

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

**Monitoring and Implementation Framework**

There were a total of 3 representations on this section. A summary of the main issues raised is set out below.

<b>Representations</b>	<b>Issue and SDNPA Response (I/R)</b>
<p><b><u>National agencies</u></b>  <b>No comments received</b></p> <p><b><u>Borough, City, County and District Councils</u></b></p> <ul style="list-style-type: none"> <li>Amend Figure 10.2 , section relating to policy SD10. The first target should be amended from ‘no more than 30 new dwellings’ to ‘no more than approximately 43 new dwellings’, to reflect the latest evidence and emerging Wealden Heaths Phase II Supplementary Planning Document. (East Hampshire District Council)</li> </ul> <p><b><u>Parish and Town Councils</u></b></p> <ul style="list-style-type: none"> <li>The NPA needs more resources of its own for enforcement to ensure the policies are being upheld in practice, especially with regard to destruction of trees and hedgerows in advance of planning applications being submitted. Partner district councils, currently relied on for enforcement, do not share the SDNPA’s priorities. (Owslebury PC)</li> <li>The Plan is often over-cautious, defensive, lacking in authority, tentative and uninspiring. Are any actions proposed if policy SD33 is not being achieved? (Colemore and Priors Dean PC)</li> </ul> <p><b><u>Other organisations</u></b></p> <ul style="list-style-type: none"> <li>No comments received</li> </ul> <p><b><u>Individuals</u></b></p> <ul style="list-style-type: none"> <li>No comments received.</li> </ul>	<p><b><i>I: Amend target in Figure 10.2 relating to Policy SD10 to reflect Wealden Heaths Phase 2 SPD.</i></b>  R: This amendment has been made in the Submitted Schedule of Changes (SDNP 01.1 – Local Plan page ref 371).</p> <p><b><i>I: More resources needed for enforcement.</i></b>  R: This is not a matter that can be dealt with by the Local Plan.</p> <p><b><i>I: Are any actions proposed if policy SD33 is not being achieved?</i></b>  R: The Local Plan (Figure 10.2, page 402) states that the trigger to action non-achievement of the policy objectives (completions less than 20% above or below what is required to deliver a 5 year supply of plots/pitches).</p>

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

**Appendix 2: Local Plan Policies Superseded by the South Downs Local Plan**

There were a total of 5 representations on this appendix. A summary of the main issues raised is set out below.

Representations	Issue and Response (I/R)
<p><b><u>National agencies</u></b> No comments received</p> <p><b><u>Borough, City, County and District Councils</u></b></p> <ul style="list-style-type: none"> <li>• Omits policy RT2 from the Winchester District Local Plan Review (2006) (Winchester City Council)</li> <li>• Cross check with Appendix. 4 of EHDC's Housing and Employment Allocations Plan. (East Hampshire District Council)</li> <li>• East Hampshire 2006 Second Review Saved Policies EI, GS3, GS4, R2, R3 were replaced by the East Hampshire Joint Core Strategy. Saved Policy EI is misnamed. (East Hampshire District Council)</li> <li>• Please confirm status of East Hampshire 2006 Second Review Saved Policies C14, T8, T13, IB5, LCI and UI2. Recommend mentioning all Second Review saved policies, including those not relevant to the National Park. (East Hampshire District Council)</li> <li>• East Hampshire Joint Core Strategy: Policy CP32 has been omitted. Unclear why policy CSWB1 has been included. (East Hampshire District Council)</li> </ul>	<p><b><i>I: Omits policy RT2 from the Winchester District Local Plan Review (2006). (Winchester City Council)</i></b> R: Corrected and added in the Submitted Schedule of Changes (Page 56, second from last row)</p> <p><b><i>I: East Hampshire 2006 Second Review Saved Policies EI, GS3, GS4, R2, R3 were replaced by the East Hampshire Joint Core Strategy. Saved Policy EI is misnamed.</i></b> R: EI, GS3, GS4, R2 and R3 – have been marked for deletion in the Local Plan Erratum Sheet. Their replacements are already mentioned in the Section East Hampshire Joint Core Strategy Policies (Local Plan pages 477-479)</p> <p><b><i>I: Please confirm status of East Hampshire 2006 Second Review Saved Policies C14, T8, T13, IB5, LCI and UI2. Recommend mentioning all Second Review saved policies, including those not relevant to the National Park.</i></b> R: C14 - has been added in the submitted Schedule of Changes (page 56, 5<sup>th</sup> row down) T8 – refers to the A3 Hindhead bypass which is outside of the scope of the Local Plan T13 – refers to car park allocations outside of the National Park IB5 – refers to Lsham Airport outside of the National Park LCI – refers to Guadalupe House in Bordon outside of the National Park UI2 – is mentioned as its replacement CP26 in the Local Plan Section East Hampshire Joint Core Strategy Policies (Local Plan pages 477-479)</p> <p>SDNPA sees no benefit in mentioning all second review policies that are not relevant to the Park.</p>

**Appendix 2: Local Plan Policies Superseded by the South Downs Local Plan**

## South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)

### Summary of Issues and Responses

<p><b><u>Parish and Town Councils</u></b></p> <ul style="list-style-type: none"><li>Request that Wealden 1998 Local Plan Saved Policy VB7: Old Willingdon Road and Western Downlands Housing Policy Area should continue to be saved, since it supports the Village Design Statement and is relevant to SDLP policies SD4, SD5 and SD25. (East Dean and Friston Parish Council)</li></ul> <p><b><u>Other organisations</u></b></p> <ul style="list-style-type: none"><li>No comments received.</li></ul> <p><b><u>Individuals</u></b></p> <ul style="list-style-type: none"><li>Fully support all retained policies from 2003 Lewes District Local Plan, except policy LW9 Lewes Battlefield, which is not currently effective; planning applications in the area give little or no regard to the Battlefield designation or consultations with Historic England. Propose change to require all applications within the site to include consultation with Historic England, and no permission which would affect the Battlefield's landscape, setting or archaeological integrity.</li></ul>	<p><b><i>I: East Hampshire Joint Core Strategy: Policy CP32 has been omitted. Unclear why policy CSWBI has been included. (East Hampshire District Council)</i></b> R: CP32 has been added as a row in the submitted Schedule of Changes (page 56, 6<sup>th</sup> row down). CSWBI (Whitehill &amp; Bordon Strategic Allocation) has been deleted in the Local Plan Erratum Sheet.</p> <p><b><i>I: Request that Wealden 1998 Local Plan Saved Policy VB7: Old Willingdon Road and Western Downlands Housing Policy Area should continue to be saved, since it supports the Village Design Statement and is relevant to SDLP policies SD4, SD5 and SD25. (East Dean and Friston Parish Council)</i></b> Aside from the policies listed, the glossary in the Local Plan (page 550) defines Village Design Statement(s) (VDS) as follows "A VDS outlines the character of a particular village or town against which planning applications can be assessed." It is therefore unnecessary to retain or replicate Policy VB7.</p> <p><b><i>I: Fully support all retained policies from 2003 Lewes District Local Plan, except policy LW9 Lewes Battlefield, which is not currently effective; planning applications in the area give little or no regard to the Battlefield designation or consultations with Historic England. Propose change to require all applications within the site to include consultation with Historic England, and no permission which would affect the Battlefield's landscape, setting or archaeological integrity.</i></b> R: LW9 is covered within policy SD12: Historic Environment and is classed as a "Heritage Asset". It is further protected by Development Management Policy SD16: Archaeology and again in para 5.130 where it explains "The purpose of Policy SD16 is to set out more detailed criteria for development proposals affecting heritage assets with archaeological interest."</p>
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**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<b>Glossary</b>	
There was 1 representation on this policy. A summary of the main issues raised is set out below.	
<b>Representations</b>	<b>Issue and SDNPA Response (I/R)</b>
<p><b><u>National agencies</u></b> No comments</p> <p><b><u>Borough, City, County and District Councils</u></b> No comments</p> <p><b><u>Parish and Town Councils</u></b> Colemore and Priors Dean PC:</p> <ul style="list-style-type: none"> <li>• Gypsies and Travellers: delete ‘or permanently’ (out of date); misspelt ‘dependants’</li> <li>• Habitat Regulations Assessment: should be ‘Habitats’</li> <li>• Manege: ‘menage’ not acceptable alternative spelling.</li> <li>• National Nature Reserves- Duplicate definitions</li> <li>• Non-retail town centre uses: revise wording and punctuation. Why not less intensive speort/recreation uses as well?</li> <li>• Parish Plans: inconsistent with para 1.41, which says they may be material considerations</li> <li>• Public Rights of Way: could add that rights may be subject to Traffic Regualtion Orders</li> <li>• Right to Acquire- delete second use of ‘population’</li> <li>• Special Area of Conservation- Duplicate definitions</li> </ul> <p><b><u>Other organisations</u></b> No comments</p> <p><b><u>Individuals</u></b> No comments</p>	<p><b><i>I: Gypsies and Travellers: delete ‘or permanently’ (out of date); misspelt ‘dependants’</i></b> R: Corrected in the Erratum Sheet and remove the words “or permanently”.</p> <p><b><i>I: Habitat Regulations Assessment: should be ‘Habitats’</i></b> R: Corrected in the Erratum Sheet.</p> <p><b><i>I: Manege: ‘menage’ not acceptable alternative spelling.</i></b> R: Corrected in the Erratum Sheet and alternative spelling removed.</p> <p><b><i>I: National Nature Reserves- Duplicate definitions</i></b> R: Corrected in the Erratum Sheet and duplicate definition removed.</p> <p><b><i>I: Non-retail town centre uses: revise wording and punctuation. Why not less intensive speort/recreation uses as well?</i></b> R: We are satisfied that the term “leisure” covers less intensive uses.</p> <p><b><i>I: Parish Plans: inconsistent with para 1.41, which says they may be material considerations</i></b> R: Corrected in the submitted Schedule of Changes (page 57) as follows “A plan produced by a community group, generally including an action plan to deal with a range of issues of interest to that community. Parish Plans may form material considerations in the determination of planning applications”.</p> <p><b><i>I: Public Rights of Way: could add that rights may be subject to Traffic Regualtion Orders</i></b> R: The current wording is consistent with the current government definition.</p> <p><b><i>I: Right to Acquire- delete second use of ‘population’</i></b> R; Corrected in the Erratum Sheet and duplicate word population removed.</p> <p><b><i>I: Special Area of Conservation- Duplicate definitions</i></b> R: Corrected in the Erratum Sheet and duplicate definition removed.</p>

**Summary of Issues and Responses**

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

**Sustainability Appraisal / Strategic Environment Assessment**

There were a total of 24 responses to this policy. A summary of the main issues raised is set out below.

Representations	Issue and Response (I/R)
<p><b><u>National Agencies</u></b></p> <ul style="list-style-type: none"> <li>No comments received</li> </ul> <p><b><u>Borough, City, Council and District Councils</u></b></p> <ul style="list-style-type: none"> <li>No comments received</li> </ul> <p><b><u>Parish and Town Councils</u></b></p> <ul style="list-style-type: none"> <li><b>Cheriton Parish Council</b> – allocation SD63 Hinton Marsh is not in line with social, environmental and economic considerations and therefore the purpose of the SA has not been met. The site is some distance from Cheriton village centre, close proximity to source of River Itchen SAC, lack of pedestrian footpath, no lighting, infrequent public transport, poor vehicular access. 12-15 homes is an increase on that assessed as part of the consideration of the reasonable alternatives. Reliance on planning applications to demonstrate purposes and duty are being met is inappropriate.</li> <li><b>Harting Parish Council</b> - assessment is overly simplistic. The housing, vitality of communities and local economy are interdependent objectives and act as proxies for one another. The allocations are not driven by a landscape led plan. SA should preferentially assess sites that have no, or very limited, landscape impact but is instead driven by a predetermined list of settlements chosen because they should be allowed an element of growth. Many sites have an uncertain or potentially negative impact on landscape. The Sustainability Appraisal does not support the allocation of the sites in Harting.</li> </ul>	<p><b><i>I: Objection to the general approach of the assessment: flawed, simplistic, there is too much emphasis on housing, insufficient attention to landscape, comments specifically made with regard to allocations SD63, SD64, SD93.</i></b></p> <p>R: The SA has been undertaken using a robust methodology which complies with the appropriate regulations and national guidance. The SA utilises the best available information from a range of evidence sources which are referenced within the SA report and scoping report. SA requires the appraisal of the three pillars of sustainability: environment, economic and social. The National Park landscape designation, including the purposes and duty of the National Park, is of fundamental importance and is woven throughout the Local Plan process and is an appropriately important element of the SA. In the preparation of the submission SA, representations received were considered and amendments have been made where considered necessary, for example to the biodiversity section of the appraisal of SD64 on page A85.</p> <p><b><i>I: Addition of a new transport focused sustainability appraisal objective</i></b></p> <p>R: It is considered that the addition proposed is suitably covered by sub-objective 9.3.</p> <p><b><i>I: None of the Shoreham Cement Works have been tested in respect to viability and deliverability</i></b></p>

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<ul style="list-style-type: none"> <li>• <b>Stedham Parish Council</b> – scoring of public transport for Stedham is same as for Midhurst, therefore incorrect.</li> </ul> <p><b>Other organisations</b></p> <ul style="list-style-type: none"> <li>• SD64: Land South of London Road - Challenge the landscape and biodiversity assessment of the site against sustainability criteria. More detail set out in summary of responses to SD64 (Barlavington Estate)</li> <li>• Add to Sustainability Appraisal Objectives - ‘Reducing the impact of individual vehicles and numbers of vehicles on the landscape quality (including the setting within which the landscape sits), tranquillity and safety of vulnerable groups within and around the National Park’. This would complement other objectives (Campaign for better Transport, East Sussex)</li> <li>• SD64: Land South of London Road – appraisal is flawed and therefore so is the plan which relies on it. It is simplistic, superficial, unhelpful. Inconsistent or incorrect assessment of the impact of site in the SA and the Major Development Assessment. The assessment fails to acknowledge the significant adverse effects and that they cannot be effectively mitigated. (Coldwaltham Meadow Conservation Group)</li> <li>• None of the options for Shoreham Cement Works have been tested in respect to viability and deliverability. The viability needs to take into account the investment required for a restoration scheme. (ECE Planning)</li> <li>• Table 1.2 should include which of the four ecosystem services will be delivered by which sustainability objectives. (Forestry Commission)</li> <li>• Include Cookbridge in the list of settlements considered suitable for development. Reassess village through Settlement Facilities Assessment and SA. (Rydon Homes Ltd)</li> <li>• SD93 Land South of Church Road, Steep is inappropriate and unjustified as it has not been subject to consultation, it is allocated as open space / village green in East Hants Development Plan. The</li> </ul>	<p>R: The options tested are considered to be sufficiently realistic alternatives as required for SA testing, The SA testing has been undertaken in an appropriate manner for the purposes of SA as set out in the regulations. Viability and deliverability is tested via other mechanisms and in the case of Shoreham Cement Works this will be tested in the preparation of the Areas Action Plan.</p> <p><b>I: Table 1.2 should include which of the four types of ecosystem services will be delivered by which sustainability objective.</b></p> <p>R: This is an interesting idea however it is considered that it may not add much to the assessment process as not all elements of the SA process relate to ecosystem services. It is too late in the Local Plan preparation process to make this change meaningful.</p> <p><b>I: Include Cooksbridge in the list of settlements to be considered</b></p> <p>R: Cooksbridge is a settlement near to, but outside the National Park boundary. The SDNPA cannot allocate development outside of its planning area.</p> <p><b>I: What evidence has been used to increase housing in Easebourne from 16-30 up to 50.</b></p> <p>R: The SA includes table 4.2 which sets out the reasons for a different settlement specific figure compared with the Dispersed Medium growth option. The SA recognises the relatively high sustainability of Easebourne, primarily through its close proximity to Midhurst which is one of the five key settlements of the National Park. Furthermore, the SA notes (at the bottom of p.21) that these figures were hypothetical, undertaken solely for the purposes of testing reasonable alternatives for the Local Plan and were broadly based upon apportioning SHMA requirements in accordance with the various emerging strategies and noting provisional findings of the SHLAA.</p> <p><b>I: Information required for the SA is not included</b></p> <p>R: It is considered that the SA would be too massive, and ultimately unusable, if all information were to be included. Information is gathered</p>
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**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<p>Parish Plan identifies it as an area for a more effective village centre. (Save our Village Green)</p> <p><b>Individuals</b></p> <ul style="list-style-type: none"> <li>• Too much emphasis on housing, insufficient attention to landscape.</li> <li>• The impact on Coldwaltham as a whole has not been sufficiently considered.</li> <li>• The process is not transparent.</li> <li>• Doesn't take into account impact on neighbouring landowners.</li> <li>• Query where is evidence to increase housing in Easebourne from 16-30 up to 50. How has a settlement with insufficient capacity for 20, become suitable for 50 homes.</li> <li>• Judging growth on sustainability means areas where housing is required to make them sustainable become even more remote and the sustainable areas become ever larger. That cannot be sensible.</li> <li>• Information required for the SA is not included.</li> <li>• Appraisal of site SD63 South of A272 Hinton Marsh is illogical and inaccurate particularly in relation to proximity and impact on River Itchen, landscape impact, cultural heritage, accessibility and climate change.</li> <li>• Definition of Gypsy and Traveller is incorrect.</li> <li>• The SA does not support the assertion that the Local Plan is landscape led: the majority of allocated sites have at best an 'uncertain' landscape impact. Many also have uncertain biodiversity and / or cultural heritage effects.</li> <li>• Allow small-scale development in settlements without a boundary, particularly on previously developed land.</li> <li>• Find better alternatives to current allocations.</li> </ul>	<p>from a variety of sources such as reports and studies, site visits, desk top research, and information received in representations. Sources of information are referenced throughout, for example reference is made to the Settlement Facilities Study (TSF 01) in the settlement assessments.</p> <p><b>I: The definition of Gypsy and Traveller is incorrect</b>  R: For the purposes of planning, the SDNPA uses the definition of gypsies and travellers as set out in the government policy guidance document Planning Policy for Traveller Sites (TSF 15).</p> <p><b>I: Allow small-scale development in settlements without a boundary</b>  R: Policy SD29 sets out that new residential development of 100% affordable housing may be permitted outside of settlement boundaries subject to a series of criteria. Policy SD25: Development Strategy provides in part 2 criteria for considering other exceptional development schemes which are outside settlement boundaries.</p> <p><b>I: Find better alternatives to current allocations</b>  R: Section 2.2.6 of the SA outlines the appraisal and choice of sites taken forward for inclusion in the Local Plan. The Supply of Homes Background Paper (TSF 07) also sets out further information on the process for sites considered and taken forward in the Local Plan. The primary source for sites to be considered through Local Plan making (including SA) is via the 'call for sites'. As a landscape led plan, the influence on landscape character was a prominent consideration in the assessment of suitable development sites through the SHLAA (TSF 10) process. The sites considered through the SA process are from the longer list of SHLAA sites considered for inclusion for the Local Plan. Sites have been assessed using robust methodology which complies with the appropriate regulations and national guidance. The sites set out in the Local Plan for allocation are considered to be suitable and in accordance with the purposes and duty of the National Park.</p>
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**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues**

**Habitat Regulations Assessment**

There were a total of 11 representations on this on this supporting document. A summary of the main issues raised is set out below.

Representations	Issue and Response (I/R)
<p><b>Natural England:</b> Comments as follows-</p> <ul style="list-style-type: none"> <li>• <u>In-combination Assessment:</u> note that this list does not include Minerals and Waste Plans.</li> <li>• <u>Recreational Impacts:</u> There may be a possible Ashdown Forest SPA outer zone (beyond 7km) set for strategic access management and monitoring measures (SAMM) only.</li> <li>• <u>Singleton and Cocking Tunnels SAC:</u> This is afforded international protection due to the variety of bat species which hibernate in these tunnels. We are concerned about Policy SD20: Walking, Cycling and Equestrian Routes which provides a recreational route in the vicinity of a sensitive site but support wording in supporting text relating to this. Note that a project-level HRA captures this.</li> <li>• <u>Wealden Heaths Phase II SPA:</u> NE will work with SDNPA to provide policy advice related to Heathland Bird Species.</li> <li>• <u>Ashdown Forest Air Quality:</u> Natural England concurs with the conclusions of the Ashdown Forest air quality assessment within the HRA. AECOM has undertaken a full Appropriate Assessment and has provided suitable evidence taking into account research reports and technical knowledge to confirm that the low levels would not have an adverse effect on the integrity of the Ashdown Forest SAC. Natural England concur with this conclusion. Paragraph 5.3.38 is particularly helpful as to the expected “in practice” impacts of any increases at these small levels even notwithstanding the background decreases expected to come forward due to technological advances in vehicle technology.</li> </ul>	<p><b>I: <i>In-combination Assessment: note that this list does not include Minerals and Waste Plans</i></b>  R: Noted. Wording was omitted in error and is now included on page 15 of the submitted HRA Report.</p> <p><b>I: <i>Recreational Impacts: There may be a possible Ashdown Forest SPA outer zone (beyond 7km) set for strategic access management and monitoring measures (SAMM) only</i></b>  R: The South Downs National Park is located at its closest point 13km from the Ashdown Forest Special Protection Area (SPA). It is advised by Natural England and agreed with all the members of the Ashdown Forest SAMM officer working group that the SDNPA do not need to be a signatory to this document. This is because development in the National Park does not have an impact upon the SPA in terms of recreational impact. The National Park also provides a large recreational area for its residents as an alternative to Ashdown Forest.</p> <p><b>I: <i>Concern regarding SD20 which includes a safeguarded route for Singleton and Cocking Tunnels SAC.</i></b>  R: SD20 seeks to safeguard the Midhurst to Chichester railway for potential future development as a non-motorised travel route. SDNPA would work closely with all stakeholders, including Natural England, on any proposals put forward. Although in principle it is a safeguarded route, there</p>

**Habitat Regulations Assessment**

## South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)

### Summary of Issues

<ul style="list-style-type: none"> <li>• <b>Water Quantity:</b> On issue of increased nutrients entering the River Itchen SAC, Natural England is satisfied that for those allocations that may impact upon the SAC and SSSI, the allocation policies require a drainage strategy and a project- level Habitats Regulations Assessment, along with other evidence documents.</li> <li>• <b>Water Quality:</b> HRA conclusions on Arun Valley SPA, SAC and Ramsar Site noted. Strongly advise that Policy SD64: Land South of London Road, Coldwaltham includes confirmation that development can be accommodated within the sewerage treatment works serving this area.</li> <li>• <b>Functionally-Linked Habitat:</b> strongly support SD11 which includes bespoke protection for Functionally-Linked Habitat pertaining to The Mens SAC and Ebernoe SAC. Advise that Policy SD11 includes link to Bat Protocol for these SACs which is in preparation. Support other aspects of Policy SD11.</li> </ul> <p><b><u>Borough, City, County and District Councils</u></b></p> <ul style="list-style-type: none"> <li>• HRA makes unsuitable assumptions on the reduction of NO<sub>x</sub>, and role of ammonia, in future and therefore does not follow the precautionary principle. In-combination assessment is limited, e.g. does not identify permissions granted in Wealden District above adopted Core Strategy target. Limitations of using a generic and standard approach is not discussed and accounted for. The appropriate assessment lacks analysis and reasoned arguments against the conservation objectives and consideration of impact upon site integrity considering cumulative effects. It should provide further information as to why there is not considered to be a likely significant effect with regards Pevensy Levels SAC and Ashdown Forest SPA. Overall the HRA is incomplete and therefore any conclusions drawn are incorrect with regards to the requirements of the Conservation of Species and Habitats Regulations 2010 as amended. (Wealden District Council)</li> <li>• The HRA appears to be a detailed and thorough assessment. MSDC is satisfied that the HRA provides proportionate evidence</li> </ul>	<p>may be modifications to the route as part of the detailed implementation, along with an appropriate project-level HRA.</p> <p><b><i>I: Strongly advise that Policy SD64: Land South of London Road, Coldwaltham includes that development can be accommodated within the sewerage treatment works serving this area.</i></b></p> <p>R: Change made as set out on page 30 of the submitted Schedule of Changes.</p> <p><b><i>I: Objection to various parts of the methodology and the conclusions of the HRA report in regard to air quality and the Ashdown Forest Special Area of Conservation (SAC), Pevensy Levels SAC and Lewes Downs SAC from Wealden District Council.</i></b></p> <p>R: The air quality-related HRA work for Lewes Downs and Ashdown Forest has been expanded and updated since the Pre-Submission consultation last year. This work has been closely examined by NPA officers appointed barrister. The conclusions for the work remain the same namely that ‘no adverse effect upon the integrity of Ashdown Forest SAC is expected to result from development provided by the South Downs Local Plan/Lewes JCS, even in combination with other plans and projects.’ The main updates in regard to Ashdown Forest/Lewes Downs are as follows:</p> <ul style="list-style-type: none"> <li>• Modelling updated to include ammonia</li> <li>• Sensitivity testing on nitrogen deposition velocities</li> <li>• Model verification on measured data provided in the December 2017 AQC report for Wealden District Council</li> <li>• Investigation of emissions for the years between 2017 and 2033 to confirm a consistent improving trend</li> <li>• Updated presentation of modelling data</li> <li>• Further detail on the relationship between nitrogen deposition and its effect on heathland vegetation</li> </ul> <p>Other changes to the HRA in response to the Wealden representation were an expanded discussions on the Pevensy Levels SAC/Ramsar site and the modelled scenarios presented in the AQC report compared to that in</p>
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## South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)

### Summary of Issues

to support the proposed level of growth in the Plan. (Mid Sussex District Council)

#### **Parish and Town Councils**

- The Appropriate Assessment accompanying the Local Plan does not meet the requirements of the Habitats Directive and Habitat Regulations because it does not identify all the aspects of the Local Plan that can, by themselves or in combination with other proposals, affect the conservation objectives of European Sites. The Reports assessment of the River Itchen SAC is incorrect. It incorrectly assesses the effects of the implementation of Allocation Policy S63 on the SAC and takes no account of the additional development that will follow as a result of the imposition of settlements boundaries. If correct, it would have identified likely significant effects, which would have led to the deletion of the allocation policy SD63. (Cheriton Parish Council)

#### **Other organisations**

- The evidence base regarding recreational impacts on the Arun Valley SPA is not sufficient to screen out the impact from HRA assessment. The only assessment of recreational disturbance is a visitor survey conducted in 2012, and this should not continue to hold weight. The HRA does not seem to consider the impact of recreation in the Arun Valley in terms of affecting management choices. Although the number of dwellings suggested for Coldwaltham is relatively small, we do not think the evidence supplied in the HRA is sufficient to scope out a potential impact. (Sussex & Hampshire and Isle of Wight Wildlife Trusts)
- The HRA is deeply flawed, having regard to impact pathways, precautionary principle, out-of-date evidence on recreational pressure, the Sandford Principle, selective reporting, unjustified assertions regarding the Arun Valley SAC/SPA/Ramsar site, urbanisation/proximity of dwellings to the SPA/SAC/Ramsar site, policies for mitigating impacts being ineffective. It is unrealistic to view the site allocated by Policy SD64 as capable of being a Supporting Habitat for barbastelle bats. The HRA is of such a low

the AECOM modelling. The Authority's air quality consultants have advised, in light of all of the further work, that there is no reasonable scientific doubt about their conclusion that the proposed South Downs Local Plan will have no adverse effect on the integrity of the Ashdown Forest SAC, either alone or in combination with other plans and projects.

***I: The Appropriate Assessment accompanying the Local Plan does not meet the requirements of the Habitats Directive and Habitats Regulations because it does not identify all the aspects of the Local Plan that can, by themselves or in combination with other proposals, affect the conservation objectives of European Sites.***

R: The HRA Report for the South Downs Local Plan has been prepared in accordance with the relevant legislation and regulations as set out in the Introduction of the HRA Report. As established by case law, 'appropriate assessment' is not a technical term; it simply means whatever further assessment is necessary to confirm whether there would be adverse effects on the integrity of any European sites that have not been dismissed at screening. Since it is not a technical term it has no firmly established methodology except that it essentially involves repeating the analysis for the likely significant effects stage, but to a greater level of detail on a smaller number of policies and sites, this time with a view to determining if there would be adverse effects on integrity.

***I: The Reports assessment of the River Itchen SAC is incorrect. It incorrectly assesses the effects of the implementation of Allocation Policy S63 on the SAC and takes no account of the additional development that will follow as a result of the imposition of settlements boundaries.***

R: Given the location and the small amount of development involved it is considered technically unlikely that it would affect the ability of the rivers headwaters to function (i.e. no likely significant effect). The policy requires that it must be demonstrated that there would be no likely significant effect on the designations of the River Itchen through development of the site (criteria I(a)) and provision of a suitable on-site foul water and surface

### Habitat Regulations Assessment

## South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)

### Summary of Issues

standard that it must be properly redone, and the implications of the new HRA should be reflected in the policies and allocations within the Local Plan. (Coldwaltham Meadow Conservation Group)

#### **Individuals**

- The Appropriate Assessment does not comply with the Habitats Directive and Regulations in that it does not identify all the aspects of the draft Local Plan that can, by themselves or in combination with other proposals, affect the Conservation Objectives of European Sites.
- The HRA is deeply flawed [see summary of Coldwaltham Meadow Conservation Group above].

water drainage. The list of studies as set out in paragraph 9.45 include a Drainage Strategy and Project-Level Habitats Regulations Assessment. The position of the SDNPA with regards to settlement boundaries on adoption of the Local Plan is set out in Policy SD25: Outside of settlement boundaries, land will be treated as open countryside. Policy SD25 has also been subject to HRA screening.

#### ***I: The assessment of the recreational impacts on the Arun Valley SPA is not sufficient***

R: The HRA Report has been updated to clarify the extent to which the 2012 visitor survey report has been relied upon: this was very little, and it was provided for context. Fundamentally, the total amount of housing proposed around the SAC/SPA (e.g. within 5km) is small (about 46 dwelling) and while 30 of those are adjacent to the SAC and some of those households may well frequently visit for recreation in winter, it is a small number in itself and is unlikely to materially increase the visitor management burden, which would be the main potential risk of adverse effects. The policy says that development proposals should provide suitable mitigation of the impact of the development on the closely sited designated site. Wording of the policy has been amended to provide examples of site management schemes as set out on page 28 of the submitted Schedule of Changes.

#### ***I: It is unrealistic to view the site allocated by Policy SD64 as capable of being a Supporting Habitat for barbastelle bats.***

R: It is recognised that Barbastelle are unlikely to forage much out in the open meadow and the relatively small size of the site suggests this is probably greater relevance as a commuting route through the landscape via the linear vegetation at the margins of the site.

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

**Policies Map**

There were a total of 47 representations on this policy. A summary of the main issues raised is set out below.

Representations	Issue and Response (I/R)
<p><b><u>National agencies</u></b> No comments received</p> <p><b><u>Borough, City, County and District Councils</u></b> East Hampshire District Council:</p> <ul style="list-style-type: none"> <li>• Need to give consideration to settlement boundaries that currently overlap the National Park boundary at               <ul style="list-style-type: none"> <li>➤ Little Hyden Lane, Clanfield</li> <li>➤ Bowes Lane (Woodhouse Ashes Farm), Rowlands Castle</li> <li>➤ Fullers Road, Binsted</li> </ul> </li> <li>• Upper Farringdon- Map should acknowledge the new allocation VL2 outside the National Park, which is now within the settlement boundary.</li> </ul> <p>Winchester City Council:</p> <ul style="list-style-type: none"> <li>• Should provide inset maps showing settlement boundaries for Bishops Waltham, Swanmore and Wickham, where those boundaries extend into the National Park.</li> </ul> <p><b><u>Parish and Town Councils</u></b></p> <ul style="list-style-type: none"> <li>• Support map for their settlement (Petersfield TC)</li> <li>• No comment; development unlikely to occur in the area of the parish within the National Park (Whitehill TC)</li> <li>• Support proposed settlement boundary for Hambledon (Hambledon PC)</li> <li>• Remove both allocations in South Harting and withdraw proposed settlement boundary from them (Harting Parish Council)</li> <li>• Remove settlement boundary for Owslebury, which is not needed in principle, and divides neighbouring properties and cuts through individual properties. (Owslebury PC)</li> </ul>	<p>Comments on the Policies Map cover a number of detailed points. Some changes, of which some are in response to representations, have been made to the Pre-submission maps at submission stage, these are listed in the Submitted Schedule of Changes Appendix 6 (SDLP 01.1). Given the Policies Map is not in itself a development plan document for examination, and it is for the Authority to maintain the Policies Map to provide geographic illustration of the Plan policies, the SDNPA does not propose to respond to representations made to the Policies Map beyond making the changes highlighted above.</p>

**Policies Map**

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<b>Representations</b>	<b>Issue and Response (I/R)</b>
<ul style="list-style-type: none"> <li>• Retain land at Audiburn Stables in the settlement boundary (development potential); mapping out of date, conduct new survey and review application of 10 metre principle accordingly; revise boundary in the area of the Pump House, inconsistent with the allocation map (Kingston-near-Lewes PC)</li> <li>• Query why the road surface of Station Road, Elsted has been mapped as a Local Nature Conservation Designation (Elsted and Treyford PC)</li> <li>• The draft NDP for Rogate proposes an alternative boundary for that village- when will this boundary be incorporated into the Local Plan? (Rogate PC)</li> </ul> <p><b><u>Other organisations</u></b></p> <p><b>Local Green Space</b></p> <ul style="list-style-type: none"> <li>• Remove land at Borough Hill House, Petersfield, from the G8 NDP Local Green Space designation. Believe its inclusion results from a mapping error. (WYG)</li> <li>• Delete Tide Mills, Seaford as a Local Green Space designation (Port of Newhaven)</li> </ul> <p><b>Settlement boundary amendments</b></p> <ul style="list-style-type: none"> <li>• Object to removal of settlement boundary from all gardens along Summerdown Lane, East Dean, in particular no. 28; current boundary natural and logical.</li> <li>• Boundary for Stroud should include Seven Stars PH and its plot; the land has settlement boundary on three sides of it; contains built development and a key community facility; boundary methodology approach to community facilities illogical; should take a settlement specific approach to drawing boundaries; settlement boundaries should include the built form of a settlement and closely associated infill land. (Hall &amp; Woodhouse Ltd)</li> </ul> <p><b>Local Wildlife Site</b></p> <ul style="list-style-type: none"> <li>• Remove Racecourse Hill Local Nature Conservation site from the Lewes map, as ill -conceived and impractical. Propose including Landport Bottom SNCI in its place. (N J Stokes Architect)</li> </ul> <p><b>Other</b></p> <ul style="list-style-type: none"> <li>• Widespread brown stippling representing mineral safeguarding areas makes the maps difficult to read (Chichester Society)</li> <li>• There is no proposals map for the area around Sompting, therefore the application of the NPPF to land west of Steepdown Road, Sompting, is uncertain. (Thakeham Homes Ltd)</li> </ul> <p><b><u>Individuals</u></b></p>	

**Policies Map**

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<b>Representations</b>	<b>Issue and Response (I/R)</b>
<p><b>Support</b> (Strongly) support the settlement boundary for Selborne (Various respondents) Support the reduction of the settlement boundary around the eastern edges of Greatham</p> <p><b>Principle of settlement boundary</b></p> <ul style="list-style-type: none"> <li>• Reinstate deleted boundary for Fulking, and then extend it to include commercial site at Lower Kents and permanent Gypsy sites at Market Gardens and the Coniferes, since these sites contribute to the social and economic vitality of Fulking.</li> </ul> <p><b>Settlement boundary changes</b></p> <ul style="list-style-type: none"> <li>• Boundary for Buriton should include ‘Windyridge’, Bones Lane. General tendency of reducing settlement boundaries will have impact on windfall delivery, a high rate of which is relied on in the housing supply. Risk assessment on this should have been carried out. Exclusion of Windyridge is inconsistent with the boundary review methodology- the house is not large or set back from the road, the garden does not stretch away from the rest of the settlement.</li> <li>• Boundary for South Harting should exclude land north the stream behind Rooks Cottage: this is an orchard so should be excluded according to the boundary methodology</li> <li>• Village Envelope for Clapham should include ‘Shutters’ and ‘Merrygarden (Waterford House)’: properties to their north and south are included in the envelope, they are older than the properties to their south, and they have received planning permissions in the past which demonstrates they are in the village envelope.</li> <li>• Village Envelope for Clapham should include the whole plot of Gosling Croft Business Centre, not just the built up area.</li> <li>• Boundary for Chawton should include large ‘garden’ area to the west of ‘Glencairn’, Winchester Road. NPPF para 28 and 55 mean that settlement boundaries should be defined flexibly. The land is well bounded by roads, hedgerows and a bund; is not an important open or landscape gap that contributes to the setting of the village; and development on the site (especially single storey) would have minimal or negligible impact on the village’s character, Development would be necessary to protect the facilities in the village.</li> <li>• Boundary for Kingston-near-Lewes should exclude the proposed allocation at Castlemer Fruit Farm (various respondents)</li> </ul>	

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<b>Representations</b>	<b>Issue and Response (I/R)</b>
<ul style="list-style-type: none"> <li>• Boundary for Kingston-near-Lewes based on out-of-date map, does not show extension to 'Slade' which would require the boundary to be pushed back. In addition, boundary should not be extended at the more prominent east side of the village and reduced at the less prominent west.</li> <li>• Boundary for Kingston-near-Lewes: Retain land at Audiburn Stables in the settlement boundary (development potential); mapping out of date, conduct new survey and review application of 10 metre principle accordingly; revise boundary in the area of the Pump House, which is too large.</li> <li>• Methodology has been applied inconsistently in Selborne, with the garden of Jasmine Cottage, Gracious Street, being excluded, while the neighbouring garden and the new build next to Seale Cottage are included. (Various respondents)</li> <li>• Boundary for South Harting: Delete allocation sites SD90 and SD91 and remove them from the boundary.</li>   <li>• Boundary for Stroud based on out-of-date map, does not show extension to 54 Winchester Road which would require the boundary to be pushed back. However, would prefer boundary to be retained as per East Hants Local Plan, to allow for house to be rebuilt further from the road.</li> <li>• Boundary for Owslebury should probably follow the village envelope; requires revision.</li> <li>• Boundary for Owslebury is irrational and incompatible with what exists on the ground today; e.g. excludes houses built in 1961 and 1964, and also the 700 year old church. Disagree with policy of drawing boundaries through gardens, except in the most extreme cases. Propose alternative boundary.</li> <li>• Boundary amendment at Alma, West Meon, contradicts the principle that minor isolated bites should not be taken out of otherwise strong and straight settlement edges.</li> <li>• Boundary for Greatham: Object to its extension across ten houses at the western end of the village. This area is intimately connected with the countryside and development there would harm the open character of the village and conservation area. Also, object to the extension of the boundary across the school and its playing fields, and the proposed allocation at Liss Forest Nurseries.</li>   <li><b>Other</b></li> <li>• Question mark concerning the map of Selborne</li> </ul>	

**Policies Map**

**South Downs Local Plan: Pre-Submission Consultation (Sept – Nov 2017)**

**Summary of Issues and Responses**

<b>Representations</b>	<b>Issue and Response (I/R)</b>
<ul style="list-style-type: none"><li>• SD9 designations should be properly considered, not simply carried across to the Local Plan. Unclear why land west of Lewes, south-east of the Old Racecourse, has been designated as such.</li><li>• Designated battlefields must be plotted on the policies map with their actual boundaries, not just marked by a symbol.</li></ul>	