

**Position Statement on behalf of Ms J Manson, Mr W Knight and  
Mr G Watson, the Landowners of the 'Stedham Sawmill' site**

**MATTER 10: Issues Relating to Specific Settlements  
Stedham**

**MATTER 11: Issues Relating to Individual Sites  
Allocation Policy SD92**

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**1. Background**

- 1.1 This statement relates to the Stedham Sawmill site and Policy SD92.
- 1.2 It is noted that Policy SD92 has been subject to numerous proposed changes by SDNPA since the production of the submission version plan, which have yet to be formally consulted upon.
- 1.3 A SoCG has been prepared with SDNPA and added to the library as Core Document reference SoCG17. It contains a variety of background information, including:
- A description of the site
  - A summary of the current, limited employment use of the site
  - Relevant planning history for the site, and
  - Issues agreed and issues in dispute.
- 1.4 The SoCG confirms agreement that:
- The site is sustainably located and suitable for development purposes (para 3.1)
  - Effective use should be made of previously developed land (PDL) at the site (para 4.1)
  - Landscape considerations do not preclude a well-considered development in this location (para 6.1)
  - Residential use of the site has the potential to provide benefits to the local community including improving pupil numbers to support the adjacent primary school's viability, providing affordable housing for local people, and improving access to adjoining common land (para 8.1)
- 1.5 The SoCG highlights key evidence informing the plan process as follows:
- SDNPA's SHLAA concludes that the site "*has potential*" for a yield of 30 residential units (para 10.1)

- SDNPA's Employment Land Review (ELR) finds that the site is a "very poor quality" under occupied employment site that is not "fit for purpose" and there is a need to "consider alternative uses...such a housing" (para 10.2).

## **2. The Position of the Landowners**

**2.1 Despite agreement on the principles as identified above, the Landowners consider that the emerging policy for the site is ill-conceived and ad-hoc. The policy wording fails soundness principles in that it ignores the findings of SDNPA's own supporting evidence. The policy approach fails to make efficient and appropriate use of the suitable and available land at Stedham Sawmill. It is inflexible and threatens the deliverability of development.**

**2.2 More specifically, the policy requires amendment because:**

- A. There is no reasonable prospect of the site being used for employment purposes as proposed by the emerging plan. The site is not suitable or attractive as an employment location, as evidenced by SDNPA's own ELR evidence and by the Landowner's past and recent site marketing. Active employment use of the site at present is minimal.**
- B. The settlement policy boundary, development quantum and the form and extent of biodiversity enhancement area put forward for the site are arbitrary.**
- C. Greater policy weight should be placed on the development opportunity offered by the site, in principle, in view of the presence and extent of PDL, the scale of development that has been approved, and the landscape capacity of the site.**

**2.3 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 Stedham's settlement policy boundary, 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.**

**2.4 There is concern that an unnecessarily complex, inflexible and poorly conceived mixed-use policy for the site will affect the site's viability and deliverability, and compromise the development quality required in the national park.**

### **A. No reasonable prospect of the site being used for employment**

**2.5 The Examination is proceeding by reference to the 2012 version of the NPPF. Paragraph 22 of the NPPF seeks to avoid the protection of allocated employment land where there is no reasonable prospect of a site being used for that purpose.**

- 2.6 SDNPA's own evidence 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*". SDNPA ELR update, 2017 (TSF30 site ref C8. Printed page references, 7, 10 – para 2.21 and Table 2.4, 11, 20 and 40).
- 2.7 The site has been allocated and available for employment purposes for many years, but despite successive outline planning permissions being granted and ongoing marketing activity there has been very limited interest in it.
- 2.8 National agent Lambert Smith Hampton (LSH), which has had a long-term regional presence in the south, has been working for the landowners of the western part of the site, Ms Jill Manson and Mr William Knight, on a continuing basis for over 11 years.
- 2.9 LSH was formally instructed to market the site in 2007. At that time the site had (again) been granted outline permission for B1 use, which was renewed in 2010 and 2013. There was "*a limited level of real enquiry at that time and no substantive requirements were subsequently expressed nor pursued*".
- 2.10 In August 2018 an up to date marketing report was prepared by LSH for the landowners of the western part of the site. (This report has been shared with SDNPA. We are not able to append the report to our statement).
- 2.11 The marketing report confirms that:
- LSH was formally re-engaged in July 2016 to recommence marketing the site to prospective buyers, with the remit that this could be targeted to a range of employment related occupiers or developers. The submission and approval of outline planning application SDNP/16/03850/OUT in 2016/17 provided a firm basis against which to again test market interest in the site.
  - Whilst LSH has spoken to many parties about the land in the last two years, it reports that "*there has been no meaningful interest or subsequent positive engagement*". As at August 2018 no offers had been received (solicited or unsolicited).
- 2.12 The August 2018 marketing report by LSH provides a view that 'live-work' accommodation "*would have little appeal to purchasers and end users in this location*" and "*demand, particularly from local people, would be insufficient to attract developer or investor interest*". "*The potential conflict in use and higher build cost are other unfavourable issues*".
- 2.13 The report also identifies that:
- "To the best of our knowledge, there has been no meaningful speculative development in the Midhurst area since 2010 and it is worth noting that in an appreciably better location, and in a marketplace with stronger demand, such as Petersfield (alongside the A3), new development activity has not materialised and potential sites such as the consented 5,500 sqm employment space at Buckmore Business Park since 2013, remains largely undeveloped"*.

- 2.14 Policy SD35 and Appendix 3 of the Submission Plan set out marketing requirements for change of use applications. It is considered that a robust marketing campaign for Stedham Sawmill of well over the minimum 12 months period has been undertaken to clearly demonstrate that there is no market demand for the employment site development.
- 2.15 In conclusion the landowners consider that there is no realistic prospect of an employment element of a mixed-use development at the Stedham Sawmills site being delivered as proposed by the emerging plan.
- 2.16 In view of the continuing lack of market interest for employment the use of the site, as experienced over a considerable period of time, policy should now be focusing on a deliverable development that optimises the potential of the site for residential purposes.

### **B. Arbitrary policy parameters**

- 2.17 The SDNPA SHLAA, 2016 (TSF10), concludes that the Stedham Sawmill site “*has potential*” for a yield of 30 residential units, for delivery in a 6-10 year period (Site CH123, Appendix D).
- 2.18 The September 2017 Pre Submission Draft plan allocates the site for mixed-use development of 16-20 homes and up to 3,000m<sup>2</sup> of B1 business use floorspace.
- 2.19 The Schedule of Changes to the Pre-Submission Local Plan, April 2018 (SDLP 01.1) amends Policy SD92 for the Stedham Sawmill site, proposing mixed-use development of up to 16 homes and approximately 1,500m<sup>2</sup> of employment uses B1b R&D and B1c light industrial.
- 2.20 The above shows that emerging policy content has been varying considerably, without any obvious rationale for many of the changes. Notably the approach on employment is confusing, and has not involved any input from the Landowners. As identified earlier, the employment use policy proposal is not supported by evidence of a deliverable development proposition.
- 2.21 No layout or design capacity work has been presented by SDNPA to support the proposed development quantum. Similarly, the position of the settlement policy boundary and quantum of land for “*biodiversity enhancement – to remain undeveloped*” is arbitrary (this latter point will be explained in a later section on biodiversity). In view of this, it is considered that greater policy flexibility is essential, with an objective to make best use of the site for residential development purposes.

### **C. Greater policy weight should be placed on the development opportunity offered by the site, in principle**

- 2.22 The NPPF 2012 encourages the effective use of PDL (brownfield land).
- 2.23 By reference to 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 history of use and ownership, it is the view of the Landowners that the whole of the fenced site is PDL, albeit that not all of it has been built upon. SDNPA considers that only the eastern half of the site is brownfield, but the distinction between PDL is of limited relevance in this instance (SoCG17, para 4.5).

- 2.24 Notwithstanding disagreement on the PDL status, successive outline planning permissions have been approved by planning authorities for the vacant western part of the site. The most recent of these, dated 30 March 2017 (reference SDNP/16/03850/OUT), which was approved by SDNPA, permits up to 2,746m<sup>2</sup> of B1 light industrial employment uses and associated car parking and access (see illustrative layout in SoCG17 Appendix C). This permission provides a certain planning position against which recent marketing of the site has been undertaken. It confirms that a fairly intensive form of development is acceptable at this location.
- 2.25 Landscape is not a major constraint to the development capacity of the site. The site is well enclosed visually. The site can be developed without loss of trees, which are largely situated outside of the site boundary.
- 2.26 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. (This report has been shared with SDNPA. We are not able to append the report to our statement).
- 2.27 The appraisal concludes that:
- Vegetation around the site creates a strong sense of enclosure
  - Development could be achieved without any loss of the surrounding tree belts and other screening woodland vegetation
  - The site is well positioned to the settlement edge but is sufficiently distant to avoid any significant effects on the character and appearance of the village, its conservation area or any listed building
  - Dense and tall boundary vegetation prevents any significant views into or out of the site limiting the zone of visual of influence and the effects on adjacent visual receptors to a very small area
  - Overall, the site is of "*low landscape sensitivity*" and has a "*high capacity*" to accommodate residential development proposals of the Landowners "*without affecting the character of the surrounding enclosed landscape*".
- 2.28 The site is within flood zone 1 (low probability). Amended Policy SD49 1a) now directs "*development to Flood Zone 1, wherever possible*" (SDLP 01.1, p22).

### 3. Other matters

#### **On-site biodiversity enhancement and off-site impact on Iping and Stedham Common SSSI**

- 3.1 Representations from Natural England (NE) in November 2017 expressed concern with the pre-submission Policy SD92 housing allocation due to the close proximity of the SSSI (Comment ID:2351).
- 3.2 The policy has subsequently been proposed for modification by SDNPA at the request of NE, although these changes have not yet been consulted upon.
- 3.3 The policy objection was a surprise to the Landowners, and represents a change from the past advice of NE.
- 3.4 In 2013 the Landowners approached NE through its advice service in respect of the potential development of the site for approximately 35 dwellings. In its written response dated 6 September 2013, NE stated:
- "The site is in close proximity to Iping Common SSSI. Whilst there is no real evidence that recreational pressure is having an existing impact on the ground nesting birds on the common at present, this possibility cannot be ruled out.*
- As discussed at our meeting, possible ways to mitigate for potential impacts from the dwellings proposed would be to provide a financial contribution to Sussex Wildlife Trust to aid in managing the designated site...*
- ...I can confirm that Natural England are unlikely to object to a proposal for this scale of development in this location on the basis of impacts on the SSSI if a suitable mitigation in the form of a financial contribution is identified."*
- 3.5 In view of NE's recent representations to the local plan process it is recognised that a more cautious approach is now being taken for the site. In recent weeks the Landowners have been exploring mitigation options and opportunities with NE and the Sussex Wildlife Trust (SWT), and this work is ongoing. The Landowners will be able to report back fully on this as part of any future policy consultation.
- 3.6 Through the SoCG the Landowners have put forward the potential of open access common land to the immediate west of the site, that is not designated SSSI, to provide pedestrian access/dog walking routes linked to the site. SDNPA has noted this potential and has proposed a specific policy modification that "a *direct pedestrian access*" be provided "to common land to the immediate west of the site (north of the A272)".
- 3.7 Conservation and ecologist officers of SWT met with representatives for the Landowners on 15 November 2018. The site and surrounds were walked together. Recreational impacts on the SSSI, mitigation and Policy SD92's on-site biodiversity enhancement options were discussed at a high-level. It was agreed in writing with SWT following the meeting that:

- *“At the present time evidence is not available to determine whether visitor numbers or behaviours are adversely impacting on ground-nesting birds [on the SSSI], however pressure on the Commons is similar to those experienced on many heathland sites in Southern England”.*
- *“SWT would potentially be open to discussions relating to the funding of management operations on the SSSI should additional mitigation measures be required for the Stedham Sawmills site. The nature of the mitigation package would need to be agreed once full details of any scheme were available”.*
- The non-SSSI common land west of the site is in third party ownership, but *“the network of paths (both public rights of way and informal) already provide a series of circular walks and could serve to deflect some recreational pressure away from the SSSI”.* *“The links through this land to existing facilities in the village such as the pub, garden centre café and school increase the likelihood of new residents using this area”.*
- The SD92 policy proposal for biodiversity enhancement land within the site close to the A272 *“may encourage access to the SSSI, and therefore be counter-productive in terms of mitigation”.* *“By placing open space in the northern part of the site it is better related to the existing facilities in the village and would naturally lead into the adjacent [non SSSI] common land”.* *“Removing the perimeter fencing would improve permeability”.* *“The presence of a south-facing bank with sandy exposures in the northern part of the site could be developed as an area of acid grassland to deliver biodiversity gain on site”.* *“Some heathland species may also be present in the seedbank”.*
- It is thought that *“due to the increased clay component in the soil across the rest of the allocation site and its lower lying nature”* that attempting to create heathland habitat would *“possibly be more challenging and costly than the creation of acid grassland or acid-leaning meadow”.*
- *“Careful consideration of the detailed design and layout of the development and green infrastructure elements is required, and is best reviewed together in detail at application stage rather than being predetermined by arbitrary policy parameters”.* SWT prefers planning policy *“to address general principles rather than being overly prescriptive”.*

3.8 The Landowners' conclusion on the above is that firm mitigation measures and the quantum and location of land on-site for green infrastructure/biodiversity enhancement is best determined at planning application stage. Planning policy should address general principles of mitigation and biodiversity enhancement rather than being prescriptive.

## 4. Conclusion

4.1 The Landowners call for a more flexible policy approach to support the early delivery of a comprehensive and integrated development for the site as a whole. There is a need to make efficient and appropriate use of the suitable and available land. The role of the site in contributing to meeting housing needs should be the priority, particularly in view of the local and affordable housing needs of Stedham and the surrounding parishes and limited other opportunities to meet them.

4.2 Policy SD92 requires amendment based on the following principles:

- The policy should not contain an element of employment provision, as this does not have reasonable prospect of being deliverable as part of a comprehensive scheme and would fetter the delivery of housing. Additional homes in the national park is the greater priority.
- Precise residential development unit numbers should be determined at planning application stage, removing any artificial limit.
- The form, quantum and location on-site green infrastructure/biodiversity enhancement can be determined at planning application stage based upon a more detailed review of the potential and benefits. There is a risk that the scale and location of provision in the south of the site, as presently proposed by SDNPA, could draw dog walkers towards the SSSI and be counter-productive in terms of mitigation. An alternative approach is required through detailed design to direct movement on foot towards more suitable existing routes to the west of the site on common land that is not designated SSSI.
- In view of the above, the settlement policy boundary should include the whole of the site.

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