

**SOUTH DOWNS LOCAL PLAN EXAMINATION**

**Hearing – Day 1**

Tuesday 13 November 2018  
South Downs Centre, Midhurst

**10.00 am**

**Duty to Co-operate**  
**Legal Compliance**  
**Matter 1 – Vision and Objectives**  
**Matter 2 – Strategy**  
**Matter 3 - Core Policies**

**AGENDA**

**General Notes**

- i This agenda is provisional and flexible.*
- ii It is not intended to repeat introductory matters covered in the Guidance and Draft Matters and Issues [INSPS3-4] but to proceed as quickly as possible to the substance of the Agenda.*
- iii Participants, including the SDNPA, named in [italic square brackets] may be invited to open the item concerned but this is optional.*
- iv Item 4 – Matter 2 – Strategy will not commence before 11.15am*
- v Settlement- and Site-specific issues will not be discussed in detail but are deferred to Matter 10-11.*
- vi Where Main Modifications are proposed by the NPA these may be discussed as appropriate.*

**Opening**

- a. Welcome and Introductions
- b. Opening Remarks by the Lead Inspector  
*[see separate transcript]*
- c. Any questions on procedure

**Duty to Co-operate and Legal Compliance**

**Participants**

*165 - Savills obo Cala Homes [CH]*  
*197 - Kingston Parish Council [KPC]*  
*224 - Southern Planning Practice Ltd obo Newton Valence Farm [NVF]*  
*312 - Coldwaltham Meadow Conservation Group [CMCG]*  
*407 - Harting Parish Council [HPC]*

**1. Duty to Co-operate**

- a. Has the Plan been prepared in accordance with the Duty to Co-operate (DtC) with prescribed bodies, with reference to the DtC Statement [SDLP.11] and the several Statements of Common Ground (SOCGs) with neighbouring and partner authorities and other bodies [SCG series] and with respect in particular to:
  - i. whether, as an outcome of co-operation, the Plan makes appropriate provision for housing to foster the

social well-being of Park communities and for unmet need to be met by adjoining authorities [NVF]  
*Note – detailed issues of numerical housing need and supply are for Matter 4.*

## 2. Legal Compliance

Is the Plan [otherwise] legally compliant including with respect to the:

### **a. Habitats Regulations Assessment**

- i. Has the Plan been prepared in accordance with the Habitats Regulations,
  1. with reference to the Habitats Regulations Assessment as updated [SDLP 05 series] and now subject to further revision taking into account all relevant legislation and case law [SDNPA]
  2. and with respect in particular to air quality as affecting European designated wildlife sites, including Ashdown Forest SAC [WDC]
  3. *any other relevant considerations?*

*Note: This item relates to the legal compliance of the HRA. The soundness of the chosen strategy in terms of its justification and effectiveness is for Matter 2.*

### **b. Sustainability Appraisal/Strategic Environmental Assessment/Appropriate Assessment**

- i. Has the Plan been subject to adequate Sustainability Appraisal (SA), duly updated [SDLP 04 series]
  1. taking account of reasonable alternative development strategies [SDNPA]
  2. to include robust objective consideration of planning impacts of allocated sites? [HPC]

*Note: This item relates to the legal compliance of the SA. The soundness of the chosen strategy in terms of its justification and effectiveness is for Matter 2*

### **c. Public consultation process and the Statement of Community Involvement**

- i. Has the Plan been prepared in accordance with the Statement of Community Involvement [SDLP.08], with respect in particular to
  1. the degree and effectiveness of public consultations [KPC]

### **d. Public Sector Equality Duty**

- i. Has the Plan been prepared having regard to the aims expressed in section 149(1) of the Equality Act 2010, with reference to:
  1. the Equalities Impact Assessment [SDLP 06]

2. the aims of elimination of discrimination, advancing equality of opportunity and fostering good relations
3. the relevant protected characteristics defined in Section 149(7) of age, disability, gender reassignment, pregnancy and maternity, race, religion of belief, sex and sexual orientation

*Note: The Examination is not required directly to assess the compliance of the NPA with the PSED but this item is included to inform the Inspector in his own compliance with that Duty.*

### **3. Matter 1 – Vision and Objectives**

***Participants:***

165 - Savills obo Cala Homes [CH]  
 245 - CPRE Sussex [CPRE]  
 249 - National Farmers Union - South East [NFU]  
 307 - Sussex Wildlife Trust obo Sussex, Hampshire & IOW Trusts [WT]  
 312 - Coldwaltham Meadow Conservation Group [CMCG]  
 397 - Claremont Planning obo EPV (East Sussex) Ltd. [EPV]  
 569- HMPC Ltd. Obo The Goodwood Estate Company Ltd. [GEC]

- a. Is the Plan based on an appropriate Vision and appropriate Objectives, with reference to established legislation, NPPF12 and guidance governing National Parks?
  - i. Should Objective 3 the Plan provide expressly for a net gain in biodiversity, also with reference to NPPF18? [WT]
  - ii. Should the Vision expressly recognise a link between cultural heritage and historic environment? [CMCG]
  - iii. Overall, is the Plan positively prepared with respect to meeting its stated objective to protect the special character of the landscape? [GEC]

*Note: Policy SD9 – Biodiversity and Geodiversity - may be discussed further under Matter 8*

### **4. Matter 2 – Strategy – Policy SD25**

***Participants:***

78 - Paul Campbell  
 126 - Turley obo Cove Homes  
 157 - Barton Willmore obo Mr Richard Harris- Land North of Cora's Walk  
 158 - Rupert & Jan Grey obo Friends of Harting Down  
 165 - Savills obo Cala Homes [CH]  
 212 - Anna Dale- Harris  
 224 - Southern Planning Practice Ltd obo Newton Valence Farm  
 230 - Southern Planning Practice Ltd obo Buriton Estates  
 232 - Southern Planning Practice Ltd Deansmoor Properties  
 233 - Southern Planning Practice Ltd obo Famie Hodell  
 242 - HMPC Ltd. Obo Stedham Sawmill Landowners [SSL]

245 - CPRE Sussex  
 254 - DMH Stallard for Sigma Planning obo Rydon Homes  
 308 - Greatham Voice (Mark Rodbert)  
 312 - Coldwaltham Meadow Conservation  
 397 - Claremont Planning obo EPV (East Sussex) Ltd.[EPV]  
 407 - Harting Parish Council  
 569 - HMPC Ltd. Obo The Goodwood Estate Company Ltd.

- a. Is the Development Strategy for the SDNP and its Town and Village Centres, put forward by Policy SD25 of the Plan, appropriate and justified by robust evidence, with respect in particular to:
- i. the choice which has been made between alternative approaches to development distribution [EPV]
  - ii. the functional relationships between communities inside and outside the SDNP boundary [CH]
  - iii. the identified settlements and town centres [HPC]
  - iv. the redevelopment of previously developed land outside settlements? [SSL]

## 5. Matter 3 – Core Policies – SD1-3

### **Participants:**

243 - Martin Hendry[MH]  
 244 - CPRE Hampshire  
 245 - CPRE Sussex  
 249 - National Farmers Union (NFU)- South East  
 254 - DMH Stallard for Sigma Planning obo Rydon Homes  
 263 - GVA obo Defence Infrastructure Organisation & Whitehill Bordon  
 307 - Sussex Wildlife Trust obo Sussex, Hampshire & IOW Trusts  
 312 - Coldwaltham Meadow Conservation  
 372 - David Pain [DP]  
 397 - Claremont Planning obo EPV (East Sussex) Ltd.  
 529 - Selborne Parish Council [SBC]  
 Regeneration Company  
 569 - HMPC Ltd. obo The Goodwood Estate Company Ltd. [GEC]

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

- a. **Policy SD1 – Sustainable Development** - with respect in particular to:
- i. the exceptions permitted by criterion 4 of the Policy [SBC]
  - ii. consistency with national policy?
- b. **Policy SD2 – Ecosystem Services** – with respect in particular to:
- i. the requirement of the Policy for all proposals to be supported by a statement on its impact upon ecosystem services? [GEC]

- c. **Policy SD3 – Major Development** - with respect in particular to:
- i. whether part 1 of the policy provides a justified and effective basis for an objective identification of proposals considered to comprise major development  
[MH]
  - ii. whether part 2 of the policy makes appropriate exceptions for permitting major developments in the SDNP
  - iii. whether part 3 of the policy sets appropriate requirements and constraints for the control of major development exceptionally permitted within the SDNP
  - iv. whether the policy should refer to major events, as distinct from permanent development? [DP]