

STATEMENT OF COMMON GROUND

Between: **The South Downs National Park Authority**
 and
 The landowners of the ‘Stedham Sawmill’ site

Date: **22 November 2018**

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) is a jointly agreed statement between the South Downs National Park Authority (SDNPA) and the landowners of the ‘Stedham Sawmill’ site Ms Jill Manson, Mr William Knight and Mr Gavin Watson (‘the Landowners’).
- 1.2 It sets out relevant factual points, and key areas of agreement and disagreement, in preparation for the South Downs Local Plan Examination hearing in relation to Policy SD92: Stedham Sawmill site.
- 1.3 This SoCG covers the following:
 - Site context
 - The overall suitability of the site for development purposes
 - The planning status of the site, including the presence of previously developed land
 - The current employment activity at the site
 - Landscape
 - Flood risk
 - Benefits to the community
 - Ecology
 - Other relevant background to the emerging policy approach for the site
 - Key matters in dispute

2. Site context

- 2.1 The site is adjacent to Stedham Primary School on the southern fringe of Stedham village.
- 2.2 The A272 Midhurst to Petersfield road runs immediately to the south of the site, providing a by-pass to the settlement. Vehicular access to the site is solely from the main entrance, off the A272.
- 2.3 Footpath links circulate outside of the perimeter of the site, providing direct links to the village. The footpaths adjoining the eastern and south western perimeter are public rights of way, but the site itself is secured by a high chain-link fence and there is no public right of way through it. There is a locked pedestrian gate on the northern boundary of the site and an associated private drive link to School Lane does not provide an appropriate vehicular route for the purposes of every day site access.
- 2.4 Common land is situated to the immediate west of the site, south of the school, with a public right of way (footpath) running east-west through it. By reason of its registered common land status, there are public rights to access this ‘open access land’ on foot

(see attached 'Magic' map plan extract at **Appendix A** showing the extent of common land).

2.5 The site is on the opposite side of the A272 road from Iping and Stedham Commons. This Sussex Wildlife Trust managed site is used by the public for informal recreation. Iping and Stedham Commons are classified as a Site of Special Scientific Interest (SSSI). This land is also registered common land.

2.6 The distinct area of registered common land north of the A272 that is contiguous with the Stedham Sawmill site is not designated SSSI.

3. The overall suitability of the site for development purposes

3.1 It is agreed that the site is sustainably located and is suitable for development purposes in principle.

3.2 Pedestrian links can be provided through the site allowing good connectivity to the village, school and wider footpath network as appropriate. It is agreed that a further main modification should be made to the allocation policy to ensure "*a direct pedestrian access to common land to the immediate west of the site (north of the A272)*". This has been added by SDNPA to the Main Modifications schedule (Core document library reference SDNP.3).

3.3 It is agreed that a comprehensive approach to the redevelopment of the whole site is preferred, provided that the design and layout respond appropriately to the development plan.

4. The planning status of the site, including the presence of previously developed land

4.1 In making effective use of land, national planning policy states that strategic policies should make as much use as possible of suitable previously developed land (PDL) or 'brownfield' land.

4.2 It is agreed as fact that:

- The vast majority of the overall site is subject to an Established Use Certificate dated 15 November 1977 reference 77/00014/SJ for 'Joinery workshop and ancillary offices and storage' (copy attached at **Appendix B**).
- The eastern half of the site has been occupied by a joinery business for many years, and a self-storage container business also operates from this part of the site.
- The western half of the site was allocated for employment use in the 1999 Chichester Local Plan First Review.
- Whilst this land has not been redeveloped for the allocated use, successive planning permissions have been granted for light industrial development covering most of the past 35 years.
- The most recent planning permission post-dates the creation of the national park. This extant outline consent, granted by SDNPA on 30 March 2017 (reference SDNP/16/03850/OUT), permits up to 2,746m² of B1 light industrial employment uses and associated car parking and access, on the western half of the site (copy of

submitted illustrative layout plan at **Appendix C**).

- 4.3 It is agreed that the site includes PDL, although the extent of PDL is not agreed.
- 4.4 It is the view of the Landowners that the whole of the fenced site is PDL, albeit that not all of the site has been built upon. This is based on the 1977 Established Use Certificate, the physical layout of the site (with one principal access, one surrounding boundary fence and no internal physical division), and the documented history of use and ownership of the site.
- 4.5 It is the view of SDNPA that only the eastern part of the site is PDL, as confirmed by the inclusion of the eastern half of the site only in the SDNPA Brownfield Sites Register, December 2017. However, allocation of the whole site for mixed-use development, as proposed in the SDLP, recognises that the developed area can extend well past what it considers to be the PDL portion of the site. As such the SDNPA considers the distinction between PDL and greenfield is of limited relevance.

5. The current employment activity at the site

- 5.1 At present the site is part used and part vacant. The active uses on the north-eastern part of the site comprise a self-storage container business and a joinery. The south eastern area of the site has been recently used by a local scaffolding company for open storage purposes.
- 5.2 The site contains unsightly buildings (containers and prefabs).
- 5.3 The Landowners report that, at best, there are currently five full time equivalent employees at the site. It is agreed that the level of employment on the site, now and in recent years, is low for a site of this size.
- 5.4 Land comprising the western part of the site is not in active use currently, although it is maintained, and available for immediate use. Formal marketing of this part of the site has been undertaken with the benefit of the extant planning permission.
- 5.5 In August 2018 a marketing report (in relation to possible employment uses) was prepared by agent Lambert Smith Hampton (LSH) for the landowners of the western part of the site, Ms Jill Manson and Mr William Knight. The SDNPA confirms that it received this report on 29 August 2018 (albeit without the appendices containing details of the marketing campaign and outcomes) and notes its content, but does not concur with any conclusion that employment uses on the site cannot be achieved.

6. Landscape

- 6.1 It is agreed that, provided development is of an appropriate design befitting the National Park, landscape impacts are not likely to be severe and can be mitigated. The site is well enclosed visually in wooded surroundings. The Class B1(c) permission for the site confirms that landscape considerations do not preclude a well-considered development in this location.
- 6.2 The site can be developed without loss of trees, which are largely situated outside of the site boundary. It is beyond the 'Dark Skies Core' and, subject to the requirements of SDLP Policy SD8 being met, development of a nature that does not compromise dark night skies is achievable.

- 6.3 The Strategic Housing Land Availability Assessment (SHLAA) (Core document library reference TSF10) and Site Allocations Policy Route Map (Core document library reference SS02) Appendix 2 provide SDNPA's conclusions about the landscape sensitivity of the site and its context.
- 6.4 A Landscape Character and Visual Appraisal for the whole site was completed on behalf of the Landowners in August 2018, in support of residential development. The SDNPA confirms that it received this report on 29 August 2018 and notes its content, but makes no comment at this stage.

7. Flood risk

- 7.1 The site is in flood zone 1 (low probability of river or sea flooding). It is agreed that flood risk is not a significant issue for this site, albeit that SDNPA will require a Flood Risk Assessment and Surface Water Management Plan to accompany any comprehensive planning application proposals.

8. Benefits to the community

- 8.1 It is agreed that residential development use of the site has the potential to provide benefits to the community, including improving school pupil numbers to support the adjacent primary school's viability, and providing affordable housing for local people. It is also agreed that, subject to detailed site investigation, there is good potential for the site to provide multiple ecosystem service benefits. There is also potential to improve access to common land contiguous with the site that is not subject to statutory nature conservation designation.

9. Ecology

- 9.1 Ecology studies undertaken in association with the recent light industry planning applications indicate some ecological interest in the site itself, but this does not preclude well considered redevelopment of the site.
- 9.2 It is agreed that it will be important for the development to enhance biodiversity, and that it is essential that SSSI land and wildlife at Stedham Common and Iping Common is protected.
- 9.3 Common land adjoining the western boundary of the site, which is not part of the SSSI, provides a convenient local opportunity for dog walking and an alternative to recreational use of the SSSI.

10. Other relevant background to the emerging policy approach for the site

- 10.1 The SDNPA SHLAA, 2016 (Core document library reference TSF10), concludes that the Stedham Sawmill site (CH123) "*has potential*" for a yield of 30 residential units, for delivery in a 6-10 year period. The SHLAA also makes clear that the identification of potential housing sites in the SHLAA "*does not imply that planning permission would be granted for residential development*", and that the inclusion of potential housing sites "*does not preclude them from being considered for other uses*" (Page 5). Page 6 of this document states that *site capacities "are an estimate based on what is considered appropriate for that site" and "do not preclude different numbers coming forward at the planning application stage"*.

- 10.2 The SDNPA Employment Land Review update, 2017 (Core document library reference TSF30), finds that the site is “*not fit for purpose*”, and concludes there is need to “*consider alternative uses*” for Stedham Sawmill “*such as housing*” as it is a “*very poor quality under occupied site*” (Table 2.3, para 2.31 and Table 2.4).

11. Natural England representation on Policy SD92 (comment ID 2351)

- 11.1 SDNPA and the Landowners acknowledge that Natural England (NE) has raised concerns regarding this allocation, associated with potential impacts on Iping Common arising from recreational disturbance.
- 11.2 SDNPA has liaised closely with NE regarding the need to demonstrate that appropriate mitigation will be secured to minimise any harmful impacts on the SSSI, in relation to recreational disturbance and hydrology. A number of changes have been proposed to Policy SD92 and its supporting text in direct response to NE’s further comments. These have not yet been formally consulted upon.

12. Key matters in dispute


- 12.1 There remains disagreement between the parties over the appropriate use, scale and location of new development within the site. The extent of PDL at the site is disputed.


SDNPA position

- 12.2 The SDNPA agrees that the current premises are not fit for purpose, but the actual site is located close to the A272 and less than a mile from the market town of Midhurst and so is considered suitable by the SDNPA for an element of employment development as part of a mixed use scheme.
- 12.3 The SDNPA considers that the allocation of the site for a mixed use scheme including up to 16 homes, approximately 1,500 square metres of new employment floorspace and 0.35 hectares of land for biodiversity improvements is the best solution for the site and the village of Stedham. SDNPA proposes that the southern part of the site be excluded from the revised position of the settlement policy boundary for Stedham.

Landowners’ position

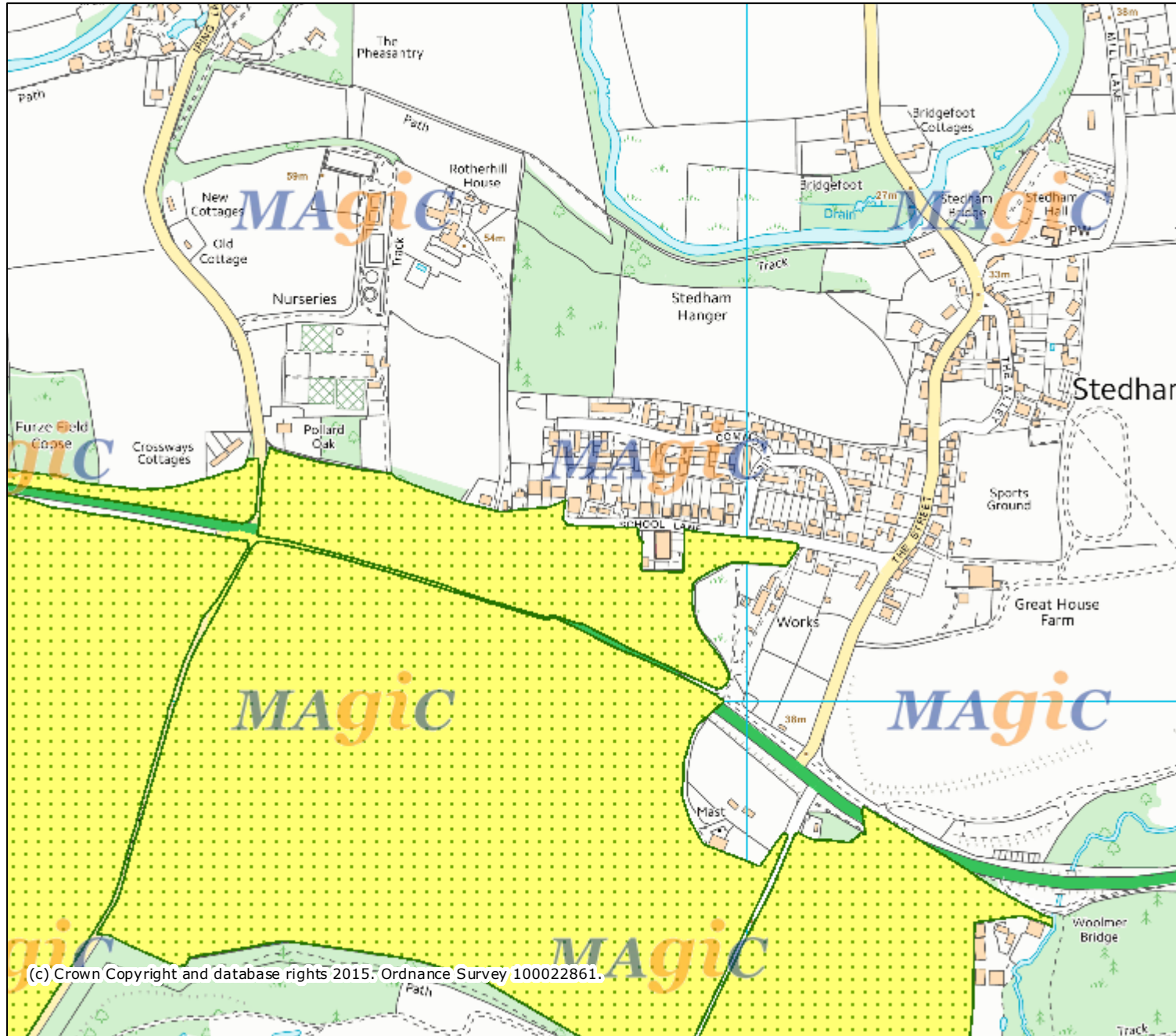
- 12.4 The Landowners believe that the site is not suitable or attractive as an employment location, as evidenced by past and recent site marketing. The Landowners consider the former Sawmill Site to be a suitable location for comprehensive development for housing with integrated green infrastructure. They propose that the whole of the site be included in the revised settlement policy boundary for Stedham, with the number of residential units and configuration of green infrastructure being ultimately determined through the preparation of planning application stage proposals including deliverable SSSI impact mitigation measures.
- 12.5 The specific policy measures set out in SDNPA’s Schedule of Changes to the Pre-Submission Local Plan, which are stated as being required to enhance on site biodiversity, and to protect the SSSI land and wildlife at Stedham Common and Iping Common, are still being reviewed by the Landowners and are not yet agreed.

Signed on behalf of the Stedham Sawmill site Landowners (Ms Jill Manson, Mr William Knight and Mr Gavin Watson)  Jill Manson
Date: 22-11-18




Signed on behalf of the South Downs National Park Authority  Lucy Howard
Date: 21-11-18
Position: Planning Policy Manager

Appendix A

'Magic' map plan extract showing the extent of common land



Legend

-  Registered Common Land (England)
-  Countryside and Rights of Way Act, Section 15 Land (England)
-  Countryside and Rights of Way Act 2000 - Access Layer (England)

Projection = OSGB36

xmin = 484800

ymin = 121500

xmax = 486800

ymax = 122900

Map produced by MAGIC on 21 July, 2015.

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Appendix B

Established Use Certificate dated 15 November 1977 reference 77/00014/SJ

ADMINISTRATIVE COUNTY OF WEST SURREY

TOWN AND COUNTRY PLANNING ACT, 1971

Established Use Certificate

- (a) Insert location or address of land: Statham Sawmills and Yard
- (b) Insert colour: more particularly shown * edged (b) RED
BOUNDARY
LINEARLY
 on the plan attached hereto.
- (c) Insert description of use: (c) joinery workshops and ancillary offices and storage
including open storage.
- (d) Insert date of application for established use certificate: was on (d) 14th April, 1977
 established within the meaning of (a) paragraph (a)
- (e) Insert "paragraph (a)", "paragraph (b)", or "paragraph (c)" as appropriate: of section 54 of the Town and Country Planning Act, 1971.

Signed K. Watson

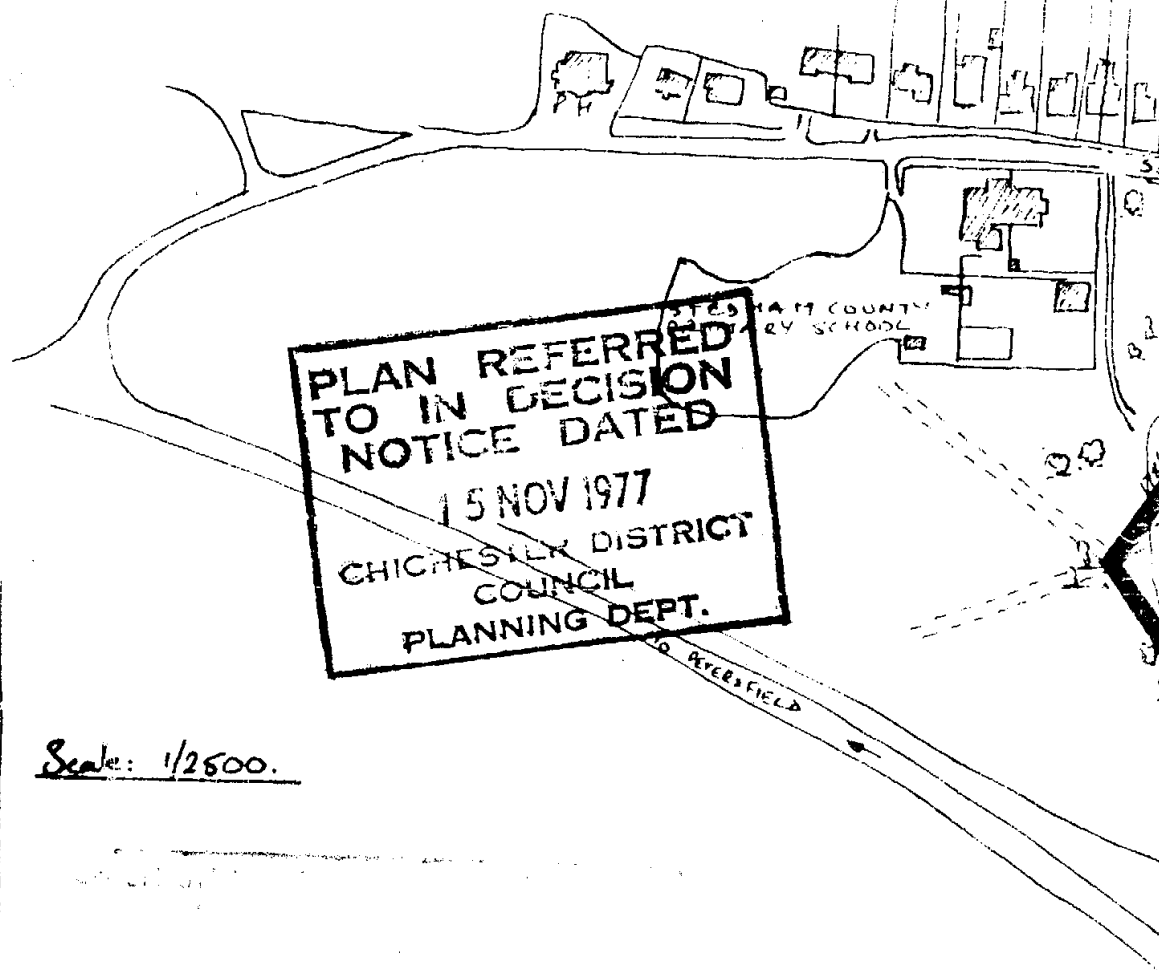
- Clerk of the Council

Date 15th November, 1977

NOTE: This certificate is issued for the purposes of section 54 of the Town and Country Planning Act, 1971 only. It certifies that the use of the land for the purposes named is not liable to enforcement action under section 17 of that Act, but it is not a grant of planning permission and does not necessarily entitle the owner or occupier of the land to any consequential statutory rights which may be conferred where planning permission has been granted, under Part III of the Town and Country Planning Act, 1971, for a use of land.

* Delete where inappropriate

Stedham



Scale: 1/2500.

SJ/14/77

LOCATION PLAN OF:-

STEDHAM COUNTY PRIMARY SCHOOL

FOR ESTABLISHMENT CERTIFICATE

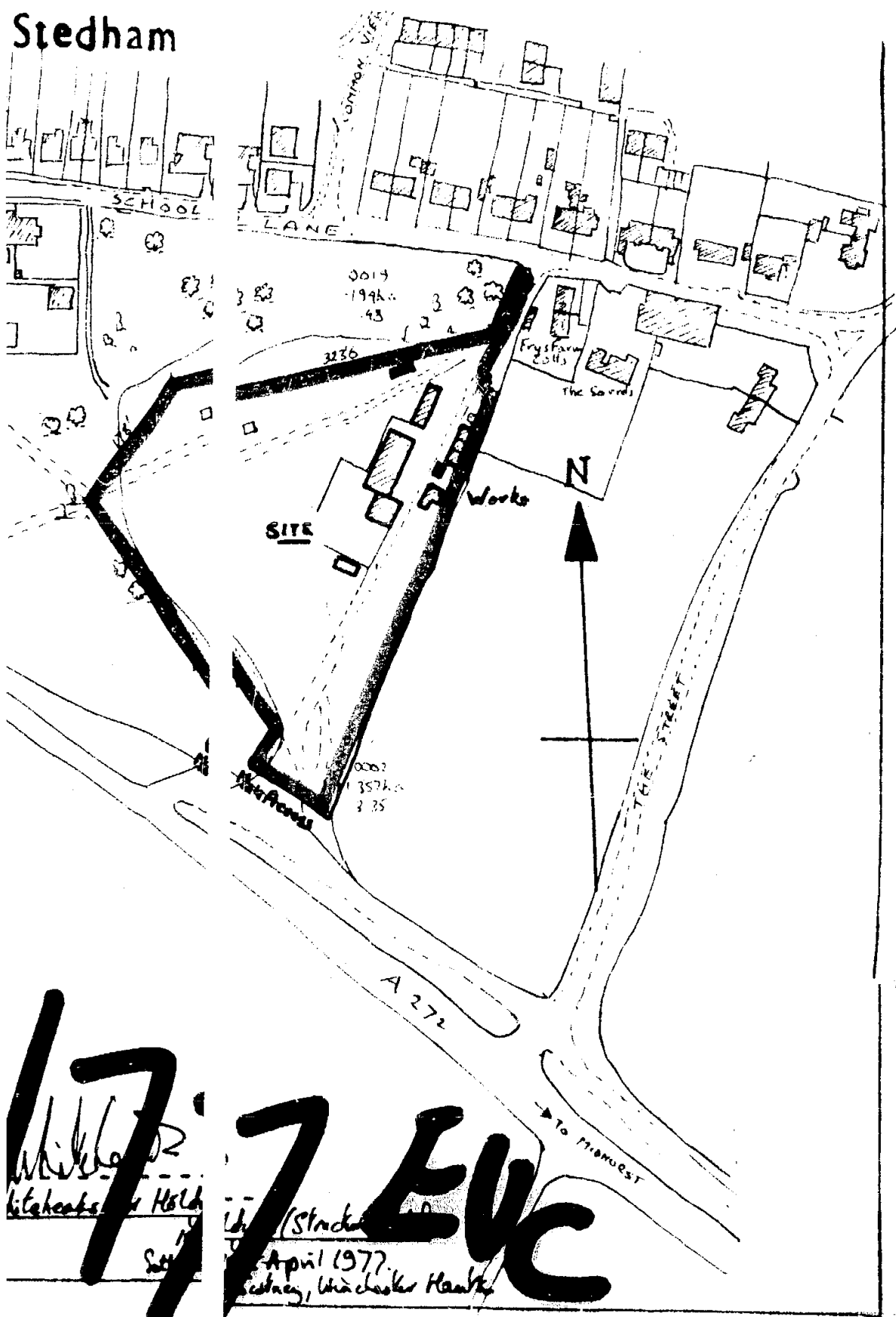
based on Ordnance Survey Plan No. [illegible]

Whiteheads, [illegible] Road, Worthing, Sussex. April 1977

TJS:4

SJ/14/77

Stedham



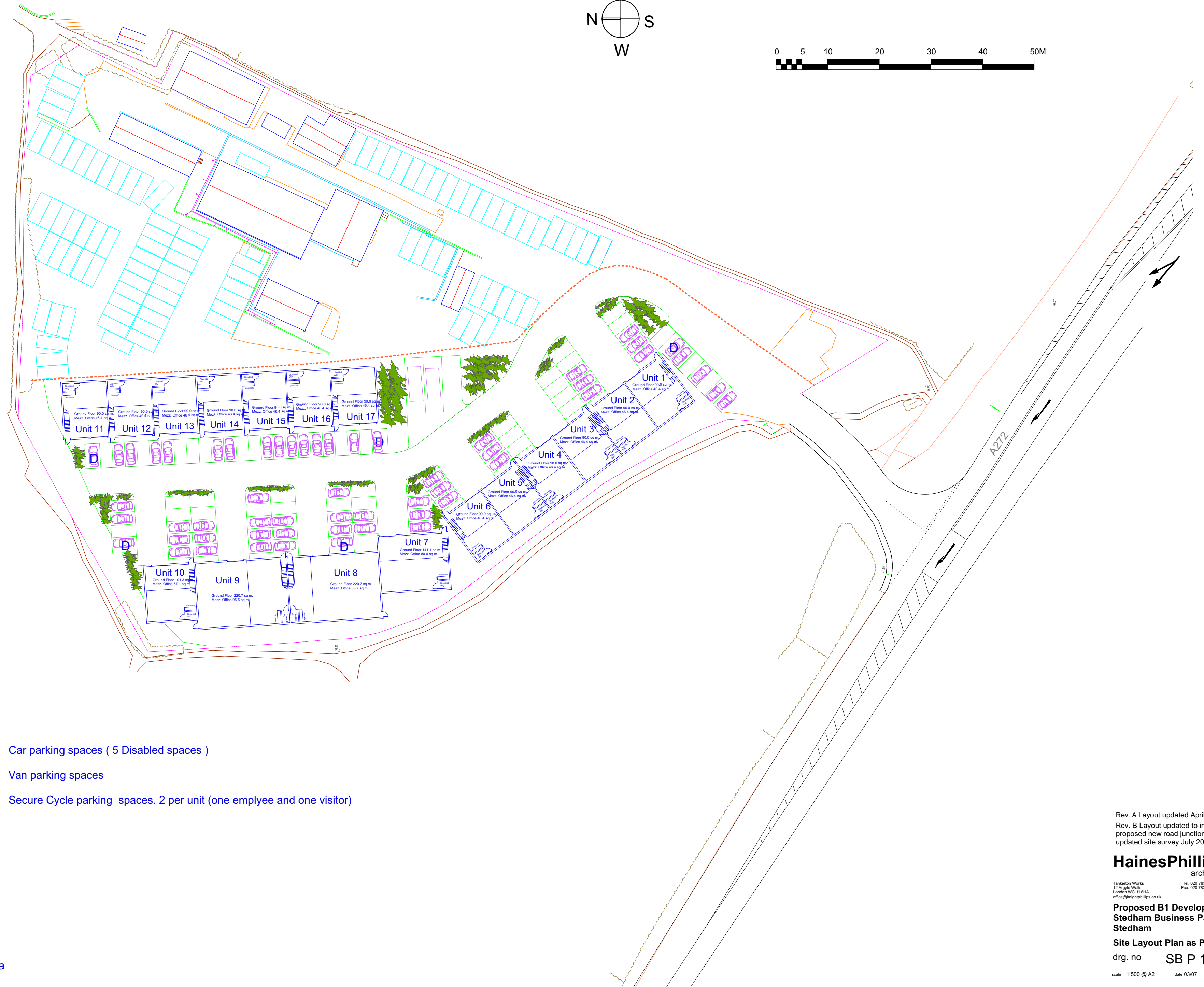
177 EUC

Winchester
Hitchcock's Hold
Set

(Stedham)
April 1977
Winchester, Winchester Hamlet

Appendix C

Planning permission reference SDNP/16/03850/OUT), copy of submitted illustrative layout plan



Unit 1	136.4 sq m
Unit 2	136.4 sq m
Unit 3	136.4 sq m
Unit 4	136.4 sq m
Unit 5	136.4 sq m
Unit 6	136.4 sq m
Unit 7	221.1 sq m
Unit 8	276.4 sq m
Unit 9	317.3 sq m
Unit 10	158.4 sq m
Unit 11	136.4 sq m
Unit 12	136.4 sq m
Unit 13	136.4 sq m
Unit 14	136.4 sq m
Unit 15	136.4 sq m
Unit 16	136.4 sq m
Unit 17	136.4 sq m

- Total 2,746.4 sq m gross internal floor area

scale 1:500 @ A2 date 03/07