and appearance, setting and functions, making the most of opportunities to enhance the watercourse environment, including public access.

5.155 The character, appearance and setting of watercourses reflect both natural and human influence over time. Requirements regarding landscape character and appearance and setting are found in policies SD4: Landscape Character and SD5: Design. Reference should be made to the *SDILCA* and *South Coast Seascape Character Analysis* when assessing the impact of potential development on landscape character.

5.156 Opportunities to access and enjoy rivers relate to the second purpose of national parks with many recreational opportunities such as canoeing, fishing, walking or observing their wildlife. All development proposals alongside watercourses should maximise opportunities to enhance recreational public access, whilst ensuring biodiversity is conserved.

5.157 Where a watercourse is present on a development site, it should be retained or restored into a natural state and enhanced where possible. Any enhancements and mitigation should inform the earliest stages of the design process. The culverting of watercourses will not be permitted, and development should wherever possible remove existing culverts.

5.158 Development should be laid out to enable maintenance of the watercourse, including for flood risk management purposes where appropriate. In order to protect the watercourse and its corridor from pollution, to allow for the natural function, to protect biodiversity and to support long term management, development should not be located within a distance of 8 metres of the watercourse. Wider buffer strips may be appropriate, depending on the nature of the topography or sensitivity of habitat. These buffer strips should form part of the overarching landscape design of the site and arrangements should be made for long-term management.

GROUNDWATER/AQUIFERS

5.159 The quality of groundwater is easily polluted directly and indirectly from many types of development, and is difficult to remediate. It is therefore better to prevent or reduce the amount of contamination at source. Consideration should be given to the requirements in policies SD9: Biodiversity and Geodiversity and SD48: Climate Change and Sustainable Use of Resources.

5.160 The EA provides information on areas which are sensitive to groundwater pollution and on the presence of solution features (karst) in the chalk which are preferential pathways for pollutants. It defines SPZs for groundwater sources such as wells, boreholes and springs used for public drinking water supply. These zones show the risk of contamination from any activities that might cause pollution in the area. The closer the activity, the greater the risk. Maps of SPZs are available on the EA's website. These show three main zones (inner, outer, and total catchment) and a fourth zone of special interest to a groundwater source, which usually represents a surface water catchment that drains into the aquifer feeding the groundwater supply.

5.161 There are also a number of private water supplies, which are not under the control of a licensed water undertaker. These supplies have their own SPZs,

the details of which are held by local authorities who should be consulted on any development proposals that are in the vicinity.

5.162 The EA may be consulted during the determination of planning applications, and conditions directed at preventing deterioration of water quality and quantity may be imposed on any approved development. This may also be achieved through the requirements of Policy SD50: Sustainable Drainage Systems. Particular attention will be paid to proposals for waste disposal, on-site sewage disposal, agriculture, and industrial and chemical processes. Advice should be sought at the earliest opportunity from the Authority on the sensitivity of a location in regard to aquifers.

WATER QUALITY AND POLLUTION

5.163 Pollution pressures arise in part from urban and rural surface water run-off that represent key challenges in meeting the WFD. Therefore, the Authority expects that pollution prevention measures, water efficiency measures to reduce surface water run-off, and sustainable drainage measures are incorporated into new development, in accordance with policies SD48: Climate Change and Sustainable Use of Resources and SD50: Sustainable Drainage Systems. Site investigation and remediation of contaminated land is required in accordance with Policy SD55: Contaminated Land. An adequate buffer zone should be provided between the development and surface water features.

5.164 The preferred method of foul drainage is to connect to the mains system at the nearest point of adequate capacity.

AGRICULTURAL RESERVOIRS

5.165 In general, reservoirs are not supported within the National Park due to their impact on the landscape. Proposals for large scale reservoirs would be subject to the requirements of Policy SD3: Major Development. The role of small scale, agricultural reservoirs in certain circumstances is understood for sustainable water management. The design of any agricultural reservoirs will be carefully considered in relation to a range of considerations including reservoir safety, flood attenuation and risk, landscape character

and biodiversity. Reference should also be made to Policy SD4: Landscape Character and Policy SD39: Agriculture and Forestry.

★ Strategic Policy SD18: The Open Coast

1. Development proposals within the Sussex Heritage Coast area and the undeveloped coastal zone of the National Park, as defined on the Policies Map, will not be permitted unless they:
 - a) Meet one of the following two criteria:
 - i. Are appropriate to the coastal location and conserve and enhance the character of the Heritage Coast/undeveloped National Park coastline; or
 - ii. Are necessary for the operational needs of activities in support of the Heritage Coast.
- and
- b) Are consistent with the Beachy Head to Selsey Bill Shoreline Management Plan, or its replacement;
 - c) Conserve and enhance coastal access to/from the coast and along the coastline; and
 - d) Cause no adverse impact on any designated MCZ and should ensure their conservation and, where possible, enhancement.

5.166 Policy SD18 seeks to protect the undeveloped nature of the National Park coastline both within and outside the Sussex Heritage Coast, and ensure that vulnerability to any new development is minimised. It ensures a level of protection consistent with the *Marine Policy Statement*, emerging *South Marine Plan*, the *Heritage Coast Definition* applying to the Sussex Heritage Coast, and the *Beachy Head to Selsey Bill Shoreline Management Plan*.

5.167 The policy applies to both the undeveloped coastal zone and the Sussex Heritage Coast shown in Figure 5.6 and the Policies Map. The undeveloped coastal zone outside the Heritage Coast, is a zone defined as 1km inland from the National Park coastal boundary extending east and west as far as the National Park's boundary for each section of coastline.

CHARACTER OF THE UNDEVELOPED COAST

5.168 The character of the undeveloped coast has been, and continues to be, heavily influenced by natural and human pressures. Sensitive design that relates to the relevant seascape and landscape character analysis is required for this iconic location. In particular, reference should be made to both the *SDILCA* and *South Coast Seascape Character Analysis*⁵² when assessing the impact of potential development on landscape character. A coordinated approach to development is required which takes into account the various pressures outside/adjacent to this vulnerable area including coastal port infrastructure, offshore development and recreational pressures, which have the potential to impact on the coastal area and the seascape. In this respect their landscape sensitivity demands equal protection to the Heritage Coast area.

⁵² www.gov.uk/government/publications/seascape-assessment-for-the-south-marine-plan-areas-mmo-1037

OPERATIONAL NEEDS OF CERTAIN ACTIVITIES

5.169 Purpose 4 of Heritage Coasts provides the basis for Criterion (b) of Policy SD18. Improvements to existing sea defence works are not usually subject to planning control although the National Park Authority would expect to be consulted on any proposed changes. Planning permission is, however, required for new sea defence works. As sea defences can have a considerable effect on the coastal environment and natural beauty of the area as well as coastal access, good design will be essential to ensure proposals conserve their surroundings visually and enhance coastal access, where possible.

BEACHY HEAD MARINE CONSERVATION ZONE

5.170 There is one MCZ situated off the National Park coastline, the intertidal section of which intersects with the Local Plan area, namely Beachy Head West. The purpose of these zones is to protect the biodiversity of our marine environment.

FIGURE 5.6: MAP OF THE SUSSEX HERITAGE COAST AND THE 'UNDEVELOPED COASTAL ZONE'