



MATTER 3 EXAMINATION STATEMENT

EUROPEAN PROPERTY VENTURES
(EAST SUSSEX)

REPRESENTOR REP/37

CORE POLICIES



This Statement for Matter 3 will seek to address the Inspector's Questions identified below:

Do the three Core Policies of the Plan make appropriately justified and effective provision respectively for:

Policy SD1 – Sustainable Development - with respect in particular to:

- a. the exceptions permitted by criterion 4 of the Policy
- b. consistency with national policy?

Policy SD2 – Ecosystem Services – with respect in particular to:

- a. the requirement of the Policy for all proposals to be supported by a statement on its impact upon ecosystem services?

Policy SD3 – Major Development - with respect in particular to:

- a. whether part 1 of the policy provides a justified and effective basis for an objective identification of proposals considered to comprise major development,
- b. whether part 2 of the policy makes appropriate exceptions for permitting major developments in the SDNP,
- c. whether part 3 of the policy sets appropriate requirements and constraints for the control of major development exceptionally permitted within the SDNP,
- d. whether the policy should refer to major events, as distinct from permanent development?



Matter 3 – Core Policies

Introduction

1. Claremont Planning Consultancy Ltd previously provided responses to the Council's emerging Local Plan on behalf of European Property East Sussex (EPV) to seek to boost housing requirements and recognise the need to ensure housing delivery within South Downs National Park. Specific to this is the possibility of meeting cross boundary need via provision of boosting housing numbers within Lewes and how this relates to the provision of infrastructure improvements in and around Peacehaven itself.

Policy SD1 Sustainable Development

2. National Planning Policy is underpinned by the notion of sustainable development and the achievement of the objectives of economically, socially and environmentally sustainable development in particular. For the South Downs National Park Authority these are particularly relevant given the intrinsic ecological, landscape and aesthetic value of the Park and the weight attributed to its protection through national policy. As such, this policy is justified given the context of the Park, but its effectiveness can be called into question.
3. The position of the SDNPA, in relation to its special responsibility to conserve the natural beauty and environment of the Park, underpins this policy and whilst this is understood, the lack of any spatial component to the exceptions to the policy renders it ineffective. It is generally acknowledged that in its wider context, the National Park in itself is a valuable asset and should be safeguarded from development as far as possible. However, given the size of the designated area of the Park, it is unjustified to apply this policy blanketly over the entire Park. Without a spatial component, that reflects the nuances or varying qualities of the landscape and its associated sensitivities across the Park, the exceptions do not take into account how different areas of the Park could be more suitable for development and as such, less constrained by concerns such as ecology. In that sense, the presumption in favour of sustainable development should be reflexive and should consider the locational characteristics of sites and their relationship to the Park.
4. The site under control of EPV at Lower Hoddern Farm, Peacehaven is an example of how Policy SD1 Sustainable Development could take into account spatial considerations when assessing sites that could present exceptional reasons for development within the Park. Towards the Park's margins, especially if those margins abut settlement edges, the landscape sensitivity of the Park is significantly lower than areas truly within the Park itself. As such, the automatic presumption and requirement of the National Park Authority to attribute significant weight to the protection of the high value landscape of the Park should also reflect on those areas of the Park that are known for their exceptional value and have marginal significance due to their current conditions.
5. As has been demonstrated at Lower Hoddern Farm through landscape assessments, the sensitivity of the site is low and it has limited contribution to the valued landscape given the arable crop that is farmed on the site. It therefore should not be attributed equal weight to its protection from development that Policy SD1 automatically provides. As a consequence, the Policy cannot be deemed as fully effective in its objective in promoting sustainable development and inappropriately regards the landscape value of the entire Park area as exceptionally high,



although the site at Peacehaven demonstrates that this not indeed the case. EPV have identified through the promotion of their Lower Hoddern Farm Site that landscape enhancements would be delivered through development of part of the site, improving public access through open space and facilitating tangible benefits to the marginal area of the Park.

Policy SD2 Ecosystems Services

6. The specialist responsibilities of the SDNPA are highlighted in Policy SD2 where the Authority is required to conserve the ecosystem services that the National Park provides such as timber, food by way of agriculture, water and wellbeing through recreation. As such, the Authority requires its Local Plan to reflect preservation of these services through stewardship of the Park and therefore, growth and development within it needs to take into account these ecosystem services.
7. Therefore, as an additional requirement to the delivery of sustainable development, proposals for growth in the LPA must be compliant with Policy SD2 to ensure that they are acquiescent with the ecosystem services requirement and that they can demonstrate a positive impact on the ability of the natural environment to contribute to the goods and services of the Park. Given the importance and intrinsic value of the National Park and its assets, it is acknowledged that the Park is particularly constrained to accommodate major development. Policy SD2 makes that clear through the contributions the Park makes through natural goods and services it provides. However, the Policy fails to recognise the differences that exist within the Park in terms of the value and assets that present which warrant the special designation of the National Park.
8. Spatial differential across the National Park does not justify the policy's approach in terms of the requirements that proposals must demonstrate in terms of compliance with ecosystem services. If a site does not demonstrate a high value or quality in terms of ecology, landscape of setting, it is not justified for the Policy to require compliance if the site were to come forward for development. This is particularly relevant to the site at Lower Hoddern Farm which has been found to have a low landscape value and an absence of the features which would normally be found within a National Park. Consequently, the Policy does not effectively make appropriate allowance for changes in the landscape typology and subsequent value of land within the Park and therefore how any proposal, dependent on location, is to be deemed through Policy SD2.

Policy SD3 Major Development

9. The Plan resists major development within the National Park adopting the same lines as national policy which requires Parks to be conserved as far as possible. As such, the National Park Authority acts as the Park's steward and this underpins significantly the predominant tone of the Plan. Policy SD3 establishes a test to assess the level of development as to what the potential impacts of major development could possibly demonstrate on the landscape. The test makes the automatic presumption that if major development, as a stand alone proposal or part of a cumulative effect, provides the potential to cause detrimental harm, even if it could be demonstrably mitigated for, then development would be resisted.
10. Whilst it is acknowledged that the Park has very limited capacity to accommodate major development, given its existing landscape value, the Policy is not effective in a sense that it does not address the spatial differences in characteristics of the Park. As such, across different areas of the Park, the capacity of the landscape for development changes in reflection of its landscape value and aesthetic. The promoted site at Lower Hoddern Farm, Peacehaven



demonstrates an area of land within the Park that does not reflect the significant, intrinsic value of the wider area of the Park. As such, application of Policy SD3 on this particular site at Peacehaven is not justified given that it has a much higher capacity for development than those areas within the Park itself, away from the less sensitive margins of the designated Park area.

11. The South Downs National Park covers a significant area of land and therefore it is important that a spatial component informs the planning policy of the Authority. The application of Policy SD3 across the entire Park is unjustified and ineffective in ensuring that appropriate major development can be delivered in areas that have a lower sensitivity to development. Without this component forming part of the development management policies of Plan, such as Policy SD3, the potential in delivering significantly beneficial growth cannot be realised and renders the Plan unsound in delivering the required growth to meet the identified need of the Park, as well as beyond it.
12. Addressing cross boundary issues are a central to an effective Local Plan and also form part of the statutory requirement of Local Planning Authority's duty to co-operate so that need can be addressed across local authority boundaries. In the case of Lewes and Peacehaven, the unmet need of the area and the SDNPA, is pertinent to the emerging plan and how it is able to engage and accommodate this need. In so doing, the plan must therefore make appropriate provision to deliver sufficient housing allocations and improvements to infrastructure that go above and beyond the recognised need in the SDNPA.

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