

Statement of Common Ground between Dudman Holdings Limited and the South Downs National Park Authority in regard to Local Plan Policy SD56: Shoreham Cement Works

DATE: 12th October 2018

1. Introduction

1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between Dudman Holdings Limited, the site owner, and the South Downs National Park Authority (SDNPA). It sets out the position and understanding with respect to key matters relating to the strategic site policy SD56: Shoreham Cement Works in the submission version of the South Downs Local Plan.

2. Context

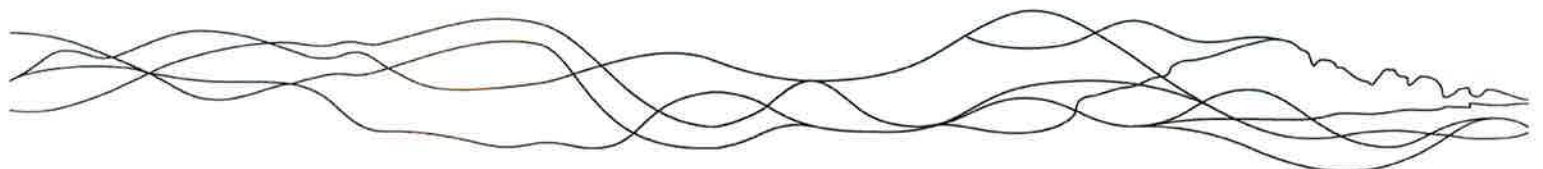
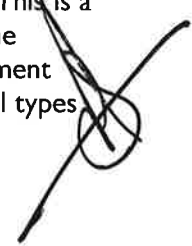
2.1 Section 62 of the Environment Act 1995 requires all relevant authorities, to have regard to the purposes of National Parks. These are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

The SDNPA also has a duty when carrying out the purposes to seek to foster the economic and social well-being of the local communities within the National Park.

2.2 As a National Park Authority and Local Planning Authority, plan-making and the determination of planning applications by the SDNPA is subject to the National Planning Policy Framework (NPPF). This states that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 6 on page 6 of NPPF is policies relating to the development of sites within a National Park. Paragraph 172 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation of wildlife and cultural heritage are also important considerations in all these areas, and should be given great weight in National Parks and the Broads. The DEFRA Vision & Circular on English National Parks and Broads is referenced in the NPPF and provides guidance to National Park Authorities on how to meet their purposes and duty.

2.3 The SDNPA is preparing its first Local Plan – the South Downs Local Plan (SDLP). This is a landscape-led plan, with ecosystem services (the goods and services we get from the natural environment) at its heart. The SDLP will provide a comprehensive development plan to cover the whole of the National Park, and will include a policy to address all types of development, with the exception of minerals and waste.



3. Purpose of this Statement of Common Ground

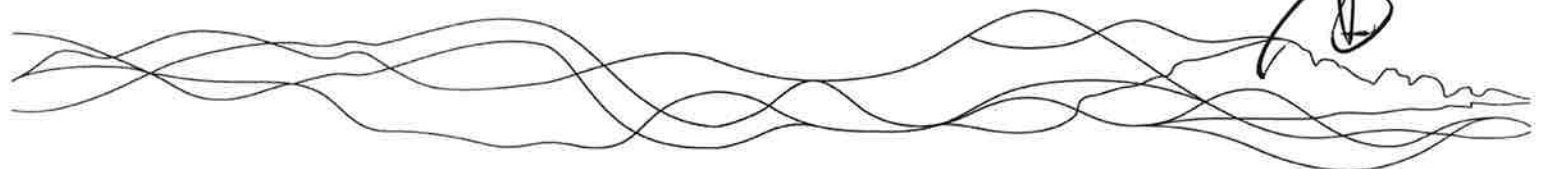
- 3.1 The purpose of this SCG is to provide a position statement regarding the strategic site allocation of Shoreham Cement Works within the South Downs Local Plan (known as policy SD56) between the site owner (Dudman Holdings Limited) and the SDNPA. This document arose from representations made to policy SD56 through the various stages of the Local Plan making process. Further details on the representations can be viewed in the Consultation Statement (and its Addendum) published as part of the Core Document Library (SDLP03 and SDLP03.3).
- 3.2 Shoreham Cement Works is allocated under Strategic Policy SD56 of the submission SDLP. A number of changes were made to the policy and its supporting text in answer to representations received during the various stages of consultation. These changes are set out in the Schedule of Changes (and its Addendum) published as part of the Core Document Library (SDLP01.1 and SDLP.3A). For ease of reference a composite version of the proposed policy and its supporting text is set out in Appendix 1.
- 3.3 The first part of this SCG sets out those matters in which both parties are in agreement or which are not in real dispute. The remainder of the SCG sets out the main issue where agreement has not been reached.

4. Matters agreed or which are not in real dispute

- 4.1 The following bullet points summaries the matters where both parties are in agreement or where there is no real dispute:
- The site is available;
 - The site is deliverable subject to resolution of the matter set out in Section 5;
 - Redevelopment of the site will contribute to the achievement of sustainable development;
 - Policy SD56 has been prepared positively in a way that is aspirational but deliverable (which the exception of the matter set out in Section 5 below);
 - Policy SD56 has been shaped by engagement with the Land Owner and other stakeholders (including Statutory Consultees);
 - The policy serves a clear purpose and sets out an overall strategy for the redevelopment of the site (which the exception of the matter set out in Section 5 below), and
 - Matters of detail can be resolved through the Area Action Plan and / or the submission of a planning application.

5. Matters where agreement has not been reached

- 5.1 There is one main issue where agreement has not been reached between the parties. That is the matter of the policy wording explicitly referencing residential development as an acceptable use on the site.
- 5.2 Dudman Holdings Limited's position is that the policy wording (and in particular Criterion 2c, Criterion 3 and supporting text) in its present form is restrictive and fails to take into account the necessary investment needed to deliver the wider aspirations for the site. Therefore, the policy (and supporting text) should be amended to specifically refer to residential development as an example of enabling development and should be explicit that



such a use would be acceptable. Dudman Holdings Limited believes that this will provide the necessary certainty and flexibility to ensure the development of this site is viable and deliverable.

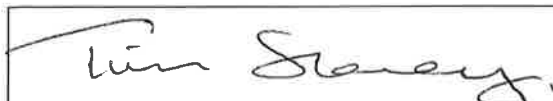
- 5.3 The SDNPA's position is that its priority is to see the environmentally-led restoration of the site with uses compatible with the purposes of a National Park. Criterion 2c of the policy states that further types of development would be acceptable provided they would enable that environmentally-led restoration. The SDNPA believes that this provides sufficient certainty and flexibility to address the issues of viability and deliverability.



Signed on behalf of Dudman Holdings Limited

Date 12 / 10 / 2018

Position Director



Signed on behalf of the South Downs National Park Authority

Date 31/10/2018.

Position Director of Planning.



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